

AN ORDINANCE

**CANVASSING THE NOVEMBER 4, 2014 SPECIAL ELECTION RESULTS;
ORDERING A RUN-OFF ELECTION FOR DECEMBER 9, 2014; AND
ESTABLISHING EARLY VOTING AND RUN-OFF ELECTION DAY POLLING
LOCATIONS.**

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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; **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:

FOR MEMBER OF COUNCIL, PLACE NO. 2:

VOTES:

“FOR” Norris Tyrone Darden
“FOR” Keith A. Toney
“FOR” Ntando McIntosh
“FOR” Alan E. Warrick
“FOR” Elmo Aycock

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. 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:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney