

## ORDINANCE

**ORDERING THE GENERAL CITY ELECTION TO BE HELD ON SATURDAY, MAY 6, 2023, AND A RUN-OFF ELECTION TO BE HELD ON SATURDAY, JUNE 10, 2023, IF NECESSARY; AND SETTING FORTH ELECTION PROCEDURES.**

\* \* \* \* \*

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

**SECTION 1. ELECTION ORDERED.** The San Antonio City Council orders a General Municipal Election be held on Saturday, the 6<sup>th</sup> day of May, 2023, in accordance with all applicable laws of the State of Texas, including but not limited to the Texas Election Code, and the provisions of the Charter of the City of San Antonio, for the purpose of electing the City's Mayor and Council. There shall be eleven offices designated on the ballot as follows:

Member of Council, Place 1  
Member of Council, Place 2  
Member of Council, Place 3  
Member of Council, Place 4  
Member of Council, Place 5  
Member of Council, Place 6  
Member of Council, Place 7  
Member of Council, Place 8  
Member of Council, Place 9  
Member of Council, Place 10  
Member of Council, Place 11 (Mayor)

**SECTION 2. JOINT ELECTION.** The City Council also authorizes the General Election to be held jointly with other participating local political subdivisions located within Bexar County. The city shall execute an agreement with Bexar County to conduct the election as a joint election with the other political subdivisions identified in the agreement, at a future meeting.

Pursuant to the Texas Election Code, Section 61.012, as amended, the Bexar County Elections Administrator shall provide at least one accessible voting system in each polling place used in the election. The voting system shall comply with Texas and federal laws establishing the requirements for voting systems that permit voters with physical disabilities to cast a confidential or secret ballot.

**SECTION 3. PRECINCTS AND POLLING LOCATIONS; HOURS OF VOTING.** The General Election shall be held as prescribed by law between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, May 6, 2023, at the precincts of the City of San Antonio at the locations listed by the Bexar County Elections Administration office. The list of locations, as currently anticipated, is attached as **Exhibit A** and may be updated by the Administrator on its website at: <https://www.bexar.org/1568/Elections-Department>.

**SECTION 4. VOTING SYSTEM.** Voting on Election Day shall be conducted by the use of ES&S EVS 6.0.2.0 equipment, comprised of the ExpressVote (voting unit), the DS200 (Tabulator), the Express Touch (Curbside unit) and the DS450 and 850 (for tabulating the mail ballots, as determined by the City Clerk and the Bexar County Elections Administrator.

For early voting by mail and for provisional voting at this election, voting shall be conducted by the use of the 850 equipment, and paper ballots.

For early voting by personal appearance, voting shall be conducted using the same equipment as on Election Day. The equipment shall be placed at branch offices established for the purpose of conducting early voting by personal appearance at the locations and during the dates and hours listed by the Bexar County Elections Administration office, in an attachment to the election agreement brought to Council for consideration at a later meeting.

**SECTION 5. VOTER REGISTRATION; EARLY VOTING.** The last day to register to vote in the May 6, 2023 election is Thursday, April 6, 2023. Early voting by personal appearance shall be conducted at the branch offices during the period for early voting, commencing Monday, April Monday, April 24, 2023, and ending on Tuesday, May 2, 2023. Hours of early voting are established by the Bexar County Elections Administrator in accordance with the applicable provisions of Texas law. A copy of the locations as identified on the date of this ordinance and hours for early voting are attached as **Exhibit B**. If any locations are changed, this will be reflected on the Bexar County Elections webpage found here: <https://www.bexar.org/1568/Elections-Department>

Electors may cast their early vote by mail. Ballot applications and ballots voted by mail shall be mailed to the early voting clerk as follows:

Jacquelyn F. Callanen  
Bexar County Elections Administrator  
1103 S. Frio, Suite 100  
San Antonio, TX 78207

The last day for the Administrator to accept an application by mail for a ballot to be voted by mail is by close of business on Tuesday, April 25, 2023.

**SECTION 6. NOTICE.** (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 any other applicable law, and will include at the 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 variations as permitted by applicable law.

(b) *Method of Giving Notice.* Notice of the election shall be given by posting a copy of the Notice of Election, both in English and Spanish, not later than the 21<sup>st</sup> day before the date set for the election as required by state law. Notice of the election shall also be given by publishing a Notice of Election, both in English and Spanish, at least once, not earlier than the 30<sup>th</sup> day or later than the 10<sup>th</sup> day before Election Day, in a newspaper of general circulation published in the City of San Antonio. The City Council declares that the *San Antonio Express News* is a newspaper of general circulation within the city.

**SECTION 7. CONTRACT FOR ELECTION SERVICES.** The City Council will contract with the Bexar County Elections Administrator to conduct this election. The Council shall consider and approve this contract at a future meeting by passage of an ordinance.

**SECTION 8. ELECTION MATERIAL.** All resident qualified electors of the City shall be permitted to vote at the election and on the day of the election, such electors 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 as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

**SECTION 9. CANVASS DATE.** The City Council shall canvass the results of the election during the regularly scheduled "B" Session on Wednesday, May 17, 2023.

**SECTION 10. DATE AND CALENDAR FOR RUN-OFF.** If necessary, a run-off election is ordered to be held on Saturday, June 10, 2023, from 7:00 am to 7:00 pm, in accordance with the laws of the State of Texas and the provisions of the Charter of the City of San Antonio. The deadline to register to vote with Bexar County for the run-off election is Thursday, May 11<sup>th</sup> at 5:00 p.m. Monday, May 29<sup>th</sup>, polls will be closed for Memorial Day. The deadline for Bexar County to receive an application for a ballot by mail is Tuesday, May 30<sup>th</sup>. Early voting by personal appearance will be held Tuesday, May 30<sup>th</sup> through Tuesday, June 6<sup>th</sup>.

**SECTION 11.** If any provision of this Ordinance or its application to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of that provision to other persons and circumstances shall nevertheless be valid, and this Council declares that this Ordinance would have been enacted without the invalid provision.

**SECTION 12.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at the meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code.

**SECTION 13. EFFECTIVE DATE.** 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 this 16<sup>th</sup> day of February 2023.***

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Debbie Racca-Sittre, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney