

RESOLUTION NO. 534

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS DECLARING UNOPPOSED CANDIDATE IN THE MAY 13, 2006 GENERAL CITY ELECTION FOR COUNCILMEMBER DISTRICT NO. 2 ELECTED TO OFFICE; CANCELING THE ELECTION FOR COUNCILMEMBER DISTRICT NO. 2; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the general city election was called for May 13, 2006, for the purpose of electing members to the City Council; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy and that the candidate on the ballot for Councilmember District No. 2 is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the City Council to declare the candidate elected to office for Councilmember District No. 2 and cancel the election for Councilmember District No. 2.

Now, Therefore, be it resolved by the City Council of the City of Terrell, Texas:

Section 1. The following candidate, who is unopposed in the May 13, 2006 General City Election is declared elected to office for Councilmember District No. 2 and shall be issued certificates of election following the time the election would have been canvassed:

TOMMY SPENCER

Section 2. The May 13, 2006 General City Election for District No. 2 is cancelled and the City Secretary is directed to cause a copy of this resolution to be posted on election day at each polling place that would have been used in the election.

Section 3. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this resolution are severable, and if any phrase, clause, sentence, paragraph, or section of this resolution is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or section of this resolution since the City Council would have enacted them without the invalid portion.

Section 4. That this resolution shall take effect upon approval and is so resolved.

Passed and approved this the 21st day of March, 2006.

Frances Anderson, Mayor

Attest:

John Rounsavall, City Secretary

Approved as to form:

Mary Gayle Ramsey, City Attorney