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ORDINANCE NO.

AN ORDINANCE ORDERING A GENERAL ELECTION TO BE HELD IN THE CITY OF AUSTIN ON MAY 9, 2009, TO ELECT THE MAYOR AND THREE COUNCIL MEMBERS; ORDERING A SPECIAL ELECTION TO BE HELD IN THE CITY OF AUSTIN ON MAY 9, 2009, TO ELECT ONE COUNCIL MEMBER; PROVIDING FOR THE CONDUCT OF THE ELECTION; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. A general municipal election shall be held in the City of Austin on May 9, 2009. At the election there shall be elected by the qualified voters of the City the Mayor, one City Council Member to Place 2, one City Council Member to Place 5, and one City Council member to Place 6.

PART 2. A special election shall be held in the City of Austin on May 9, 2009. At the election there shall be elected by the qualified voters of the City one City Council Member to the unexpired term of Place 1. The filing deadline for the Place 1 special election is Tuesday, March 3, 2009.

PART 3. The election shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. The dates, hours, and locations of the early voting polling places; the precincts and locations of the election day polling places; and the names of the officers appointed to conduct the elections are provided in Exhibits A-E attached and incorporated as a part of this ordinance.

PART 4. A direct electronic recording voting system, as the term is defined in Title 8 of the Texas Election Code, shall be used for early voting and for voting conducted on election day. The central counting station is established at the Travis County Elections Division, 5501 Airport Boulevard, Austin, Texas.

PART 5. Notice of the election shall be given by posting and publishing a copy of this ordinance in both Spanish and English. The posted notice shall be posted at the City Hall notice kiosk not later than the 21st day before election day. The copy of this ordinance posted at City Hall shall be accompanied by a cover page, at the top of which shall appear the words "A MUNICIPAL ELECTION, MAY 9, 2009". The ordinance shall also be published in a newspaper of general circulation in the City of Austin not earlier than the 30th day and not later than the 10th day before election day.

PART 6. In accordance with Chapter 271 of the Texas Election Code, the May 9, 2009, municipal election may be held jointly with the various political subdivisions that share territory with the City of Austin and that are holding elections on that day. The City Clerk may enter and sign election agreements with other political subdivisions for this purpose.

PART 7. The Council finds that the need to immediately begin required preparations for this election constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

_____, 2009

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk