

ORDINANCE NO. 0-2010-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, CANCELLING THE MAYOR AT LARGE, DISTRICT TWO, AND DISTRICT FOUR CITY COUNCIL ELECTION SCHEDULED FOR MAY 8, 2010, AND DECLARING THE UNOPPOSED CANDIDATE FOR MAYOR AT LARGE AND SINGLE MEMBER DISTRICTS TWO AND FOUR ELECTED TO OFFICE.

WHEREAS, a City Council Election is currently scheduled for May 8, 2010; and

WHEREAS, no proposition is to appear on the ballot for the May 8, 2010, election for the Mayor and District Two and Four; and

WHEREAS, the City Clerk of the City of Tyler has certified in writing that the candidate for Mayor and City Council Districts 2 and 4 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 Barbara Bass is hereby declared the duly elected Mayor and Donald Sanders and Martin Heines are hereby declared the duly elected City Council members for District Two and District Four to serve for a two-year term of office, to begin May 8, 2010.

PART 2. That the City Council Election for Mayor (At Large), District Two, and District Four scheduled for May 8, 2010, are hereby cancelled.

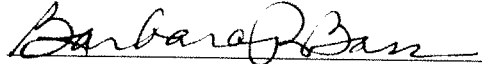
PART 3. That a copy of this ordinance shall be posted on May 8, 2010, at each polling place that would have been used in the election, and said notice shall be in both English and Spanish.

PART 4. That after May 8, 2010, 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.

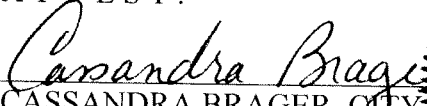
PART 5. That upon issuance of a certificate of election, the above named unopposed candidates shall be sworn into office in the same manner provided for the candidate elected at the election.

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

PASSED AND APPROVED this the 14th day of April, 2010.


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


GARY C. LANDERS, CITY ATTORNEY

EXHIBIT "A" TO ORDINANCE NO. 0-2010-28

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 15, 2010, 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 8, 2010.

**Mayor, At Large-
District, No. 2 -
District, No. 4 -**

**Barbara Bass
Donald Sanders
Martin Heines**

This unopposed status and the fact that no proposition is scheduled to appear on the ballot for the Mayor, At Large, District Two 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 16 day of March, 2010



Cassandra Brager
Cassandra Brager, City Clerk