

ORDINANCE NO. 1045

AN ORDINANCE CALLING AN ELECTION FOR THE CITY OF CASTLE HILLS, TEXAS TO ELECT THREE ALDERMEN; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE.

***NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE HILLS THAT:***

SECTION 1. An election shall be held on the 8<sup>th</sup> day of May, 2010, a uniform election date, in the CITY OF CASTLE HILLS, TEXAS, which date is not less than forty-five (45) days from the date of the adoption of this ordinance (the Ordinance), for the purpose of electing three Aldermen of the City of Castle Hills, to-wit: Alderman Place No. 1, Place No. 4 and Alderman Place No. 5, each to serve terms of two years, terminating in May, 2012, or when their successors are duly elected and qualified.

SECTION 2. That at said election each of the foregoing named officers shall be voted upon separately and that the person receiving the highest number of votes for each said office shall be elected to such office.

SECTION 3. Jacquelyn F. Callanen, Bexar County Elections Administrator, shall serve as Administrator of the election. She shall appoint a sufficient number of clerks to assist in the proper conduct of the election. The city is hereby declared to be one election precinct, which is coterminous with Bexar County Election Precincts No. 3038, 3041, 3067 and 3171. The polling place for the general election on May 8, 2010 shall be at the Castle Hills City Hall, 209 Lemonwood Drive in the City of Castle Hills, Bexar County, Texas. The polling place is to be open on the 8<sup>th</sup> day of May 2010 from 7:00 o'clock a.m. to 7:00 o'clock p.m. Vote tabulation shall be by iVotronic touch screen voting unit.

SECTION 4. That qualified persons desiring to be candidates for the aforesaid offices shall file for election as such candidates with the City Secretary not earlier than 8:00 o'clock a.m. on the 5<sup>th</sup> day of February, 2010 nor later than 5:00 o'clock p.m. on the 8<sup>th</sup> day of March, 2010.

SECTION 5. The Administrator of the early voting board shall be Jacquelyn F. Callanen and she shall appoint any necessary early voting clerks to assist her. Early voting tabulation shall also be by iVotronic Touch Screen Voting Unit. Early voting will be conducted each weekday at the polling places designated by the Bexar County Elections Administrator between the hours of 8:00 a.m. and 6:00 p.m. from April 26, 2010 through April 30, 2010. Weekend early voting will be conducted on Saturday, May 1, 2010 from 10:00 a.m. to 6:00 p.m. and Sunday, May 2, 2010 from 12:00 noon to 6:00 p.m. Extended hours of early voting will be conducted on Monday, May 3, 2010 and Tuesday, May 4, 2010 from 8:00 a.m. to 8:00 p.m. The first day to apply for early voting ballots by mail is March 10, 2009 and the last day to apply for early voting ballots

by mail is April 30, 2010.

SECTION 6. The Interim City Manager is authorized to enter into a contract with the Bexar County Elections Administrator to conduct the election ordered herein and agreeing to pay the fee charged by the Bexar County Elections Administrator for such services. The Interim City Manager is furthermore authorized to enter into a contract for the conduct of a joint election with other governmental entities in Bexar County, Texas.

SECTION 7. 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 place. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

SECTION 8. A substantial copy of this Ordinance shall serve as proper notice of the election.

SECTION 9. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 10. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of the Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 11. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 12. If any provision of the Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 13. 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 such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 14. That notice of this election shall be posted in accordance with the laws of the State Election Code. Such notice, including a Spanish translation thereof, shall be posted not later than the 21<sup>st</sup> day before the election on the bulletin board used for posting notices of meetings of the City Council and shall also be published at least once not earlier than the 30<sup>th</sup> day nor later than the 10<sup>th</sup> day before the election in a newspaper of

general circulation in the City.

SECTION 15. This Ordinance shall be in force and effect from and after the date of its adoption and it is so ordained.

PASSED and ADOPTED this the 12<sup>th</sup> day of January 2010.

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Marcy Harper, Mayor

ATTEST:

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Linda Gill, City Secretary

APPROVED AS TO FORM:

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Michael S. Brenan, City Attorney