

AN ORDINANCE

2009-02-19-0147

ORDERING THE GENERAL CITY ELECTION TO BE HELD ON SATURDAY, MAY 9, 2009 AND RUN-OFF ELECTION TO BE HELD ON SATURDAY, JUNE 13, 2009, IF NECESSARY; AND ALSO SETTING FORTH ELECTION PROCEDURES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO;

SECTION 1. ELECTION ORDERED. The San Antonio City Council hereby orders a General Municipal Election to be held on Saturday, the 9th of May, 2009, in accordance with all applicable laws of the State of Texas, including but not limited to the Texas Election Code, and the provisions of the Charter of the City of San Antonio, for the purpose of electing the City's Mayor and Council. There shall be eleven (11) offices designated on the ballot as follows:

- Member of Council, Place 1
- Member of Council, Place 2
- Member of Council, Place 3
- Member of Council, Place 4
- Member of Council, Place 5
- Member of Council, Place 6
- Member of Council, Place 7
- Member of Council, Place 8
- Member of Council, Place 9
- Member of Council, Place 10
- Member of Council, Place 11 (Mayor)

SECTION 2. JOINT ELECTION. The City Council also authorizes the May 9, 2009 General Election to be held jointly with other participating local political subdivisions located within the County. The city shall execute an agreement with Bexar County to conduct the Election as a joint election with the other political subdivisions identified in the agreement.

Pursuant to Section 61.012, as amended, Texas Election Code, the Bexar County Elections Administrator shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirements for voting systems that permit voters with physical disabilities to cast a confidential or secret ballot.

SECTION 3. PRECINCTS AND POLLING LOCATIONS; HOURS OF VOTING. The General Election shall be held as prescribed by law between the hours of 7:00 A.M. and 7:00 P.M. on Saturday, May 9, 2009, at the precincts of the City of San Antonio at the locations listed in **Attachment I**. Attachment I is attached hereto and incorporated herein for all purposes.

SECTION 4. VOTING SYSTEM. Voting on Election Day, Saturday, May 9, 2009, shall be conducted by the use of AIS650 Tabulators, paper ballots, of the iVotronic™ touch screen voting system, as determined by the City Clerk and the Bexar County Elections Administrator.

For early voting by mail and for provisional voting at this election, the City Clerk has determined that voting shall be conducted by use of the AIS650 Tabulators and paper ballots.

For early voting by personal appearance, beginning on Monday, April 27, 2009 and ending on Tuesday, May 5, 2009, the City Clerk has determined that voting shall be conducted by the use of the iVotronic™ touch screen voting system. The equipment shall be placed at branch offices established for the purpose of conducting early voting by personal appearance at the locations and during the dates and hours listed in **Attachment II**. **Attachment II** is attached hereto and incorporated herein for all purposes.

SECTION 5. EARLY VOTING. Early voting by personal appearance shall be conducted at the branch offices as listed in Attachment II, during the period for early voting, commencing Monday, April 27, 2009, and ending Tuesday, May 5, 2009, including Saturday, May 2, 2009 and Sunday, May 3, 2009. Hours of early voting shall be established by the Bexar County Elections Administrator in accordance with the applicable provisions of Texas law.

Electors may cast their early vote by mail. Ballot applications and ballots voted by mail shall be mailed to the early voting clerk as follows:

Jacquelyn F. Callanen, Early Voting Clerk
Bexar County Elections Administrator
203 E. Nueva, 3.61
San Antonio, TX 78207

The last day to receive an application for a ballot to be voted by mail is Friday, May 1, 2009.

SECTION 6. NOTICE. (a) *Form of Notice of Election.* The City Clerk of the City of San Antonio is authorized and directed to prepare a form of the Notice of Election in both English and Spanish, the contents of which comply with the requirements of Section 4.004 of the Texas Election Code and any other applicable law, and will include at the minimum, the nature and date of the election; the location of each election day and early voting polling place; the hours the polls will be open; the locations, dates and times of temporary branch locations of early voting by personal appearance; the early voting clerk's mailing address; and any other information required by other law, and with variations as permitted by applicable law.

(b) *Method of Giving Notice.* Notice of the election shall be given by posting a copy of the Notice of Election, both in English and Spanish, not later than the 21st day before the date set for the election on the bulleting board used for posting notices of the meetings of the City Council of the City. Notice of the election shall also be given by publishing said Notice of Election, both in English and Spanish, at least once, not earlier than the 30th day or later than the 10th day before Election Day, in a newspaper of general circulation published in the City of

San Antonio. The City Council hereby declares that the San Antonio Express-News is a newspaper of general circulation within the city.

SECTION 7. CONTRACT FOR ELECTION SERVICES. The City Council will contract with Bexar County Elections Administrator to conduct this election. The Council shall consider and approve this contract at a future meeting by passage of an ordinance.

SECTION 8. ELECTION MATERIAL. All resident qualified electors of the City shall be permitted to vote at the election and on the day of the Election, such electors shall vote at the designated polling places. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

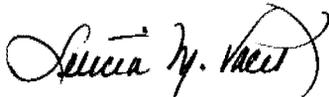
SECTION 9. DATE OF RUN-OFF. If necessary, a run-off election will be held on Saturday, June 13, 2009, in accordance with the laws of the State of Texas and the provisions of the Charter of the City of San Antonio.

SECTION 10. EFFECTIVE DATE. The effective date of this Ordinance shall be governed by the provisions of the City Charter and Section 1-15 of the City Code, respectively. As such, this Ordinance shall take effect immediately if passed by the affirmative vote of at least eight members of the City Council; otherwise, the same shall take effect on the tenth (10th) day after the date of its passage by the City Council.

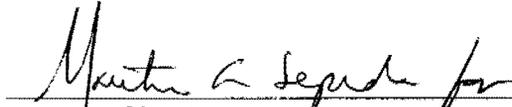
PASSES AND APPROVED this 19th day of February, 2009.


M A Y O R

ATTEST :


City Clerk

APPROVED AS TO FORM:


City Attorney