

AN ORDINANCE 2008-06-19-0546

ORDERING AN ELECTION TO BE HELD ON NOVEMBER 4, 2008 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS FOR THE PURPOSE OF AMENDING THE CHARTER OF THE CITY OF SAN ANTONIO

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WHEREAS, the City Council of the City of San Antonio, Texas (the "City") wishes to order an election for Tuesday, November 4, 2008, for the purpose of amending the City Charter; **NOW THEREFORE**;

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

SECTION 1. A Special Election is hereby ordered to be held in the various voting precincts of the City of San Antonio on Tuesday, November 4, 2008, to submit the following proposition to amend the City Charter of the City of San Antonio to the qualified voters of the City:

PROPOSITION NO. 1

Shall the City Charter be amended effective December 1, 2008 to revise term limits to allow a mayor or member of the City Council to serve four 2-year terms of office, instead of two 2-year terms, but prohibit the current and former mayors and members of the City Council, whether appointed or elected, from being elected to more than two 2-year terms.

SECTION 2. If adopted, the City Charter shall be amended as follows:

Section 20. **LIMITATION ON TERMS OF OFFICE.** No person shall be eligible to hold any elected office for more than four ~~two~~ full terms, and shall not be placed on the ballot for election to any term if service for the full term would constitute a violation hereof. For the purpose of this section, the office of the Mayor shall be considered a separate office from the other Council places.

SECTION 3. If Proposition 1 is adopted by the qualified voters of the City of San Antonio, a temporary section will be added to the City Charter to establish that the effective date of the charter amendment will be December 1, 2008. The temporary section will also provide that the charter amendment is not applicable to any current and former mayors and members of City Council, whether appointed or elected. This temporary section may be deleted from any compilation or codification of the Charter prepared after December 1, 2008.

SECTION 4. The following proposition shall be submitted on the ballot so that each vote may vote "YES" or "NO":

PROPOSITION NO. 1

Shall the City Charter be amended effective December 1, 2008 to revise term limits to allow a mayor or member of the City Council to serve four 2-year terms of office, instead of two 2-year terms, but prohibit the current and former mayors and members of the City Council, whether appointed or elected, from being elected to more than two 2-year terms.

SECTION 5. The proposition if approved by a majority of the resident, qualified voters of the City of San Antonio, Texas, who vote in the November 4, 2008 election, shall become effective on the date stated in the Proposition and as specified by any temporary Charter provision adopted by the voters as part of the proposition.

SECTION 6. As soon as practicable after the election and the declaration by the City Council that the amendment have been approved and adopted, the Mayor shall certify to the Secretary of State an authenticated copy of the amendment, under the City's seal, showing the approval by the qualified voters of the municipality.

SECTION 7. The City Council will contract with the Bexar County Elections Administrator to conduct this election. An ordinance authorizing this contract will be considered by the City Council at a subsequent meeting.

SECTION 8. The City Council of the City of San Antonio finds that the November 4, 2008 Special Election shall be held jointly with Bexar County and other entities within Bexar County which may hold elections on this day. An ordinance authorizing a joint election with other governmental entities within Bexar County will be considered at a subsequent meeting.

SECTION 9. The November 4, 2008 Special Election shall be held as required by law. Voting precincts and hours of voting shall be established by the Bexar County Elections Administrator. An ordinance adopting the precincts and voting hours for the November 4, 2008 Election will be considered at a subsequent meeting.

SECTION 10. Voting at the November 4, 2008 Special Election on Election Day shall be done with the use of the AIS650 Tabulators, paper ballots, and/or the iVotronic™ touch screen voting system, as determined by the City Clerk of the City of San Antonio and the Bexar County Elections Administrator. The City Clerk does determine that AIS650 Tabulators and paper ballots shall be used for the casting of early votes by mail and for provisional voting at this election. Early voting by personal appearance shall be done by the use of the AIS650 Tabulators, paper ballots, and/or the iVotronic™ touch screen voting system at polling locations to be determined by the Bexar County Elections Administrator. An ordinance authorizing the polling locations for early voting within Bexar County will be considered at a subsequent meeting.

SECTION 11. Early voting for the November 4, 2008 Special Election by personal appearance shall be conducted at the polling locations, during the period of early voting, commencing Monday, October 20, 2008 and ending Friday, October 31, 2008.

SECTION 12. Resident qualified voters 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:

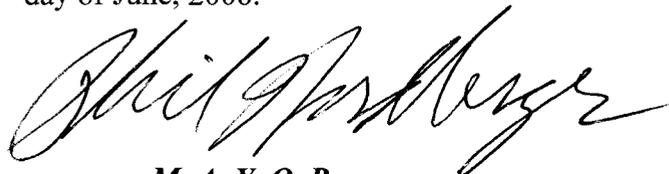
Early Voting Clerk
203 West Nueva 362
San Antonio, Texas 78207-4533

SECTION 13. Notice of the November 4, 2008 Special Election shall be given by publishing a substantial copy of the proposed amendment, both in English and in Spanish, in a newspaper of general circulation on the same day in each of two successive weeks, with the first publication occurring before the 14th day before the date of the election; and a substantial copy of this Ordinance, both in English and in Spanish, shall be posted at three public places in the City of San Antonio and also at City Hall, located at 100 Military Plaza.

SECTION 14. All resident qualified voters of the City shall be permitted to vote at the November 4, 2008 Election and on the day of the election, such voters 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 the provisions of the Texas Government Code, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish. The official ballots for the November 4, 2008 Election shall be prepared in accordance with the Texas Election Code.

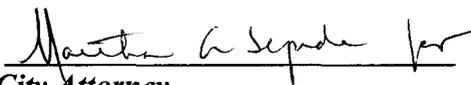
SECTION 15. This Ordinance is effective June 19, 2008.

PASSED AND APPROVED on this 19th day of June, 2008.



M A Y O R
Phil Hardberger

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney