

AN ORDINANCE 2014 - 03 - 20 - 0182

**CALLING A SPECIAL CITY COUNCIL MEETING FOR WEDNESDAY,  
MAY 21, 2014 AT 2:00 P.M. TO CANVASS THE RESULTS OF THE MAY  
10, 2014 SPECIAL CITY ELECTION.**

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**WHEREAS**, in accordance with Section 8 of the City Charter, the San Antonio City Council ordered a Special Election to fill vacancies in City Council Districts 9 and 10, on February 6, 2014, by Ordinance 2014-02-06-0067; and

**WHEREAS**, the Special Election for District 10 was canceled through an ordinance passed and approved by the City Council today, March 20, 2014, finding that Michael "Mike" Gallagher was unopposed, and declaring him the elected Council member for District 10, pursuant to the authority granted by Section 2.053(a) of the Texas Election Code; and

**WHEREAS**, the Special Election to fill the vacancy for City Council District 9 will be held Saturday, May 10, 2014; and

**WHEREAS**, Section 67.003 of the Texas Election Code states that the time period for canvassing the Election Returns is between 8 days and 11 days after the date of the election; and

**WHEREAS**, Wednesday, May 21, 2014 is the last day for the City Council, as the Canvassing Authority, to canvass the election returns of the May 10, 2014 Special Election; and

**WHEREAS**, due to the waiting period mandated by the Texas Election Code, counting of overseas ballots, mail-in ballots, and provisional ballots prevent the City of San Antonio from canvassing on an earlier date; and

**WHEREAS**, it is necessary to call a Special City Council meeting for Wednesday May 21, 2014, at 2:00 pm, to canvass the results of the Special Election for City Council District 9, and swear in the elected members of the City Council for Districts 9 and 10; or, if necessary, swear in the City Council District 10 member and call a Run-off Election for the City Council District 9 member for Saturday, June 14, 2014; **NOW THEREFORE:**

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

**SECTION 1.** A Special City Council Meeting is scheduled for Wednesday, May 21, 2014, at 2:00 pm, to be held in the City Council chambers, to canvass the results of the May 10, 2014 Special Election to fill the vacancy for City Council District 9.

**SECTION 2.** During the Special City Council Meeting, the City Council shall swear in the elected District 9 and District 10 City Council members, or swear in the City Council District 10 member and call a Run-off Election for the City Council District 9 member, for June 14, 2014.

**SECTION 3.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective on the tenth day after passage.

***PASSED AND APPROVED** on this 20<sup>th</sup> day of March, 2014.*



**M A Y O R**  
Julián Castro


**ATTEST:**



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Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**



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Robert F. Greenblum, City Attorney

<b>Agenda Item:</b>	19 ( in consent vote: 5, 6, 7, 8, 9, 10, 11, 11A, 11B, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 25, 27, 31, 31A, 31B )
<b>Date:</b>	03/20/2014
<b>Time:</b>	09:30:59 AM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	An Ordinance calling a special City Council meeting for Wednesday, May 21, 2014 for 2:00 pm to canvass the results of the May 10, 2014 special City election. [Leticia M. Vacek, City Clerk]
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				x
Ivy R. Taylor	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x			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				



**MAY 10, 2014**  
**SPECIAL CITY ELECTION**

**Leticia M. Vacek, City Clerk**

**Items # 18 & 19**  
**March 20, 2014**

### **Item #18 - Purpose**



In accordance with Section 2.053 of the Texas Election Code:

- This Ordinance will officially Cancel the Special Election to fill the Vacancy in Council District 10.
- This Ordinance will also declare Michael “Mike” Gallagher as the elected Councilmember for Council District 10.

## Item # 18 - Background Information



- The deadline to submit an Application for A Place on the Ballot ended at 5:00 pm on Monday, March 10, 2014. Michael “Mike” Gallagher was the only District 10 Candidate who submitted an Application.
- Per Section 2.053(a) of the Texas Election Code, the City Clerk provided Mayor Castro with the Certification of Unopposed Candidate for District 10 on Tuesday, March 11, 2014.

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## Item # 19 - Next Steps



- In accordance with Section 2.053(e) of the Texas Election Code, Councilmember Gallagher will be issued a Certificate of Election at the Special Called Council Meeting scheduled for Wednesday, May 21, 2014 at 2:00 pm.
- At this Special Meeting, the Mayor and Council will also canvass the Election Returns for the District 9 Election.

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## Items # 18 & 19 - Recommendation



- These Ordinances were coordinated with the City Attorney's Office.
- Recommend the following actions:
  - Cancelling the District 10 Election and Declaring Michael "Mike" Gallagher as the Councilmember for District 10
  - Calling a Special Council Meeting for Wednesday, May 21, 2014 to canvass the results of the May 10, 2014 Special City Election for District 9.