

TF:lmc  
5/9/94

AN ORDINANCE **80 12 9**

CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION HELD ON MAY 7, 1994; AND OTHER MATTERS IN CONNECTION THEREWITH.

\* \* \* \* \*

WHEREAS, on February 10, 1994, the City Council of the City of San Antonio, Texas (the City) ordered an election to be held on May 7, 1994, for the purpose of determining whether the resident, qualified electors of the City would authorize the issue of general obligation bonds by the City; and

WHEREAS, the City Council has reviewed and investigated all matters pertaining to this election, including the ordering, notices, election officers, holding, and returns thereof; and

WHEREAS, the City Council hereby canvasses the returns of this election, at which there was submitted to all resident, qualified electors of the City for their action thereupon, the following propositions:

PROPOSITION NO. 1

"Shall the City Council of the City of San Antonio, Texas, be authorized to issue and sell general obligation bonds of the City in the principal amount of \$25,600,000.00 for the purpose of making permanent public improvements and for public purposes, to wit, constructing street improvements and drainage incidental thereto, with respect to:

STREET PROJECTS

Apple Valley (Haven Valley to Ray Ellison)  
Navajo Area Street (Navajo, Hutchins, Barlite)  
N.W. 19th (Perez to Culebra)  
Arbor (Trinity to San Marcos)  
34th Street  
Babcock Road Reconstruction & Bridges (Hausman to DeZavala)  
Boehmer (Burbank Loop to S. Flores)  
Contour Drive Street Improvements  
Coopwood Street  
El Monte  
Emory (Kentucky to Waverly)  
Essex  
Fairdale (Rittiman to Bloomdale)  
Guadalupe Gardens  
Higgins Road  
Hobart Street

Kentucky Avenue (Emory to Wilson)  
King's Crown Road  
Lake Blvd. (Woodlawn to Donaldson)  
Las Palmas (Charben to 26th)  
Leal  
Leonhardt Road  
Lockhill-Selma Improvements - ROW at Wurzbach  
Los Jardines Sidewalks  
Miscellaneous Sidewalks  
Montezuma (S. Zarzamora to Hamilton)  
Morales Street (S. Zarzamora to 24th)  
Nacogdoches (Broadway to New Braunfels/ROW only  
Prince Valiant/Castle Knight/King Arthur-Dis. Acc.  
San Carlos (Navidad to S. Zarzamora)  
Sidewalks/Guilbeau from Old Tezel to Wickersham  
Sidewalks/Abe Lincoln from Pembroke to Eckhart  
Sidewalks/Tezel Rd. from Wickersham to Braun  
Stahl Rd. #1038 - Phase I (Bell to Bulverde)  
Streets Around Woodlawn Lake Park  
Thorain  
Valley Hi Drive  
Waverly  
Woodlawn from St. Cloud past Lake Blvd.  
Yucca (Amanda to Railroad Tracks)

and after making due provision therefor the City Council, in its discretion, may use any excess funds for constructing other street improvements and drainage incidental thereto: such bonds to mature serially or otherwise not more than forty (40) years from their issued date; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of said City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

#### PROPOSITION NO. 2

"Shall the City Council of the City of San Antonio, Texas, be authorized to issue and sell general obligation bonds of the City in the principal amount of \$34,400,000.00 for the purpose of making permanent public improvements and for public

purposes, to wit, constructing facilities for the removal of, and protection from harmful excesses of water and the acquisition of lands and rights-of-way necessary thereto, with respect to:

DRAINAGE PROJECTS

Benrus/Witt #1059  
Blossom/Woodbury #1007 (near Nacogdoches)  
Elsmere/Gramercy #57 (W. Kings Hwy., Michigan, Lynnwood, San Pedro)  
Escalon St. #1008  
Observation Street #1003 (near Bronco)  
Wingate/Oriental/Floyd #1050  
36th & Growdon Drainage  
Bobolink 96A (Storeywood to Deneice)  
Braniff (near San Pedro)  
Callaghan Drainage Improvements (at Little Lane)  
Calle Morelia Drainage (Driftwood)  
Castle Trail/Midcrown Intersection  
Chipinque Drainage (Driftwood)  
Drainage Studies  
Duval (Pierce to Seguin/Seguin to Walters)  
Goliad - Pecan Valley to Military  
Hazel Drainage  
Hollyhock at Huebner Creek Drainage Structure  
Janda Susan/Ridgecrest  
Kentucky  
Kentwood Manor - Springhill at Pipestone  
Larkspur  
Leon Creek Drainage Improvements  
Leon Creek Drainage Watershed Study  
Marcum Drainage  
Martinez Creek Drainage  
Mission Trails  
N. Flores/Breeden/Beacon Outfall  
Oakwood 58 BY  
Octavia #63 - Phase I  
Prosperity Drainage (Acme to S.W. 40th St.)  
Queen Ann/Elmhurst Drainage  
Queretaro Drainage (Driftwood)  
Quintana Triangle  
Ray Bond/Galahad Intersection Surface Channel  
Rittiman & Holbrook  
Roselawn Drainage  
Science Park #58 H, I, & J - Phase III  
Shady Oaks - Encino Grande Improvements  
Stonegate - Notre Dame Wake Forest & Duke  
Sunshine (E. of Hillcrest) Drainage Structure  
Upper Olmos Creek Drng. Impr. & Detention Ponds  
Upper Six Mile Creek #83F (S.W. Military to Zarzamora)  
W.W. White Road - Phase I  
Whitby at Huebner Creek Drainage Structure

and in providing for the above improvements, the City Council shall have the option to utilize other funds available for such purposes, including excess funds from the 1987 drainage bond issue, and after making due provision for the above projects, the City Council, in its discretion, may use any excess funds from this bond issue for constructing other facilities for the removal of harmful excesses of water and the acquisition of lands and rights-of-way necessary thereto: such bonds to mature serially or otherwise not more than forty (40) years from their issued date; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of said City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

### PROPOSITION NO. 3

Shall the City Council of the City of San Antonio, Texas, be authorized to issue and sell general obligation bonds of the City in the principal amount of \$41,600,000.00 for the purpose of making permanent public improvements and for public purposes, to wit, constructing park improvements and making park additions, with respect to:

#### PARK PROJECTS

"J" St. Park  
Alderete Park  
Apache Creek Parks (Cassiano, Escobar, Amistad)  
Arnold Park/Ramirez Community Center  
Blossom Park  
Botanical Center Improvements  
Brackenridge Park Rehabilitation  
Buckeye Park  
Camelot/Park Village  
Collins Garden Park  
Columbus Park

Comanche Lookout Acquisition & Initial Development  
Commander's House/Senior Citizen Center  
Concepcion Park  
Copernicus Park and Community Center  
Crockett Park  
Cuellar Park and Community Center  
Dawson Park and Community Center  
Denver Heights Park and Community Center  
District 9 Park Land Acquisition  
Elmendorf Park Improvements  
Friedrich Park Improvements  
Friesenhahn Park  
Garza Park and Community Center  
Government Canyon  
Guadalupe Arts Center/School  
Harlandale Park and Community Center  
Haskin Park  
Highland Park and Community Center  
Historic Civic Center Project  
James Park  
Joe Ward Park and Community Center  
John Tobin Community Center  
Kingsborough Park  
Lackland Terrace Park and MH/MR Center  
Lady Bird Johnson Park/Lou Hamilton Comm. Ctr.  
Lakeside Park Development  
Lee's Creek Park  
Lincoln Park and Community Center  
Lion's Field Park & Senior/Adult Center  
Mahncke Park Development  
Martin Luther King Park Improvements  
Martinez Park  
Mateo Camargo Park  
McAllister Park Improvements  
Meadowcliff Community Center  
Millers Pond Park and Community Center  
Mitchell Lake Wetlands  
Monterrey Park and Community Center  
Museum of Art (Latin American Exhibit Hall)  
Normoyle Park  
Northridge Park  
Northwest Park Land Acquisition  
Northwood Area Park  
O.P. Schnabel Park  
Olmos Basin Park/Devine Road  
Olmos Sports Center  
Olympia Park  
Open Sp. Dev./Leon Ck. Area (Rochelle & Schnabel)  
Palm Heights Park and Community Center  
Palo Alto Park  
Palo Alto Terrace Park  
Park Development at Detention Ponds  
Park Land Acquisition  
Pickwell Park  
Quarry  
Roosevelt Park

Rosedale Park  
San Antonio Natatorium  
San Fernando Gym  
San Pedro Park Rehabilitation  
Skyline Park  
Southcross Park  
Southside Lions Park and Community Center  
Spicewood Park Development  
Stinson Park  
Van de Walle Park  
Vidaurri Park  
Westwood Village Land Acquisition  
Witte Museum Improvements  
Woodlawn Lake Park Improvements

and after making due provision therefor the City Council, in its discretion, may use any excess funds for constructing park facilities and improvements and the acquisition of lands for park additions, such bonds to mature serially or otherwise not more than forty (40) years from their issued date; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of said City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

PROPOSITION NO. 4

"Shall the City Council of the City of San Antonio, Texas, be authorized to issue and sell general obligation bonds of the City in the principal amount of \$8,100,000.00 for the purpose of making permanent public improvements and for public purposes, to wit, constructing a central police substation for public safety purposes, and after making due provision therefor the City Council, in its discretion, may use any excess funds for constructing other public safety improvements; such bonds to mature serially or otherwise not more than forty (40) years from their issued date; and any issue or

UNREGISTERED BOND

series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of said City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"; and

WHEREAS, the City Council has diligently inquired into the poll lists and the official election returns which were duly and lawfully made to this City Council by the judges and clerks holding and conducting such election and which show separately the votes cast in the election; and

WHEREAS, from these returns, the City Council hereby finds in accordance with the provisions of the Texas Election Code, as amended (the Code), that the following votes were cast in the election by voters who were resident, qualified electors of the City;

PROPOSITION NO. 1

"The issuance of \$25,600,000.00 of General Obligation Bonds for constructing street improvements and drainage incidental thereto"

	<u>For</u>	<u>Against</u>
Election Day	15,968	6,680
Early Voting	<u>7,657</u>	<u>3,723</u>
TOTAL	23,625	10,403

PROPOSITION NO. 2

"The issuance of \$34,400,000.00 of General Obligation Bonds for constructing facilities

for removal of and protection from harmful  
excesses of water and the acquisition of  
lands and rights-of-way necessary thereto"

	For	Against
Election Day	14,694	7,639
Early Voting	<u>6,917</u>	<u>4,323</u>
TOTAL	21,611	11,962

PROPOSITION NO. 3

"The issuance of \$41,600,000.00 of General  
Obligation Bonds for constructing park  
improvements and additions"

	For	Against
Election Day	14,813	7,540
Early Voting	<u>6,643</u>	<u>4,570</u>
TOTAL	21,456	12,110

PROPOSITION NO. 4

"The issuance of \$8,100,000.00 of General  
Obligation Bonds for constructing public  
safety improvements, to wit, a central  
police substation"

	For	Against
Election Day	15,503	6,849
Early Voting	<u>7,393</u>	<u>3,845</u>
TOTAL	22,896	10,694 ;and

WHEREAS, the City Council hereby finds and determines that the  
canvassing of the election returns has been conducted in  
accordance with the provisions of the Code, the City's Home Rule  
Charter (the Charter), and applicable law; NOW THEREFORE:

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

SECTION 1. The City Council of the City officially finds, determines, and declares that the election was duly and properly ordered, that proper legal notice of such election was duly given in the English language and the Spanish language, that proper election officers were duly appointed prior to the election, that the election was duly and legally held, that all resident, qualified electors of the City were permitted to vote at the election, that due returns of the results of the election have been made and delivered, and that the City Council of the City has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America, the Charter, and the ordinance calling the election.

SECTION 2. The City Council of the City officially finds, determines, and declares that a MAJORITY of the resident, qualified electors of the City voting in such election voted FOR the authorization and issuance of \$109,700,000.00 of bonds and the levy and pledge of the tax in payment thereof, as submitted in the Propositions; that the Propositions carried at the election; and that the City Council is hereby accordingly authorized to issue and sell general obligation bonds in accordance with the authority granted in the Propositions and with law.

SECTION 3. 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 City Council.

SECTION 4. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this 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 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6. If any provisions of this Ordinance or the application thereof to any person or circumstances 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 the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 7. 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 Texas law.

SECTION 8. This Ordinance shall be in force and effect from and after its final passage as provided by the provisions of the Charter.

PASSED AND APPROVED on this the 9<sup>th</sup> day of May, 1994.

*Nelson W. Wolff*  
MAYOR

ATTEST: *Arma S. Rodriguez*  
City Clerk

APPROVED AS TO FORM: *Tom Sulley*  
CITY ATTORNEY

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25% COTTON  
MINSTER HOND

	ARTS & CULTURAL AFFAIRS
	AVIATION
	BUILDING INSPECTIONS
	BUILDING INSPECTIONS-HOUSE NUMBERING
	CITY ATTORNEY
	MUNICIPAL COURT
	REAL ESTATE (FASSNIDGE)
	REAL ESTATE (WOOD)
	REAL ESTATE (HUBBARD)
	TRIAL SECTION
	CITY MANAGER
✓	TRAVIS BISHOP, ASST. TO CITY MGR.
	CODE COMPLIANCE
	INTERGOVERNMENTAL RELATIONS
	INTERNATIONAL RELATIONS
	YOUTH INITIATIVES
	CITY PUBLIC SERVICE-GENERAL MANAGER
	CITY PUBLIC SERVICE-MAPS & RECORDS
	COMMERCIAL RECORDER (PUBLISH)
	COMMUNITY INITIATIVES
	CONVENTION & VISITORS BUREAU
	CONVENTION FACILITIES
	DOME DEVELOPMENT OFFICE
	ECONOMIC DEVELOPMENT
	FINANCE DIRECTOR
	ASSESSOR
	CONTROLLER
	GRANTS
	RISK MANAGEMENT
	TREASURY
	FIRE DEPARTMENT
	HOUSING & COMMUNITY DEVELOPMENT
	INFORMATION SERVICES
	INTERNAL REVIEW
	LIBRARY
	MANAGEMENT SERVICES (BUDGET)
	MANAGEMENT SERVICES (PERSONNEL)
	MARKET SQUARE
	METROPOLITAN HEALTH DISTRICT
	MUNICIPAL COURTS
✓	PARKS & RECREATION
	PLANNING
	DISABILITY ACCESS OFFICE
	LAND DEVELOPMENT SERVICES
✓	POLICE DEPARTMENT
	POLICE DEPARTMENT-GROUND TRANSPORTATION
	PUBLIC INFORMATION OFFICE
	PUBLIC UTILITIES
✓	PUBLIC WORKS
	CAPITAL PROJECTS
	CENTRAL MAPPING
	ENGINEERING
	PARKING DIVISION
	REAL ESTATE (BILL TOUDOUZE)
	SOLID WASTE
	TRAFFIC ENGINEERING
	PURCHASING & GENERAL SERVICES
	SAN ANTONIO WATER SYSTEM (SAWS)
✓	NOELMA
✓	DICK
✓	SUSIE V.
	MUNICIPAL CODE CORPORATION (PUBLISH)

CANVASSING  
MAY 7TH VOTE  
RESULTS  
4 BAND PROPOSITIONS

ITEM NO. 1

DATE: MAY 09 1994

MEETING OF THE CITY COUNCIL

MOTION BY: Peak

SECONDED BY: Avila

ORD. NO. 80129

ZONING CASE \_\_\_\_\_

RESOL. \_\_\_\_\_ PETITION \_\_\_\_\_

	ROLLCALL	AYE	NAY
ROGER PEREZ DISTRICT 1		✓	
RUTH MC-CLENDON DISTRICT 2		✓	
LYNDA BILLA BURKE DISTRICT 3		absent	
HENRY AVILA DISTRICT 4		✓	
JUAN F. SOLIS III DISTRICT 5		✓	
HELEN AYALA DISTRICT 6	ABSENT		
BOB ROSS DISTRICT 7	ABSENT		
BILL THORNTON DISTRICT 8		absent	
HOWARD PEAK DISTRICT 9		/	
LYLE LARSON DISTRICT 10	ABSENT		
NELSON WOLFF MAYOR		/	

94-23