RESOLUTION NO. R-2010- 6

A RESOLUTION ORDERING AN ELECTION TO BE HELD IN THE CITY OF TYLER ON THE 8TH DAY OF MAY, 2010, FOR THE PURPOSE OF ELECTING A MAYOR AND CITY COUNCIL MEMBERS FOR SINGLE MEMBER DISTRICT NUMBERS 2, 4 AND 6; MAKING PROVISIONS FOR THE CONDUCT OF A JOINT ELECTION AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is now necessary to hold an election to fill expiring terms of the Mayor and City Council Members, and such election is required by law to be held the second Saturday in May;

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

PART 1: That an election be, and the same is hereby ordered to be held within the jurisdiction of the City of Tyler, Texas on the 8th day of May, 2010, pursuant to the laws of the State of Texas and the Charter of the City of Tyler, Texas. Such election shall be held for the purpose of electing a Mayor and three Council Members to fill the Places At Large, Number 2, West District; Number 4, Northeast District; and Number 6, South District, for full two year terms on the City Council.

PART 2: It is agreed that the City of Tyler, Tyler Independent School District and Tyler Junior College will hold a joint election where common polling places are possible and that in accordance with Chapter 271 of the Texas Election Laws, the election herein ordered shall be held as a joint election with the Tyler Independent School District and Tyler Junior College and a single ballot shall be utilized for the candidates to be voted on at such joint election. The joint election, including early voting, shall be conducted by the County Election Administrator, as set out in a contract with said official, and in accordance with Section 31.091 through 31.100, Contract for Election Services.

PART 3: That said election shall be held and conducted in the manner and within the hours prescribed for general elections by the laws of the State of Texas insofar as they may be applicable, and all persons qualified to vote in said City under the laws of this State regulating general elections shall be allowed to vote.

PART 4: That all election instructions and ballots shall be printed in both English and Spanish as required by the Texas Election Code Sections 272.002 through 272.010.

PART 5: Polling places shall be open between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m.

PART 6: The candidate receiving a majority of the votes cast for their respective office shall be declared elected. If any candidate shall not receive a majority of the votes cast for that position, a run-off election shall be ordered for such office. Candidates for all offices shown above shall be voted for and elected separately.

The Mayor shall be elected at large. Council Members for Districts #2, #4 and #6 shall be filled by a person residing in each district respectively who receives the majority of the votes cast by voters in that district. Only voters living in each district shall vote for that District's Council Member.

PART 7: Candidates elected to the City offices stated hereinabove in Part 1 shall hold office as may be provided by the Charter of the City of Tyler, Texas, for a period of two (2) years following their election or until their successor has been duly elected and qualified.

PART 8: All requests by candidates to have their names placed upon the respective ballots shall be in writing, shall designate the office filed for, shall be signed by the candidate and comply with state law concerning filing time deadlines. In addition to said application, all candidates shall make such other filings as may be required by law.

PART 9: The voting places shall be as follows:

SINGLE MEMBER DISTRICT & CITY PRECINCT NUMBER	VOTING PLACE
Central District, #1	
1	Jack Elementary 1900 Balsam Gap
West District, #2	
2	Tyler City Hall 212 N Bonner Avenue
3	Tyler ISD Admin Bldg 1319 W. 8th Street
4	St. Louise Elementary 2800 Walton Rd
Northwest District, #3	
5	Dixie Elementary 213 Patton Ln.
6	Austin Elementary 1105 W. Franklin

Northeast District, #4

7	Bonner Elementary 235 S. Saunders
8	Hogg Middle School 920 South Broadway
9	Birdwell Elementary 1919 S. Kennedy

East District, #5

10	Bell Elementary School 1409 Hankerson

South District, #6

11	Southern Oaks Baptist Church 601 Amherst
12	Hubbard Middle School 1300 Hubbard Dr.

Each Presiding Judge shall appoint at least two (2) clerks to serve in his precinct and shall appoint as many additional clerks to so serve, not to exceed seven (7), as they deem necessary for the proper conduct of the election, one of whom shall be the Alternate Presiding Judge in that precinct, which said Presiding Judges and clerks shall be the managers of said election.

If any Presiding Judge is unable to serve at the election, the Alternate Presiding Judge of that precinct shall serve as the Presiding Judge for the election.

PART 10: Early voting by personal appearance shall be in Suite 500 on the fifth floor of the office building located at 200 East Ferguson Street, Tyler, Texas. The Elections Administrator is appointed as the early voting clerk for the joint election. The time of early voting shall be as prescribed by law, being April 26, 2010, through May 4, 2010, from 8:00 a.m. to 5:00 p.m. and May 3 & 4, 2010, from 7:00 a.m. to 7:00 p.m. Applications for early voting ballots by mail should be addressed to Karen Chaney, Elections Administrator, P O Box 777, Tyler, Texas 75710, in accordance with the provisions of the Texas Election Laws.

For purposes of processing ballots cast in early voting, the following persons are appointed to the early Voting Ballot Board for this joint election:

Gladys Eudey	Presiding Judge
Texanna Crutchfield	Alternate Presiding Judge

PART 11: The Central Counting Station for the tabulation and counting of ballots for this joint election shall be located at the Smith County Courthouse, Tyler, Texas and the persons hereby appointed to serve as Manager, Tabulation Supervisor and the Presiding Judge at the Central Counting Station are as follows:

Karen Chaney Nelson	Manager
Karen Chaney Nelson	Tabulation Supervisor
Karen Chaney Nelson	Presiding Judge

The Manager and Presiding Judge of the Central Counting Station may appoint clerks to serve at such Station, as provided by Section 127.006 of the Texas Election Laws.

PART 12: A copy of this resolution shall be sufficient notice of said election and the City Councilmembers of the City of Tyler are hereby ordered and directed to give notice of the time and place of said election by causing a true copy of this resolution to be published in some newspaper of general circulation in this City not less than ten (10) days nor more than thirty (30) days before the election.

PART 13: That this resolution shall take effect immediately from and after its passage, as indicated below.

PASSED AND APPROVED this 10th day of March, A. D. 2010.

BARBARA BASS, MAYOR OF THE CITY OF TYLER, TEXAS

ATTEST:

CASSANDRA BRAGER, CITY CLERK

CITY OF TYLER SEAL TEXAS

APPROVED:

GARY LANDERS, CITY ATTORNEY