

ORDINANCE NO. 0-2011-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, CANCELING THE DISTRICT ONE, THREE AND FIVE CITY COUNCIL ELECTION SCHEDULED FOR MAY 14, 2011, AND DECLARING THE UNOPPOSED CANDIDATE FOR SINGLE MEMBER DISTRICT ONE, THREE AND FIVE ELECTED TO OFFICE.

WHEREAS, a City Council Election is currently scheduled for May 14, 2011; and

WHEREAS, no proposition is to appear on the ballot for the May 14, 2011, election in District 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 is 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 is hereby declared the duly elected City Council member for District One to serve for a two-year term of office, to begin May 14, 2011.

PART 2 That Ralph E. Caraway Sr. is hereby declared the duly elected City Council member for District Three to serve for a two-year term of office, to begin May 14, 2011

PART 3 That Mark Whatley is hereby declared the duly elected City Council member for District Five to serve for a two-year term of office, to begin May 14, 2011

PART 4. That the City Council Election for Place One, Three and Five scheduled for May 14, 2011, is hereby canceled.

PART 5. That a copy of this ordinance shall be posted on May 14, 2011 at each polling place that would have been used in the election, and said notice shall be in both English and Spanish.

PART 6. That after May 14, 2011, a certificate of election shall be issued to the above named unopposed candidates in the same manner as provided for the candidate elected at the election.

PART 7. That upon issuance of a certificate of election, the above named unopposed candidates shall be sworn into office.

PART 8: That this ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED this the 13th day of April, 2011.



BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


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 14, 2011, passed only the following unopposed Candidates 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 14, 2011.

Central District, No. 1 -

Sam Mezayek

Northwest District, No. 3 -

Ralph E. Caraway Sr.

East District, No. 5 -

Mark Whatley

This unopposed status and the fact that no proposition is scheduled to appear on the ballot for District One, District Three and District Five 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 District election and declare the unopposed Candidate elected to office.

DONE THIS THE 13th day of April, 2011




Cassandra Brager, City Clerk