

AN ORDINANCE **2014-11-13-0890**

CANVASSING THE NOVEMBER 4, 2014 SPECIAL ELECTION RESULTS; ORDERING A RUN-OFF ELECTION FOR DECEMBER 9, 2014; ESTABLISHING EARLY VOTING AND RUN-OFF ELECTION DAY POLLING LOCATIONS, AND SCHEDULING A SPECIAL COUNCIL MEETING FOR TUESDAY, DECEMBER 16, 2014, TO CANVASS THE RESULTS OF THE RUN-OFF ELECTION.

* * * * *

WHEREAS, the special election was held on Tuesday, November 4, 2014, to determine the District 2 Council Member of the City of San Antonio; and

WHEREAS, at the November 4, 2014 election, the voters of City Council District 2 of the City of San Antonio were asked to elect a member of the City Council for Place 2, to be elected by a majority vote of the qualified electors voting in the election in that district; and

WHEREAS, the names of the candidates were submitted to the voters, the election was held and conducted and the returns were made, all as required by the City Charter and the laws of the State of Texas; and

WHEREAS, the City Council has reviewed and investigated all matters pertaining to the election, including the ordering, notices, election officers, holding and returns, and it is now necessary to declare the official results of the canvass;

WHEREAS, in the November 4, 2014 special election, no candidate for the Office of Council Member for District 2 received a majority of votes for the office sought, and therefore no candidate was elected for this place; and

WHEREAS, it is now necessary to order a run-off municipal election for Tuesday, December 9, 2014, for the purpose of electing a Council Members for District 2; and

WHEREAS, it is also necessary to establish early voting and election day polling sites for the December 9, 2014 run-off election, and schedule a special City Council meeting to canvass the results of the run-off election; **NOW THEREFORE:**

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

SECTION 1. The City Council having convened on this 13th day of November, 2014, to canvass the returns of the special election held on November 4, 2014, and after canvassing the returns of this election, officially finds and determines that this election was duly ordered; proper notice of this election was given; proper election officers were duly appointed prior to this election; the election was duly held; the City has complied with the Federal Voting Rights Act, the Texas Election Code, and the City Charter; and due returns of the result of this election have been made and delivered, all in accordance with the law and the Ordinance calling the election.

SECTION 2. The City Council does officially find and declare the results of the special election to be as follows:

<u>FOR MEMBER OF COUNCIL, PLACE NO. 2:</u>	<u>VOTES:</u>
“FOR” Norris Tyrone Darden	2,453
“FOR” Keith A. Toney	3,074
“FOR” Ntando McIntosh	557
“FOR” Alan E. Warrick	3,155
“FOR” Elmo Aycock	545

SECTION 3. As no candidate for District 2 received a majority of all votes cast by qualified voters of the City voting in the election, as required by the Charter of the City of San Antonio; therefore, no candidate was elected for Member of Council for this place. A run-off election is necessary so that the candidate receiving the highest number of votes shall have received a majority of all the votes cast for the office. The two candidates in the district receiving the highest number of votes for District 2 in the November 4, 2014 special election shall again be voted upon at the run-off election.

SECTION 4. A run-off election for the purpose of electing the member of the City Council of the City of San Antonio for District 2 is ordered to be held in the City of San Antonio, Bexar County, Texas on the 9th day of December, 2014, in accordance with the laws of the State of Texas and the provisions of the Charter of the City of San Antonio. The official ballots for the December 9, 2014 run-off election shall be prepared in accordance with the Texas Election Code.

SECTION 5. Early voting for the run-off election shall begin on Monday, December 1, and end on Friday, December 5, 2014. The hours of early voting and the early voting polling sites for the Run-off Election are set out in **Exhibit A**, which is attached to, and incorporated in this Ordinance for all purposes.

SECTION 6. The Election Day polling sites for the December 9, 2014 run-off election are set out in **Exhibit B**, attached to, and incorporated in this Ordinance for all purposes.

SECTION 7. Voting for the Tuesday, December 9, 2014 run-off election shall be conducted by the use of iVotronic voting machines and by AIS650 Tabulators and paper ballots, as determined by the City Clerk of the City of San Antonio and the Bexar County Election Administrator. The AIS650 Tabulators and paper ballots shall also be used for the casting of early votes by mail, for early voting by personal appearance, and for provisional voting.

SECTION 8. Electors may cast their early vote by mail, and the Early Voting Clerk’s mailing address to which ballot applications and ballots voted by mail shall be sent to, is as follows:

Early Voting Clerk
203 West Nueva, Suite 3.61
San Antonio, Texas 78207

The last day to receive an application for a ballot to vote by mail is Wednesday, November 26, 2014, by 5:00 P.M.

SECTION 9. (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 all other applicable law), and include at a 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 such variations permitted by applicable law.

(b) *Method of Giving Notice.* Notice of the December 9, 2014 run-off election shall be given by posting a copy of the Notice of Election, both in English and in Spanish, not later than the 15th day before the date set for the election, on the bulletin board used for posting notices of the meetings of the City Council. Notice of the run-off election shall also be given by publishing the Notice of Election, both in English and in 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. It is found and declared that the San Antonio Express-News is a newspaper of general circulation within the City.

SECTION 10. A special City Council meeting is scheduled for Tuesday, December 16, 2014, at 1:00 pm, to canvass the results of the run-off election. At that time, the elected District 2 Council member shall be sworn in and take office.

SECTION 11. This ordinance is effective immediately, if approved by eight or more affirmative votes; otherwise, it is effective on the tenth day from the date of passage.

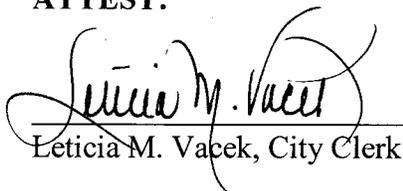
PASSED AND APPROVED on this 13th day of November, 2014.



M A Y O R

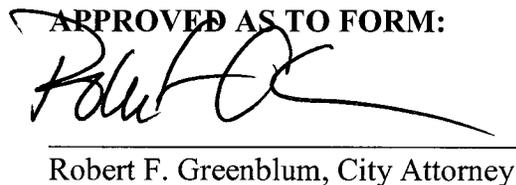
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Robert F. Greenblum, City Attorney

Agenda Item:	4						
Date:	11/13/2014						
Time:	09:35:45 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance canvassing the election returns for the District 2 Special Election held on Tuesday, November 4, 2014 and ordering a Run-off Election for Tuesday, December 9, 2014. [Leticia M. Vacek, City Clerk]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Diego Bernal	District 1		x				
Keith Toney	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5	x					
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

**RUN-OFF ELECTION
ELECCIÓN DECISIVA
DECEMBER 9, 2014
9 de diciembre de 2014**

THE HOURS OF EARLY VOTING WILL BE: (LAS HORAS Y FECHAS DE VOTACION ADELANTADA SERAN:)

**Mon., Dec. 1 thru Fri., Dec. 5, 2014.....8:00 a.m. to 8:00 p.m.
Lunes 1° de diciembre hasta el viernes 5 de diciembre de 2014.....8:00 a.m. to 8:00 p.m.**

December 1, 2014 – December 5, 2014

SUN	MON	TUES	WED	THURS	FRI	SAT
30	1 *****	2 *****	3 *****	4 *****	5 *****	6
7	8	9 ELECTION DAY				

Legend: ***** Indicates dates open for early voting

Main Early Voting Location: (Localidad Principal de Votación Adelantada :)

**BEXAR COUNTY JUSTICE CENTER.....300 Dolorosa
DEAFLINK available for the hearing impaired**

In addition to the main early polling place, early voting will be conducted at the following locations: (Además de la localidad principal, votación adelantada se llevara a cabo en las siguientes localidades:)

- CLAUDE BLACK CENTER.....2805 East Commerce**
- CONVERSE ED KNEUPPER JUSTICE CENTER.....402 S. Seguin Rd.**
- COPERNICUS COMMUNITY CENTER.....5003 Lord Rd.**
- LION’S FIELD.....2809 Broadway**
- TOBIN LIBRARY @ OAKWELL.....4134 Harry Wurzbach**
- WINDCREST TAKAS PARK CIVIC CENTER.....9310 Jim Seal Dr.**

**subject to change
(sujeto a cambio)**

For more information contact the office of the Bexar County Elections Administrator, Jacquelyn F. Callanen, at (210) 335-VOTE (8683).

(Para mas información comuníquese con oficina del Condado de Bexar Administrador de Elecciones, Jacquelyn F. Callanen, al teléfono (210) 335-VOTE (8683)).

CITY OF SAN ANTONIO
 RUN-OFF ELECTION TO FILL THE VACANCY IN COUNCIL DISTRICT 2
 TUESDAY, DECEMBER 9, 2014
 ELECTION DAY POLLING SITES

EXHIBIT B

PRECINCT/ PRECINTO	LOCATION AND ADDRESS	
	Sites Subject to Change by Bexar County	
1126	St. Philip of Jesus Catholic Church (Hall)	122 E. Lambert St.
3178	Alamo Heights United Methodist Church	825 E Basse Rd.
4002	Poe Middle School	814 Aransas Ave.
4003	Davis Scott YMCA	1213 Iowa St.
4004	Bowden Elementary	515 Willow St.
4005	Bowden Elementary	515 Willow St.
4006	Bowden Elementary	515 Willow St.
4007	Wilshire Elementary	6523 Cascade Pl.
4008	Lamar Elementary	201 Parland
4009	Wheatley Middle School	415 Gabriel
4010	Wheatley Middle School	415 Gabriel
4011	Wheatley Middle School	415 Gabriel
4012	Smith Elementary	823 S. Gevers
4014	Poe Middle School	814 Aransas Ave.
4021	Clear Spring Elementary	4311 Clear Spring
4029	Smith Elementary	823 S. Gevers
4030	M.L. King Academy	3501 Martin Luther King
4035	Mount Calvary Lutheran Church	308 Mount Calvary Dr.
4036	Hirsch Elementary	4826 Sea Breeze
4037	M.L. King Academy	3501 Martin Luther King
4039	M.L. King Academy	3501 Martin Luther King
4040	Cameron Elementary School	3635 Belgium Lane
4041	W.W. White Elementary	545 S. W.W. White Rd.
4042	Sam Houston High School	4635 E. Houston
4043	Cameron Elementary School	3635 Belgium Lane
4044	Wilshire Elementary	6523 Cascade Pl.
4045	East Terrell Hills Elementary	4415 Bloomdale
4047	Krueger Middle School	438 Lanark Dr.
4049	Ed White Middle School	7800 Midcrown Dr.
4063	Park Village Elementary	5855 Midcrown
4065	Paschall Elementary	6351 Lakeview Dr.
4068	Metzger Middle School	7475 Binz-Engleman Rd.
4070	Sinclair Elementary	6126 Sinclair Rd.
4075	Poe Middle School	814 Aransas Ave.
4076	Park Village Elementary	5855 Midcrown
4077	Sinclair Elementary	6126 Sinclair Rd.
4082	Sam Houston High School	4635 E. Houston
4083	Clear Spring Elementary	4311 Clear Spring
4084	Sam Houston High School	4635 E. Houston
4091	Mount Calvary Lutheran Church	308 Mount Calvary Dr.
4102	Krueger Middle School	438 Lanark Dr.
4103	Lamar Elementary	201 Parland
4106	Park Village Elementary	5855 Midcrown
4110	Lamar Elementary	201 Parland
4111	Cameron Elementary School	3635 Belgium Lane
4113	W.W. White Elementary	545 S. W.W. White Rd.
4117	Tobin Library @ Oakwell	4134 Harry Wurzbach
4119	Lamar Elementary	201 Parland
4120	Wilshire Elementary	6523 Cascade Pl.
4122	Lamar Elementary	201 Parland
4123	Bowden Elementary	515 Willow St.
4125	Mount Calvary Lutheran Church	308 Mount Calvary Dr.

**CITY OF SAN ANTONIO
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 TUESDAY, DECEMBER 9, 2014
 ELECTION DAY POLLING SITES**

PRECINCT/ PRECINTO	LOCATION AND ADDRESS	
	Sites Subject to Change by Bexar County	
4128	Lamar Elementary	201 Parland
4131	Royal Ridge Elementary	5933 Royal Ridge Dr.
4134	Royal Ridge Elementary	5933 Royal Ridge Dr.
4135	East Terrell Hills Elementary	4415 Bloomdale
4139	Wilshire Elementary	6523 Cascade Pl.
4141	M.L. King Academy	3501 Martin Luther King
4142	Park Village Elementary	5855 Midcrown
4147	Mount Calvary Lutheran Church	308 Mount Calvary Dr.
4149	Royal Ridge Elementary	5933 Royal Ridge Dr.
4154	Ed White Middle School	7800 Midcrown Dr.
4156	Woodlake Elementary	5501 Lake Bend East
4159	China Grove City Hall	2412 FM 1516 S.
4161	Paschall Elementary	6351 Lakeview Dr.
4163	Northampton Community Center	8265 Manderly Pl.
4166	Park Village Elementary	5855 Midcrown
4175	Krueger Middle School	438 Lanark Dr.
4177	James Bode Recreation Center	900 Rigsby
4178	Lamar Elementary	201 Parland
4180	Ray D Corbett Jr High School (SCUC)	12000 Ray Corbett Dr
4181	Krueger Middle School	438 Lanark Dr.
4183	Lamar Elementary	201 Parland
4184	Lamar Elementary	201 Parland
4186	Lamar Elementary	201 Parland
4190	Metzger Middle School	7475 Binz-Engleman Rd.
4193	Metzger Middle School	7475 Binz-Engleman Rd.
4206	Royal Ridge Elementary	5933 Royal Ridge Dr.
4207	Sinclair Elementary	6126 Sinclair Rd.
4212	Sinclair Elementary	6126 Sinclair Rd.
4220	Sam Houston High School	4635 E. Houston



**Canvassing Report and
Calling of Run-off Election**

**City of San Antonio Special Election
held Tuesday, November 4, 2014**

Leticia M. Vacek, City Clerk
TRMC/MMC

Agenda Item 4 on November 13, 2014



Canvassing Report

- **Under Votes:** Represents a voter that votes in the race using the Ivotronic Voting System or Paper Ballot and the voter makes no marking or selection.
- **Over Votes:** Represents a voter that casts a Paper Ballot and votes for more than one candidate - none of the candidates received the vote.
- **Overseas and Provisional Ballots:** Three ballots were returned and have been included in the final results.

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Canvassing Report

MEMBER OF COUNCIL, PLACE NO. 2:

Norris Tyrone Darden	2,453 votes
Keith A. Toney	3,074 votes
Ntando McIntosh	557 votes
Alan E. Warrick	3,155 votes
Elmo Aycock	545 <u>votes</u>
Total Votes Cast	9,784 votes

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Canvassing Report

- **Vote Tabulation**
 - Total Votes Cast:
 - 9,784
 - Registered voters for District 2 as of October 6, 2014;
 - 60,636
 - Voter Turnout for the District 2 Special Election:
 - 16.14%

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Run-off Election Calendar

Thursday, November 13, 2014	1:00 p.m. – Drawing for Placement on the Ballot.
Wednesday, November 26, 2014	5:00 p.m. – Last day to Apply for Mail Ballot with Bexar County Elections for the November Run-off Election.
Monday, December 1, 2014	First day of Early Voting by Personal Appearance. Hours are 8:00 am to 8:00 pm
Friday, December 5, 2014	Last day of Early Voting by Personal Appearance. Hours are 8:00 am to 8:00 pm
Tuesday, December 9, 2014	ELECTION DAY; 7:00 a.m. to 7:00 p.m.
Tuesday, December 16, 2014	1:00 p.m. – Special Called Council Meeting to Canvass Run-off Election Results.

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Run-off Election – Early Voting

- **Early Voting Locations are as follows:**
 - Main: Bexar County Justice Center (Deaflink)
 - Claude Black Center
 - Converse Ed Kneupper Justice Center
 - Copernicus Community Center
 - Lion's Field
 - Tobin Library @ Oakwell
 - Windcrest Takas Park Civic Center
- **Dates & Hours for Early Voting:**
 - Monday, Dec 1 thru Friday, Dec 5 from 8am to 8pm

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Run-off Election – Election Day



- The Run-off Election is scheduled for Tuesday, December 9, 2014
 - Hours of Voting will be from 7am to 7pm
- Anyone who did not vote in the Main Election that registered to vote prior to November 10, 2014 in District 2 may vote in the Run-off Election.
- The contract for Election Services will be brought forth for Council upon receipt from Bexar County Elections.

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Canvassing Report



- Recommendation:
 - Adopt Ordinance accepting the Canvassing Report and Declaring the Official Election Results of the Tuesday, November 4, 2014 Special Election.
 - Adopt Ordinance Calling the Run-off Election for Tuesday, December 9, 2014.

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