

ORDINANCE NO. 0-2009-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, CANCELING THE NORTHWEST DISTRICT/PLACE THREE CITY COUNCIL ELECTION SCHEDULED FOR MAY 9, 2009, AND DECLARING THE UNOPPOSED CANDIDATE FOR SINGLE MEMBER DISTRICT THREE ELECTED TO OFFICE.

WHEREAS, a City Council Election is currently scheduled for May 9, 2009; and

WHEREAS, no proposition is to appear on the ballot for the May 9, 2009, election in Place Three; and

WHEREAS, the City Clerk of the City of Tyler has certified in writing that the candidate for City Council District 3 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 Ralph E. Caraway Sr. is hereby declared the duly elected City Council member for Place Three to serve for a two-year term of office, to begin May 9, 2009.

PART 2. That the City Council Election for Place Three (Northwest) scheduled for May 9, 2009, is hereby canceled.


PART 3. That a copy of this ordinance shall be posted on May 9, 2009 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 9, 2009, 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 25th day of March, 2009.


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


GARY LANDERS, CITY ATTORNEY

To The Tyler City Council:

CERTIFICATION OF UNOPPOSED STATUS

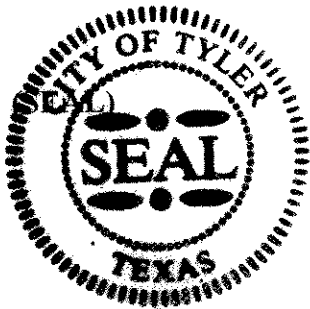
I, Cassandra Brager, City Clerk of the City of Tyler, Texas, hereby certify that when the deadline of 5:00 p.m., March 16, 2009, passed only the following unopposed Candidate had filed an "Application For a Place On The Ballot" and no one had filed a "Declaration Of Write-in Candidacy" for the Tyler City Council Election scheduled to be held May 9, 2009.

Northwest District, No. 3 -

Ralph E. Caraway Sr.

This unopposed status and the fact that no proposition is scheduled to appear on the ballot for the Northwest District/Place Three 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 25th day of March, 2009



Cassandra Brager

Cassandra Brager, City Clerk