

AN ORDINANCE 2010-09-16-0807

AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BEXAR COUNTY ELECTIONS ADMINISTRATOR AND OTHER GOVERNMENTAL ENTITIES PARTICIPATING IN THE JOINT ELECTION TO BE HELD ON NOVEMBER 2, 2010.

* * * * *

WHEREAS, on June 10, 2010, by Ordinance No. 2010-06-10-0525, and as amended by the agenda item immediately preceding this item, the City Council of the City of San Antonio, Texas called a Special Election to be held November 2, 2010, to extend the current 1/8th sales tax for the Edwards Aquifer Protection and Parks Development and Expansion Projects, to provide for the planning, acquisition, establishment, development, construction, monitoring, maintenance or renovation of a venue project as authorized by, and defined in, Chapter 334, Texas Local Government Code, as amended, which includes the acquisition of open space and linear parks along San Antonio's Creekways, specifically including Leon Creek, Salado Creek, Apache Creek, Alazan Creek, Martinez Creek, San Pedro Creek, the Medina River and the San Antonio River and for improvements and additions to the Municipal Parks and Recreation System; and

WHEREAS, if the Venue Projects are approved by the voters, the City may use money received from the sales and use tax approved by the voters to reimburse or pay the costs of planning, acquiring, establishing, developing, constructing, monitoring, maintaining or renovating such approved Venue Projects, or pay the principal and interest on, and other costs relating to bonds or other obligations issued by the City to finance the Venue Projects; and

WHEREAS, other governmental entities are holding elections on November 2, 2010; 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); **NOW THEREFORE:**

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

SECTION 1. The City Manager, 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 2, 2010. A copy of the MOU, in substantially final form, is attached and incorporated as **Exhibit A**.

SECTION 2. The statements contained in recitals included in the preamble of this Ordinance are found to be true and correct, and such recitals are incorporated into, and made a part of, this

Ordinance for all purposes and are adopted as part of the judgment and findings of the City Council.

SECTION 3. 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 4. This ordinance is effective immediately, upon passage by eight (8) affirmative votes; otherwise, the effective date shall be ten (10) days from the date of passage.

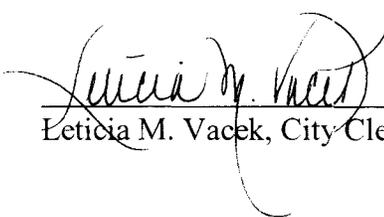
***PASSED AND APPROVED** this 16th day of September, 2010.*



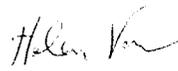
M A Y O R
Julián Castro

ATTEST:

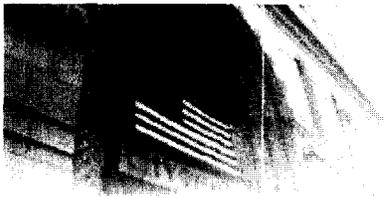
APPROVED AS TO FORM:



Leticia M. Vacek, City Clerk

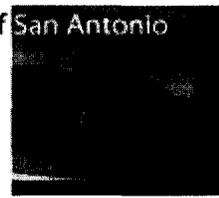


Michael Bernard, City Attorney



Request for
**COUNCIL
 ACTION**

City of San Antonio



Agenda Voting Results - 21B

Name:	9, 10, 11, 12, 13, 16, 17, 19, 20, 21A, 21B, 21C, 23						
Date:	09/16/2010						
Time:	11:21:03 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing a Memorandum of Understanding with Bexar County Elections Office and other governmental entities participating in the November Joint Election.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by and between Bexar County Elections Administrator (“ADMINISTRATOR”), acting on behalf of Bexar County and any and all political subdivisions that are holding a Tuesday, November 2, 2010 General, Special or Bond Election. This MOU is the planning document necessary for the preparation and implementation of the Joint Agreement as required pursuant to Texas Election Code Section 271.002(a). The following entities have made a verbal confirmation to the Joint Election: Bexar County, (“County”); Edwards Aquifer Authority (“EAA”); Bexar Metropolitan Water District (“BexarMet”); Edgewood ISD (“EISD”); Judson Independent School District (“JISD”); San Antonio ISD (“SAISD”); South San Antonio ISD (“SSAISD”); Somerset ISD (“SISD”); the City of Alamo Heights (“COAH”); the City of Castle Hills (“COCH”); the City of Leon Valley (“COLV”); the City of San Antonio (“COSA”); the City of Von Ormy (“COVO”); and the Town of Hollywood Park (“TOHP”) they may also be joined by other entities on July 7, 2010. acting by and through their duly appointed and qualified representatives, for the November 2, 2010 election. Any entity that is able to cancel their election will assume no cost for the planning of this election upon receipt of the proper paperwork. All costs will then be divided according to the pre determined pro rata share agreed upon. Contracts will be executed following the deadline to cancel an election and distributed for signatures and deposits.

WHEREAS, County will conduct a general election on Tuesday, November 2, 2010; and

WHEREAS, EAA will conduct a general election on Tuesday, November 2, 2010; and

WHEREAS, Bexar Met will conduct a general election on Tuesday, November 2, 2010; and

WHEREAS, EISD will conduct a general election on Tuesday, November 2, 2010; and

WHEREAS, SSAISD will conduct a general election on Tuesday, November 2, 2010; and

WHEREAS, SISD will conduct a general election on Tuesday, November 2, 2010; and

WHEREAS, COVO will conduct a general election on Tuesday, November 2, 2010; and

WHEREAS, COAH will conduct a special election on Tuesday, November 2, 2010; and

WHEREAS, COCH will conduct a special election on Tuesday, November 2, 2010; and

WHEREAS, COLV will conduct a special election on Tuesday, November 2, 2010; and

WHEREAS, COSA will conduct a special election on Tuesday, November 2, 2010; and

WHEREAS, TOHP will conduct a special election on Tuesday, November 2, 2010; and

WHEREAS, JISD will conduct a bond election on Tuesday, November 2, 2010; and

WHEREAS, SAISD will conduct a bond election on Tuesday, November 2, 2010; and

WHEREAS, SSAISD will conduct a general election on Tuesday, November 2, 2010; and

NOW THEREFORE, it is understood that the Entities will hold a joint election on November 2, 2010 (the "Joint Election").

The undersigned Entities are the duly authorized representatives of their governing bodies, and their signatures represent acceptance of the terms and conditions of this Memorandum of Understanding for planning purposes.

This MOU may be executed in two or more counterparts. Together the counterparts shall be deemed an executed original instrument. The Entities may execute this MOU and exchange counterparts of the signature pages by means of facsimile transmission, and the receipt of executed counterparts by facsimile transmission shall be binding on the Entities. Following such exchange, the parties shall promptly exchange original versions of such signature pages.

SIGNED and AGREED this 24 day of September, 2010.

BEXAR COUNTY ELECTIONS ADMINISTRATOR



Jacquelyn F. Callanen

EDWARDS AQUIFER AUTHORITY

BY: _____

TITLE: _____

ITEMS AND ISSUES ON BALLOT: _____

BEXAR METROPOLITAN WATER DISTRICT

BY: _____

TITLE: _____

ITEMS AND ISSUES ON BALLOT: _____

EDGEWOOD INDEPENDENT SCHOOL DISTRICT

BY: _____

TITLE: _____

ITEMS AND ISSUES ON BALLOT: _____

SOMERSET INDEPENDENT SCHOOL DISTRICT

BY: _____

TITLE: _____

ITEMS AND ISSUES ON BALLOT: _____

SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT

BY: _____

TITLE: _____

ITEMS AND ISSUES ON BALLOT: _____

CITY OF VON ORMY

BY: *Terri M. Vail*

TITLE: *City Clerk*

ITEMS AND ISSUES ON BALLOT: *Special City Election*

Name of Entity *City of San Antonio*

BY: _____

TITLE: _____

ITEMS AND ISSUES ON BALLOT: _____