



City Council Agenda 02/26/2019

Notice is hereby given of a special meeting of the City Council of City of San Angelo to be held on February 26, 2019 at 3:00 PM at City Hall – East Mezzanine, 72 W. College Avenue, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order

2. Special Agenda

a. Consideration of items related to the May 4, 2019 General Election:

- Consideration of receiving the Certification of Unopposed Candidates

- Consideration of a resolution adopting an order declaring the election cancelled

- Declaration of electing the unopposed candidates (SMD 1 - Tommy Hiebert, SMD 3 - Harold "Harry" Thomas, and SMD 5 - Lane Carter)

3. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas, on the 22nd day of February 2019, at 3:00 p.m.

A handwritten signature in blue ink, appearing to read "Julia Antilley", is written over a horizontal line.

Julia Antilley, City Clerk

All agenda items are subject to action. All contracts/agreements may be subject to further negotiation prior to execution. The City Council reserves the right to consider business out of posted order and/or meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

In compliance with the Americans with Disabilities Act, the City of San Angelo will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Clerk's Office at 325-657-4405.

City Council regular meetings are broadcast on Channel 17-Government Access at 10:30 a.m. and 7:00 p.m. every day for two weeks beginning on the Thursday after each meeting.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Julia Antilley, City Clerk, City Clerk, 325-657-4405

Meeting Date: February 26, 2019

Item type: Consent Item

Caption:

Consideration of items related to the May 4, 2019 General Election:

- Consideration of receiving the Certification of Unopposed Candidates
- Consideration of a resolution adopting an order declaring the election cancelled
- Declaration of electing the unopposed candidates (SMD 1 - Tommy Hiebert, SMD 3 - Harold "Harry" Thomas, and SMD 5 - Lane Carter)

Summary/History:

Under the Texas Election Code 2.051-2.053, the City Council must accept the Certification of Unopposed Candidates as soon as possible after the write-in deadline if all seats are unopposed. The Council must then adopt in an Open Meeting an order declaring the election cancelled.

The unopposed candidates, who have been declared elected at the meeting ordering the cancellation, must wait until the prescribed canvassing period to be sworn in and assume their duties. This ceremony will be held at our regularly scheduled May 7, 2019 meeting.

Additionally, a copy of the order canceling the election must be posted on Election Day at each polling place that would have been used in the election.

Financial Impact:

Cancelling the election will save somewhere between \$30,000 to \$60,000 based on historical data from previous elections, depending on the number of participating entities and whether a runoff election is necessary.

The most recent payments for General Elections have been:

2017: \$28,503

2016: \$60,661

2015: \$28,313

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|--|
| 1. | Certification of Unopposed Candidates for Other Political Subdivisions | Certification of Unopposed Candidates for Other Political Subdivisions.pdf |
| 2. | CC CANCEL_ELECTION_RESOLUTION | CC CANCEL_ELECTION_RESOLUTION.pdf |

Presentation:

Approvals/Reviews:

Julia Antilley
Dan Saluri
Theresa James
Becky Dunn
Julia Antilley

Created/Initiated
Approved
New

**CERTIFICATION OF UNOPPOSED CANDIDATES FOR
OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)
CERTIFICACIÓN DE CANDIDATOS ÚNICOS
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

To: Presiding Officer of Governing Body

Al: Presidente de la entidad gobernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 4, 2019

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el May 4, 2019

List offices and names of candidates:

Lista de cargos y nombres de los candidatos:

Office(s) Cargo(s)

Single Member District One (SMD 1)
Single Member District Three (SMD 3)
Single Member District Five (SMD 5)

Candidate(s) Candidato(s)

Tommy Hiebert
Harold (Harry) Thomas
Lane Carter



Signature (Firma)

Julia W. Antilley

Printed name (Nombre en letra de molde)

City Clerk

Title (Puesto)

02/20/19

Date of signing (Fecha de firma)



(Seal) (sello)

**See reverse side for instructions
(Instrucciones en el reverso)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, RECEIVING THE CERTIFICATION OF UNOPPOSED CANDIDATES FROM THE CITY CLERK IN THE MAY 4, 2019 GENERAL CITY ELECTION FOR THE OFFICES OF CITY COUNCILMEMBERS, SINGLE MEMBER DISTRICTS ONE, THREE, AND FIVE; DECLARING UNOPPOSED CANDIDATES TO BE ELECTED TO OFFICE; ORDERING CANCELATION OF THE CITY GENERAL ELECTION FOR MAY 4, 2019; PROVIDING FOR SEVERABILITY; AND, ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of San Angelo, Texas, on the 22nd day of January, 2019, duly passed Resolution No. 2019-004 calling a general election to be held on the first Saturday in May, 2019, same being the fourth (4th) day of May, 2019, for the purpose of electing one City Councilmember from Single Member District 1; one City Councilmember from Single Member District 3; and one City Councilmember from Single Member District 5; by the qualified voters of the City of San Angelo, Single Member District Number 1, Number 3, and Number 5, respectively; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City of San Angelo general election for May 4, 2019 has expired; and

WHEREAS, pursuant to Section 2.052 of the Texas Election Code, the City Clerk has certified in writing that Tommy Hiebert is unopposed in the election for the respective office of Single Member District 1, that Harold "Harry" Thomas is unopposed in the election for the respective office of Single Member District 3, and that Lane Carter is unopposed in the election for the respective office of Single Member District 5; and

WHEREAS, pursuant to Section 2.053 of the Texas Election Code, on receipt of the certification, the governing body of the political subdivision by order or ordinance may declare each unopposed candidate elected to the office and cancel the election;

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

SECTION 1: That the City Council, hereby receives the City Clerk's Certification of Unopposed Candidates for the May 4, 2019 city general election.

SECTION 2: The City Council hereby declares that the following unopposed candidates for the May 4, 2019 city general election are elected to their respective offices:

TOMMY HIEBERT, COUNCILMEMBER, SINGLE MEMBER DISTRICT 1
HAROLD "HARRY" THOMAS, COUNCILMEMBER, SINGLE MEMBER DISTRICT 3
LANE CARTER, COUNCILMEMBER, SINGLE MEMBER DISTRICT 5

SECTION 3: That the declared elected candidates shall assume the duties of office when certificates of election are issued to each candidate as provided for at law.

SECTION 4: The City of San Angelo City Council hereby orders that the city general election scheduled to be held on May 4, 2019 is cancelled, in accordance with Section 2.053(a) of the Texas Election Code.

SECTION 5: That the written Certification of Unopposed Candidates prepared by the City Clerk and delivered to the City Council is attached hereto as **Exhibit A** and is made a part hereof for all purposes.

SECTION 6: That the written Order of Cancellation prepared by the City Clerk is attached hereto as **Exhibit B** and is made a part hereof for all purposes.

SECTION 7: That a copy of the Order of Cancellation shall be posted on May 4, 2019, the day on which the election was to be held, at each polling place used or that would have been used in the election.

SECTION 8: Should any section, provision, clause, or word of this Resolution be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

SECTION 9: That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED on this the 26th day of February 26, 2019.

THE CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT A

AW12-1
Prescribed by Secretary of State
Section 2.051 – 2.053, Texas Election Code
2/14

**CERTIFICATION OF UNOPPOSED CANDIDATES FOR
OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)
CERTIFICACIÓN DE CANDIDATOS ÚNICOS
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

To: Presiding Officer of Governing Body
Al: Presidente de la entidad gobernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 4, 2019

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el May 4, 2019

List offices and names of candidates:
Lista de cargos y nombres de los candidatos:

Office(s) Cargo(s)	Candidate(s) Candidato(s)
Single Member District One (SMD 1)	Tommy Hiebert
Single Member District Three (SMD 3)	Harold (Harry) Thomas
Single Member District Five (SMD 5)	Lane Carter



Signature (Firma)

Julia W. Antilley

Printed name (Nombre en letra de molde)

City Clerk

Title (Puesto)

02/20/19

Date of signing (Fecha de firma)



(Seal) (sello)

EXHIBIT B

AW12-2
Prescribed by Secretary of State
Section 2.051 – 2.053, Texas Election Code
2/14

ORDER OF CANCELLATION
ORDEN DE CANCELACIÓN

The City of San Angelo hereby cancels the election scheduled to be held on
(official name of governing body)
May 4, 2019 in accordance with Section 2.053(a) of the Texas
(date on which election was scheduled to be held)
Election Code. The following candidates have been certified as unopposed and are hereby
elected as follows:

El Cuidad de San Angelo por la presente cancela la elección que, de lo contrario,
(nombre oficial de la entidad gobernante)
se hubiera celebrado el 4 de Mayo, 2019 de conformidad, con
(fecha en que se hubiera celebrado la elección)
la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido
certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado
a continuación:

Candidate (Candidato)	Office Sought (Cargo al que presenta candidatura)
Tommy Hiebert	Single Member District One (SMD 1)/ Distrito Numero Uno
Harold (Harry) Thomas	Single Member District Three (SMD 3)/ Distrito Numero Tres
Lane Carter	Single Member District Five (SMD 5)/ Distrito Numero Cinco

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

Mayor (Alcalde)

City Clerk (Oficinista de La Ciudad)

(seal) (sello)

Date of adoption (Fecha de adopción)