



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: O-1

Date May 15, 2007

Subject: Request that the City Council consider canvassing the returns of the City Council Election held May 12, 2007, and adopt ordinance declaring results of election.

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Item Reference: Texas Election Laws (Sec. 67.003 Time for Local Canvass)

The City Council is required by law (Sec. 67.003 of the Texas Election Laws) to canvass returns and declare results of the City Council Election to elect a City Council Member for Single Member District Numbers 1,3, and 5 held May 12, 2007, not earlier than the third day or later than the eleventh day after election day.

Recommendation:

It is recommended that the City Council canvass returns and adopt an Ordinance declaring the results of the City Council Election held May 12, 2007.

Recommended By:
Department Leader 

Edited/Submitted By:
City Manager

ORDINANCE NO. O-2007-52

AN ORDINANCE DECLARING THE RESULTS OF AN ELECTION HELD IN THE CITY OF TYLER, TEXAS, ON THE 12th DAY OF MAY, 2007, FOR THE ELECTION OF CITY COUNCILMEMBER FOR THE NORTHWEST DISTRICT, NO. 3, AND AFFIRMING THE CANCELLATION OF THE ELECTIONS AND DESIGNATION OF UNOPPOSED WINNERS FOR THE OTHER TWO ELECTIONS SET FOR THAT DAY.

WHEREAS, on the 15th day of May, 2007, the City Council of the City of Tyler, Texas, at a meeting duly called for the purpose, canvassed the returns of the City Council Election held on the 12th day of May, 2007, in the City of Tyler, for the election of City Councilmember for the Central District, No. 1 and East District, No. 5, for the City of Tyler, Texas, and it appearing as a result of such canvass that the following named persons received the following number of votes for City Councilmember, Northwest District, No.3.:

Northwest District, No. 3, For City Councilmember

Rodney Atkins -285 Votes
Danny Brasher – 12 Votes
Ralph E. Caraway Sr. – 505 Votes

And it further appearing from such canvass that Ralph E. Caraway Sr. received the highest number of votes cast for City Councilmember, Northwest District, No. 3; and

WHEREAS, the City Clerk has certified in writing that the candidates for City Council Central District, No. 1, and City Council East District, No. 5 were unopposed and that no write-in candidates had filed to be placed on the list of write-in candidates for those places; and

WHEREAS, Texas Election Code Sections 2.051 through 2.054 authorize the City Council to declare each unopposed candidate elected to office and cancel the unneeded elections, which the City Council did on April 11, 2007;

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

PART 1: That Ralph E. Caraway Sr. be and is declared the duly elected City Councilmember for the Northwest District, No. 3, to serve for a two-year term of office.

PART 2: That Steve Smith, and Nathaniel Moran are hereby declared the duly elected City Councilmembers for Central District, No. 1 and East District, No. 5, respectively, to serve for a two-year term of office.

PART 3: That the City Council Elections for Central District, No. 1, and East District, No. 5 scheduled for May 12, 2007 were cancelled and such cancellation is hereby affirmed.

PART 4: That a copy of the City Clerk's Certification of Unopposed Status was posted at each polling place that would have been used in the election.

PART 5: That all of the above named City Councilmembers shall be sworn into office in the same manner provided for candidates elected at the election.

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

PASSED AND APPROVED on this the 15TH day of May, A.D., 2007.

JOSEPH O. SEEBER, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

GARY C. LANDERS, CITY ATTORNEY