

TF:amt
1/15/92

AN ORDINANCE **75063**

APPOINTING A NEW CITY COUNCILMEMBER TO FILL THE UNEXPIRED CITY COUNCIL TERM OF ROBERT S. THOMPSON, COUNCILMEMBER, DISTRICT 6, WHO HAS RESIGNED; AND DECLARING AN EMERGENCY.

(HELEN AYALA)

* * * * *

WHEREAS, Councilman Robert S. Thompson has resigned as the representative on the City Council from District 6; and

WHEREAS, pursuant to City Charter Section 8, a vacancy on the Council is to be filled by a majority vote of the remaining members for the unexpired term; and

WHEREAS, the City Council has received the names of three individuals from the outgoing councilmember as suggestions for filling the vacancy; and

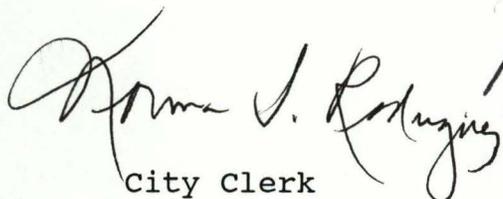
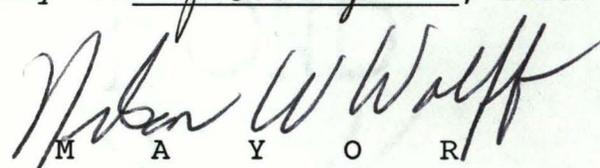
WHEREAS, the suggestions have been considered and while it has been found that all are highly qualified, Helen Ayala, is felt to have all qualifications required for the office, is likely to be an effective and knowledgeable member of this body, and is the choice of the majority of the City Council; NOW THEREFORE:

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

SECTION 1. Helen Ayala is hereby appointed as member of the City Council, Place 6, to serve for the remainder of the unexpired term of Robert S. Thompson.

SECTION 2. Because the citizens of District 6 should not be without representation on the Council, an emergency is declared so that upon receipt of eight affirmative votes, this ordinance and the appointment made hereby shall be effective immediately upon passage hereof.

PASSED AND APPROVED this 16th day of January, 1992.

ATTEST:  City Clerk  MAYOR

APPROVED AS TO FORM:  City Attorney

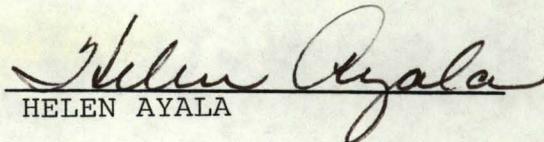
92-03

In the name and by the authority of

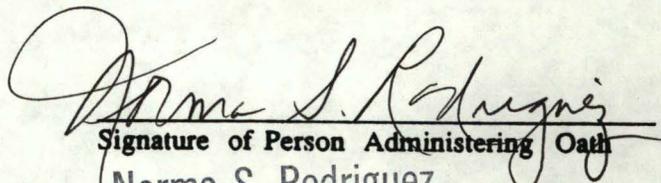
The State of Texas

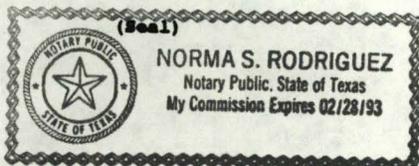
OATH OF OFFICE

I, HELEN AYALA, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of CITY COUNCIL MEMBER OF THE CITY OF SAN ANTONIO of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.


HELEN AYALA

SWORN TO and Subscribed before me by Helen Ayala on this 16th day of January, 19 93.


Signature of Person Administering Oath
Norma S. Rodriguez
Printed Name
Notary Public
Title



**NOTES - COUNCIL MEETING
JANUARY 16, 1992**

1. Nomination Will Be Recognized - Does not require a second
2. VOTE: City Clerk call roll - Cast Your Vote for one Nominee
3. City Clerk Declare Results of Ballotting
4. If One Candidate Has Over Six (6) Votes He or She is Elected
5. If No Majority - The Candidate With the Least is Dropped
6. Voting Will Resume On The Two Top Names Until One Candidate Receives Six (6) Votes

NOTE: EACH CANDIDATE HAS 10 MINUTES FOR SUPPORTERS TO SPEAK

CITY OF SAN ANTONIO
CITY ATTORNEY'S OFFICE
Interdepartment Correspondence Sheet

TO: Shirl Thomas, Assistant to Mayor & Council
FROM: Lloyd Garza, City Attorney
COPIES TO: Travis Bishop, Assistant to City Manager
SUBJECT: Balloting for Election of Councilmember

DATE: January 15, 1992

RECEIVED
CITY OF SAN ANTONIO
MAYOR'S OFFICE
92 JAN 16 AM 9:52

In the absence of proscribed method to conduct an election, the logical step is to use the method set out in Robert's Rules of Order. Having researched the question, I provide you with the following information.

FACTS

The City Charter provides that whenever a vacancy occurs on the City Council (except in the office of Mayor), the Council as a whole will select (elect) a person to fill the unexpired term. The traditional method to select the person to fill that vacancy has been for the outgoing member to "recommend" a person to the Council.

In the case of the most recent vacancy, the outgoing member recommended a list of three persons. The Council has interviewed all three candidates and is now required to select (elect) one.

QUESTION

What method or process will be used to conduct the selection (election)?

ANSWER

There are two methods set out in Robert's Rules of Order. Neither method fits the situation exactly, but either may be adapted. The two methods can be generally described as the (1) single ballot and the (2) nomination ballot.

DISCUSSION

The Single Ballot

Where some nomination process is used (committee, chairman, ballot or mail) and a list of candidates exists, the entire list may be submitted to the governing body for consideration. Balloting is conducted and if a candidate receives a majority, the election is declared. If no candidate receives a majority, balloting continues. In the absence of a rule requiring the person with the lowest number of votes to be dropped, or the withdrawal by a candidate, all of the names remain on the ballot until one reaches a majority. The rationale for this method is that the person at the bottom of the list may become the "dark horse" on which the body will decide, if neither of the top runners can obtain a majority.

The Nomination Ballot

In this method, the nominations come from the floor and only those receiving a nomination are considered. The nomination does not require a second, and the nominations are open until no further nominations are received. In this method, the balloting is conducted on each individual, in turn, instead of the entire ballot at once. If no majority is reached, then balloting continues as in the above described method until one receives a majority.

Alternative Method

Conduct the balloting in the same manner as any other business. This would require that someone introduce the motion "I move that _____ be elected to fill the unexpired term for District 6." Such motion would require a second to be considered. Since there is no precedent for this method, it could be argued that it is subject to amendment (twice) and, therefore, all three names would be in consideration. The amendments would be considered, the last first, until the main motion is reached.

RECOMMENDATION

Since none of the three methods provides a means of limiting the consideration to any two candidates and there is the potential for many unnecessary parliamentary maneuvers and questions, the most straight forward means of dealing with the issue is method 1. The entire ballot of candidates is considered at one time. We can refer to this method as the Vatican model. Balloting will continue until one receives a majority.

LLOYD GARZA
City Attorney

LG:ck

ACCOUNTING HELEN AYALA

TO CITY COUNCIL,
DIST. 6

ITEM NO. 4
DATE: JAN 16 1992

ARTS & CULTURAL AFFAIRS
AVIATION
BUILDING INSPECTIONS
BUILDING INSPECTIONS HOUSE NUMBER
CITY ATTORNEY
MUNICIPAL COURT (HOLLIS YOUNG)
REAL ESTATE (FASNIDGE)
REAL ESTATE (HUBBARD)
REAL ESTATE (WOOD)
TRIAL SECTION
CITY MANAGER
TRAVIS BISHOP, ASST. TO MGR.
CODE COMPLIANCE
INTERGOVERNMENTAL RELATIONS
CITY PUBLIC SERVICE-GENERAL MGR.
CITY PUBLIC SERVICE-MAPS/RECORDS
CITY WATER BOARD-GENERAL MGR.
COMMERCIAL RECORDER
COMMUNITY DEVELOPMENT (BASEMENT)
COMMUNITY INITIATIVES
CONVENTION & VISITORS BUREAU
CONVENTION FACILITIES
DOMESTIC DEVELOPMENT OFFICE
ECONOMIC DEVELOPMENT
FINANCE DIRECTOR
ASSESSOR
CONTROLLER
GRANTS
RISK MANAGEMENT
TREASURY
FIRE DEPARTMENT
HOUSING TRUST
INFORMATION RESOURCES
INTERNATIONAL RELATIONS
LIBRARY
MANAGEMENT SERVICES (BUDGET)
MANAGEMENT SERVICES (PERSONNEL)
MARKET SQUARE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORP. (PUBLICATION)
MUNICIPAL COURTS
PARKS & RECREATION
PLANNING
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
POLICE DEPT.-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
WASTEWATER MANAGEMENT

MEETING OF THE CITY COUNCIL

MOTION BY: Bills Burke

SECONDED BY: Shin

ORD. NO. 75053

ZONING CASE _____

RESOL. _____

PETITION _____

	ROLL CALL	AYES	NAYS
ROGER PEREZ PLACE 1		/	
FRANK PIERCE PLACE 2		/	
LYNDA BILLA BURKE PLACE 3		/	
FRANK D. WING PLACE 4		/	
JUAN F. SOLIS III PLACE 5		/	
PLACE 6 <u>Reynold</u>			
YOLANDA VERA PLACE 7		/	
BILL THORNTON PLACE 8		/	
WEIR LABATT PLACE 9		/	
LYLE LARSON PLACE 10		/	
NELSON WOLFF PLACE 11 (MAYOR)		/	

92-03

ARTS & CULTURAL AFFAIRS
AVIATION
BUILDING INSPECTIONS
BUILDING INSPECTIONS HOUSE NUMBER
CITY ATTORNEY
MUNICIPAL COURT (HOLLIS YOUNG)
REAL ESTATE (FASNIDGE)
REAL ESTATE (HUBBARD)
REAL ESTATE (WOOD)
TRIAL SECTION
CITY MANAGER
TRAVIS BISHOP, ASST. TO MGR.
CODE COMPLIANCE
INTERGOVERNMENTAL RELATIONS
CITY PUBLIC SERVICE-GENERAL MGR.
CITY PUBLIC SERVICE-MAPS/RECORDS
CITY WATER BOARD-GENERAL MGR.
COMMERCIAL RECORDER
COMMUNITY DEVELOPMENT (BASEMENT)
COMMUNITY INITIATIVES
CONVENTION & VISITORS BUREAU
CONVENTION FACILITIES
DOMESTIC DEVELOPMENT OFFICE
ECONOMIC DEVELOPMENT
FINANCE DIRECTOR
ASSESSOR
CONTROLLER
GRANTS
RISK MANAGEMENT
TREASURY
FIRE DEPARTMENT
HOUSING TRUST
INFORMATION RESOURCES
INTERNATIONAL RELATIONS
LIBRARY
MANAGEMENT SERVICES (BUDGET)
MANAGEMENT SERVICES (PERSONNEL)
MARKET SQUARE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORP. (PUBLICATION)
MUNICIPAL COURTS
PARKS & RECREATION
PLANNING
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
POLICE DEPT.-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
WASTEWATER MANAGEMENT

Ver nominator Ayala
Larson nominator Thompson

ITEM NO. 4

MEETING OF THE CITY COUNCIL DATE: 1-16-92

MOTION BY: _____ SECONDED BY: _____

ORD. NO. _____ ZONING CASE _____

RESOL. _____ PETITION _____

	ROLL CALL	AYES	NAYS
ROGER PEREZ PLACE 1		<i>Ayala</i>	
FRANK PIERCE PLACE 2		<i>Ayala</i>	
LYNDA BILLA BURKE PLACE 3		<i>Ayala</i>	
FRANK D. WING PLACE 4		<i>Ayala</i>	
JUAN F. SOLIS III PLACE 5		<i>Ayala</i>	
BOB T... PLACE 6			
YOLANDA VERA PLACE 7		<i>Ayala</i>	
BILL THORNTON PLACE 8		<i>Ayala</i>	
WEIR LABATT PLACE 9		<i>Thompson</i>	
LYLE LARSON PLACE 10		<i>Thompson</i>	
NELSON WOLFF PLACE 11 (MAYOR)		<i>Ayala</i>	

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BUILDING INSPECTIONS
BUILDING INSPECTIONS HOUSE NUMBER
CITY ATTORNEY
MUNICIPAL COURT (HOLLIS YOUNG
REAL ESTATE (FASNIDGE)
REAL ESTATE (HUBBARD)
REAL ESTATE (WOOD)
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CITY MANAGER
TRAVIS BISHOP, ASST. TO MGR.
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CITY PUBLIC SERVICE-MAPS/RECORDS
CITY WATER BOARD-GENERAL MGR.
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CONVENTION FACILITIES
DOMESTIC DEVELOPMENT OFFICE
ECONOMIC DEVELOPMENT
FINANCE DIRECTOR
ASSESSOR
CONTROLLER
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RISK MANAGEMENT
TREASURY
FIRE DEPARTMENT
HOUSING TRUST
INFORMATION RESOURCES
INTERNATIONAL RELATIONS
LIBRARY
MANAGEMENT SERVICES (BUDGET)
MANAGEMENT SERVICES (PERSONNEL)
MARKET SQUARE
METROPOLITAN HEALTH DISTRICT
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PARKS & RECREATION
PLANNING
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
POLICE DEPT.-GROUND TRANSPORTATION
PUBLIC INFORMATION OFFICE
PUBLIC UTILITIES
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PARKING DIVISION
REAL ESTATE (BILL TOUDOUZE)
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING & GENERAL SERVICES
WASTEWATER MANAGEMENT

To
 Approve
 Ayala's Appr

ITEM NO. _____

MEETING OF THE CITY COUNCIL DATE: 1-16-92

MOTION BY: Vera SECONDED BY: Perez

ORD. NO. _____ ZONING CASE _____

RESOL. _____ PETITION _____

	ROLL CALL	AYES	NAYS
ROGER PEREZ PLACE 1		✓	
FRANK PIERCE PLACE 2		✓	
LYNDA BILLA BURKE PLACE 3		✓	
FRANK D. WING PLACE 4		✓	
JUAN F. SOLIS III PLACE 5		✓	
PLACE 6			
YOLANDA VERA PLACE 7		✓	
BILL THORNTON PLACE 8		✓	
WEIR LABATT PLACE 9		✓	
LYLE LARSON PLACE 10		✓	
NELSON WOLFF PLACE 11 (MAYOR)		✓	

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CONVENTION FACILITIES
DOME DEVELOPMENT OFFICE
ECONOMIC DEVELOPMENT
FINANCE DIRECTOR
ASSESSOR
CONTROLLER
GRANTS
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TREASURY
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PARKING DIVISION
REAL ESTATE (BILL TOUDOUZE)
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING & GENERAL SERVICES
WASTEWATER MANAGEMENT

Revised Date on (Approval) of Ayala

ITEM NO. _____

MEETING OF THE CITY COUNCIL DATE: 1-16-92

MOTION BY: Van SECONDED BY: Bill Burke

ORD. NO. _____ ZONING CASE _____

RESOL. _____ PETITION _____

	ROLLCALL	AYES	NAYS
ROGER PEREZ PLACE 1		✓	
FRANK PIERCE PLACE 2		✓	
LYNDA BILLA BURKE PLACE 3		✓	
FRANK D. WING PLACE 4		✓	
JUAN F. SOLIS III PLACE 5		✓	
_____ PLACE 6			
YOLANDA VERA PLACE 7		✓	
BILL THORNTON PLACE 8		✓	
WEIR LABATT PLACE 9		✓	
LYLE LARSON PLACE 10		✓	
NELSON WOLFF PLACE 11 (MAYOR)		✓	