

AN ORDINANCE

AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE BEXAR COUNTY ELECTIONS OFFICE AND OTHER GOVERNMENTAL ENTITIES PARTICIPATING IN THE NOVEMBER 6, 2012 JOINT ELECTION; AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR ELECTION SERVICES WITH THE BEXAR COUNTY ELECTIONS OFFICE.

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WHEREAS, on August 9, 2012, the City of San Antonio called a Special Sales and Use Tax Election to be held on Tuesday, November 6, 2012; and

WHEREAS, the City of San Antonio has historically contracted with the Bexar County Elections Administrator to conduct its municipal elections jointly with other political subdivisions within the county and provide services related to those elections; and

WHEREAS, it is necessary for the City to enter into the Memorandum of Understanding with the Bexar County Elections Administrator and the other participating governmental entities, to provide for the planning, preparation and implementation of the Joint Election, in accordance with the provisions of the Texas Election Code, Section 271.002(a) and

WHEREAS, it is also necessary to authorize the execution of a contract for the conduct of the Joint Election with Bexar County, through the Bexar County Elections Administrator, and other participating governmental entities, for the planning, preparation and implementation of the Joint Election on Tuesday, November 6, 2012, for an amount not to exceed \$630,000.00; **NOW THEREFORE:**

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

SECTION 1. The City Clerk, or her designee, is authorized to execute the Memorandum of Understanding with Bexar County, through the Bexar County Elections Administrator, and other participating governmental entities, for the planning, preparation and implementation of the Joint Election on Tuesday, November 6, 2012. A copy of the MOU, in substantially final form, is attached and incorporated as **Exhibit A**.

SECTION 2. The City Clerk, or her designee, is authorized to execute the contract for the conduct of the Joint Election with Bexar County, through the Bexar County Elections Administrator, and other participating governmental entities, for the planning, preparation and implementation of the Joint Election on Tuesday, November 6, 2012, for an amount not to exceed \$630,000.00. Upon execution of the contract, a copy will be attached to and incorporated within this Ordinance as **Exhibit B**.

SECTION 3. Funds are authorized to be encumbered in Cost Center 2701010001 in the estimated amount of \$630,000.00. Funds will be expended from General Ledger 5201030,

entitled "Fees for Governmental Contractors," Fund 11, entitled "General Fund," with other General Ledger Accounts being utilized when appropriate. The funds are authorized to be payable to Bexar County for election services in connection with the Tuesday, November 6, 2012 Joint Election. Bexar County shall refund to the City all City of San Antonio funds remaining after the payment of all election costs.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or her designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. The Bexar County Elections Administrator is also authorized to appoint election officials to serve as judges and clerks for Early Voting and Election Day, members of the Early Voting Ballot Board, Signature Verification Committee, and Central Counting Station, in connection with the Joint Election to be held on Tuesday, November 6, 2012.

SECTION 6. If any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance shall be held to be invalid, the remainder of this Ordinance and its application to other circumstances shall nevertheless be valid, and this Ordinance would have been enacted without such invalid provision.

SECTION 7. This ordinance is effective immediately, upon passage by eight affirmative votes; otherwise, the effective date shall be ten days from the date of passage.

***PASSED AND APPROVED** this 9th day of August, 2012.*

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Michael Bernard, City Attorney