

ORDINANCE NO. 0-2013-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, CANCELING DISTRICT ONE, DISTRICT THREE, AND DISTRICT FIVE, CITY COUNCIL ELECTION SCHEDULED FOR MAY 11, 2013, AND DECLARING THE UNOPPOSED CANDIDATE FOR SINGLE MEMBER DISTRICTS ONE, THREE, AND FIVE ELECTED TO OFFICE.

WHEREAS, a City Council Election is currently scheduled for May 11, 2013; and

WHEREAS, no proposition is to appear on the ballot for the May 11, 2013, election for Districts One, Three and Five; and

WHEREAS, the City Clerk of the City of Tyler has certified in writing that the candidate for City Council Districts 1, 3, and 5, are unopposed and that no write-in candidates have filed to be placed on the list of write-in candidates; and

WHEREAS, Texas Election Code Sections 2.051 through 2.054 authorize the City Council to declare each unopposed candidate elected to office and to cancel the election;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1. That Sam Mezayek, Edward "Ed" Moore and Martin Heines, are hereby declared the duly elected City Council member for Districts One, Three and District Five to serve for a two-year term of office, to begin May 11, 2013.

PART 2. That the City Council Election for District One, District Three, and District Five scheduled for May 11, 2013, is hereby canceled.

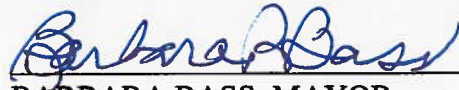
PART 3. That a copy of this ordinance shall be posted on May 11, 2013 at each polling place that would have been used in the election, and said notice shall be in both English and Spanish.

PART 4. That after May 11, 2013, a certificate of election shall be issued to the above named unopposed candidate in the same manner as provided for the candidate elected at the election.

PART 5. That upon issuance of a certificate of election, the above named unopposed candidate shall be sworn into office in the same manner provided for the candidate elected at the election.

PART 6: That this ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED this the 27th day of March, 2013.



BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATT EST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


GARY C. LANDERS, CITY ATTORNEY

To The Tyler City Council:

CERTIFICATION OF UNOPPOSED STATUS

I, Cassandra Brager, City Clerk of the City of Tyler, Texas, hereby certify that when the deadline of 5:00 p.m., March 1, 2013, passed only the following unopposed Candidate had filed an "Application For a Place On The Ballot" and no one had filed a "Declaration Of Write-in Candidacy" for the Tyler City Council Election scheduled to be held May 11, 2013.

**District, No. 1 -
District, No. 3 -
District, No. 5 -**

**Sam Mezayek
Edward "Ed" Moore
Mark Whatley**

This unopposed status and the fact that no proposition is scheduled to appear on the ballot for District One, Three and District Four will permit the Tyler City Council to take advantage of Texas Election Code Sections 2.051 - .054, which allow the City Council to cancel the Election and declare the unopposed Candidates elected to office.

DONE THIS THE 27th day of March, 2013



Cassandra Brager
Cassandra Brager, City Clerk