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1/30/97

AN ORDINANCE **8555 1**

ORDERING A CHARTER ELECTION TO BE HELD IN THE CITY OF SAN ANTONIO ON THE 3RD DAY OF MAY, 1997, TO SUBMIT TO THE QUALIFIED VOTERS OF THE CITY CERTAIN PROPOSITIONS TO AMEND THE CITY CHARTER.

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WHEREAS, the City Charter of the City of San Antonio was adopted in 1951, and has served the City and its citizens well for the last forty-six years; and

WHEREAS, on two occasions during that time period, the City Council has chosen to submit packages of proposed Charter amendments to the voters, once in 1974, and again in 1977, these elections called by the City Council after citizen committee had been appointed, studied the Charter, and submitted reports on suggested changes; and

WHEREAS, on one other occasion during this time period, there has been a proposed individual amendment submitted to the voters through the petition process, this being in 1991; and

WHEREAS, by 1990 the City Council realized that it had been fourteen years since there had been a thorough, comprehensive review of the City Charter as a whole, meanwhile changes in local government practices and roles had focused attention on Charter provisions, and it was felt that an overall study was again due; and

WHEREAS, a twenty-three member committee of citizens was appointed and given the charge "to conduct a comprehensive study of the present Charter and recommend to the City Council any changes or additions that should be made thereto;" and

WHEREAS, the Committee began work at once, and, supported by City staff and others knowledgeable in the field, held work sessions and public hearings over the next two and a half years in all areas of the City, culminating in the presentation to the Council of its report in June, 1993, which contained suggested Charter changes; and

WHEREAS, the Mayor appointed a new committee in September 1996 to review a possible May 1997 Charter election, and that City Council Charter committee utilized the 1993 Charter Committee report and held five public hearings on the proposed Charter changes in November and December 1996;

WHEREAS, the City Council has studied the report, reviewed citizen input and wishes to submit some of the recommendations to the voters at this time; **NOW THEREFORE:**

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

SECTION 1. A City Charter election is hereby ordered to be held in the various voting precincts of the City of San Antonio on Saturday, the 3rd day of May, 1997, at which time shall be submitted to the qualified voters of the City the following propositions to amend the Charter of the City:

PROPOSITION ONE

Shall sections 3, 4, 5, 25, 34, 35, 49, 56, Article VII in its entirety, Article VIII in its entirety, Sections 118, 152, 154, 156, 157, 158, 163, and 165 of the City Charter be amended to eliminate provisions which have become inoperative because they have been superseded by state law; to replace citations to obsolete statutory references; to update terminology to current legal usage, and to eliminate the obsolete transitional provisions which no longer have any effect?

Article I, Section 3, Paragraph 9 shall be amended to change reference to "zoning board of appeals" to "zoning board of adjustment," in accordance with the terminology used in the state zoning statutes and to revise citation to an obsolete statutory reference, so that said paragraph, when amended, shall read as follows:

Paragraph 9. **Zoning.** For the purpose of promoting the health, safety, morals or general welfare of the City, the Council may by ordinance regulate the location, height, bulk and size of buildings and other structures, the size of yards, courts and other open spaces, and the use of buildings, structures and land for trade, industry, business, residence or other purposes. Such ordinances may provide that the zoning board of adjustment may, in appropriate cases and subject to appropriate principles, standards, rules, conditions and safeguards set forth in the ordinance, make special exceptions to the terms of the zoning regulations in harmony with their general purpose and intent. Such ordinances may provide that the zoning board of adjustment may authorize variances from the strict application of the regulations in such cases and subject to such limitations as may be set forth in ordinance. All of the powers granted by state zoning enabling laws now existing or hereafter enacted, are hereby adopted.

Article II, Section 4, shall be amended to delete the list of obsolete voting precincts in each Council district, and to substitute a general statement concerning council districts, so that Section 4 shall read as follows:

Section 4. **CREATION, COMPOSITION AND POWERS.** There is hereby created as the governing body of the City a Council which shall consist of 11 members, each of whom shall be elected to and occupy a place, such places being numbered consecutively beginning with Place 1 and ending with Place 11.

Each member of the Council shall be a citizen of Texas, a qualified elector and registered to vote in the city, shall have resided in the City at least one year prior to filing his application for election and must reside in the City during his term of office.

The Councilmembers shall be elected from districts or wards which shall be drawn by ordinance and shall be as nearly equal in population as practicable.

The boundaries of the districts or wards shall be re-examined and re-determined by ordinance, where appropriate following each succeeding Federal decennial census, or at other times where substantial variances in the number and make-up of the population of districts or wards have occurred, taking into consideration annexations, dis-annexations, shifts in population, compactness, ethnic composition and other criteria established by law. On any annexations, the City Council shall designate the annexed area to be part of the wards or districts to which it is contiguous.

Members of the Council for Place 1 through Place 10 shall be elected from such districts or wards which shall be numbered accordingly and each such member shall be elected by a majority vote of the qualified electors voting in said election in the particular district or ward. Each member from a district or ward shall reside within its boundaries at least six months prior to filing his application for election and continuing during his or her term of office, and failure to do so shall render such office vacant. Candidates for and the person elected as member of the Council in the remaining place, Place 11, may reside anywhere in the City and shall be elected by a majority of all qualified electors voting in said City election, with said Council Member to serve as Mayor as provided in Section 9 of this Charter.

No member of the Council may hold any other public office or employment for which compensation is paid by the City or Bexar County, Texas. Subject to the provisions of this Charter, the Council shall have and exercise all powers now or hereafter conferred on the City; shall succeed to all powers heretofore vested in any former governing body of the City; shall have the general care, management and control of the City, its property and finances, and shall enact, alter, modify or repeal all ordinances and resolutions not repugnant to this Charter and the Constitution and laws of Texas.

Article II, Section 5, shall be amended to change the beginning date of the Council terms from May 1 to June 1, as required by changes to the state election code, so that the words "first day of May next following their election" shall read "first day of June next following their election" and to delete the obsolete transition provision reading as follows:

"provided, however, that the terms of office of all members of the Council elected at the first election for members of the Council shall begin on January 1, 1952, and expire on April 30, 1953."

Article IV, Sections 34 and 35, Recall, Initiative, & Referendum, shall be amended so that zoning and rezoning ordinances shall be added to the list of ordinances which cannot be made the subject of a referendum or initiative, as determined by judicial decisions, so that said sections shall have the following sentence added to the end of each:

“In addition to the ordinances excepted above, ordinances zoning or rezoning property shall not be subject to this power.”

Article V, Section 49, shall be amended to delete the reference to the Board of Equalization which is now a function of a separate unit of government.

Section 49. **BOARDS, COMMISSIONS, COMMITTEES, AND AUTHORITIES.** Boards, commissions, committees, and authorities shall not be established to administer municipal functions of the City; provided, however, that this section shall not apply to (1) the Board of Trustees of the San Antonio Public Library, (2) the Municipal Civil Service Commission, (3) The Planning Commission, (4) boards of examiners and/or appeals established by ordinance to administer the provisions of building, electrical and plumbing codes, and (5) boards, commissions and authorities established under the provisions of the laws of Texas. The Council by ordinance may create boards, commissions or committees to assist in only an advisory capacity the City Council and heads of municipal departments in the performance of their duties. The members of any such advisory boards, commissions or committees shall be appointed by the Council and shall receive no compensation from the City.

Article V, Section 56, Subsection (5), which provides for the Finance Department to be responsible for assessing property for taxation, shall be deleted in its entirety, as this function is now carried out by another government entity.

Article VII, Finance shall be amended to replace obsolete dates defining the tax and fiscal year and specifying dates for preparation of departmental budgets and submission of a recommended budget to Council, and for adoption of the budget, to reflect changes to these dates resulting from a 1977 Charter amendment (Section 99A), to revise or delete sections concerning levy, assessment, and collection of taxes to bring them in harmony with the state property tax code, to revise purchase procedures to require compliance with state law concerning competitive bidding, and to delete the requirement for a referendum for revenue bond issues, which is inconsistent with state law, so that said Article when amended shall read as follows:

Section 79. **FISCAL YEAR.** The fiscal year of the City shall begin on the first day of October and end on the last day of September of each calendar year. The fiscal year shall constitute the budget year of the City government. The term “budget year” shall mean the fiscal year for which any particular budget is adopted and in which it is administered.

Section 80. **THE BUDGET.** The budget for the City government shall present a complete financial plan for the ensuing fiscal year. It shall set forth all proposed expenditures for the administration, operation and maintenance of all departments and agencies of the City government for which appropriations are required to be made or taxes levied by the City government; all expenditures for capital projects to be undertaken or executed during the fiscal year; a capital program of proposed capital projects for the five fiscal years next succeeding the budget year, provided, however, this requirement shall not apply to the budget year

beginning on August 1, 1952; all interest and debt redemption charges during the fiscal year; and the actual or estimated operating deficits from prior fiscal years. The budget shall also set forth the anticipated income and other means of financing the total proposed expenditures of the City government for the fiscal year.

Section 81. **THE BUDGET DOCUMENT.** The budget document shall consist of three parts, as follows:

Part I shall contain (1) a budget message prepared by the City Manager, which shall outline a fiscal policy for the City government, describing therein the important features of the budget with reference both to proposed expenditures and anticipated income, for the current year; (2) a general budget summary with support schedules, which shall exhibit the aggregate figures of the budget in such manner as to show a balanced relationship between the total proposed expenditures and the total anticipated income for the fiscal year covered by the budget, and which shall compare these figures with the corresponding figures of the last completed fiscal year and the year in progress;

Part II shall contain (1) detailed estimates of all proposed expenditures, showing the corresponding expenditures for each item for the current fiscal year and the last preceding fiscal year with the explanations of increases or decreases recommended as compared with appropriations for the current fiscal year; (2) detailed estimates of anticipated revenues and other income; (3) delinquent taxes for current and preceding years, with estimated percentage collectible; (4) statements of the bonded debt and other indebtedness of the City government, showing the debt redemption and interest requirements, the debt authorized and unissued, the conditions of the sinking funds, if any, and the borrowing capacity of the City.

Part III shall contain a complete draft of the budget ordinance, including an appropriation ordinance and such other ordinances as may be required to finance the budget.

Section 82. **THE PREPARATION AND ADOPTION OF THE BUDGET.** Annually, the City Manager shall establish a budget calendar setting key dates for preparation and adoption of the consolidated annual budget. The departments and agencies of the City government shall transmit, in accordance with the calendar estimates of their budgetary requirements to the Department, responsible for preparing the budget, which shall prepare a budget for the City Manager in the form required by the Charter. The City Manager shall transmit the annual budget to the Council in accordance with the calendar. The Council shall arrange for and hold at least one public hearing on the budget during the period of its consideration. Provided, however, that at least ten days prior public notice shall be given of such public hearing; and provided, further, that at least ten days prior to such public hearing, the City Manager shall cause not less than ten copies to be made

available in the office of the City Clerk for distribution to interested persons. The Council may revise, alter, increase, or decrease the items of the proposed budget prior to the adoption of the appropriation ordinance, provided that when it shall increase the total proposed expenditures, it shall also increase the total anticipated income so that the total means of financing the budget shall at least equal in amount the aggregate proposed expenditures. When the Council shall make such changes, it shall issue a statement setting forth clearly its action on the budget. Annually, the Council shall approve the budget plan and shall enact, not later than the twenty seventh day of September, the appropriation ordinance, and such other ordinances as may be required to make the budget effective. As soon as possible after the completion of the tax roll the Council shall pass the tax levy ordinance. A copy of the budget, as finally adopted, shall be filed with the City Clerk, the County Clerk of Bexar County. The final budget shall be reproduced and sufficient copies shall be made available for the use of all departments, offices and agencies of the City, and for the use of interested persons, agencies and civic organizations.

Section 83. WORK PROGRAM AND ALLOTMENTS. Immediately before the beginning of each fiscal year, the head of each department or agency of the City government, upon the direction of the City Manager, shall submit to the responsible Department a work program for the year, which program shall include all appropriations for its operation and maintenance and for the acquisition of property, and which shall show the requested allotments of said appropriations for such department or agency by months for the entire fiscal year. The City Manager, with the assistance of the appropriate Department, shall review the requested allotments in light of the work program of the department or agency concerned, and may, if he deems necessary, revise, alter, or change such allotments before authorizing the same. The aggregate of such allotment shall not exceed the total appropriation available to said department or agency for the fiscal year. The responsible Department responsible for preparing the budget shall authorize all expenditures for the departments and agencies to be made from the appropriations on the basis of the approved allotments, and not otherwise. The approved allotments may be revised during the fiscal year by the City Manager, or upon application by the head of any department or agency as approved by the City Manager, but in no event shall the aggregate of departmental or agency allotments exceed the appropriation available to such departments or agencies for the fiscal year. If, at any time during the fiscal year, the City Manager shall ascertain that the available income, plus fund balances, for the year will be less than the total appropriations, he shall reconsider the work programs and allotments of the several departments and agencies and revise them so as to prevent the making of expenditures in excess of the said income and fund balance.

Section 84. **TRANSFER OF APPROPRIATIONS.** Upon written recommendation of the City Manager, the City Council may at any time transfer any unencumbered appropriation balance or any portion thereof within a department office or agency to another.

Section 85. **APPROPRIATION OF EXCESS REVENUE.** If at any time the total accruing revenue of the City shall be in excess of the total estimated income, as set forth in the annual budget estimate, the Council may appropriate such excess revenues to the retirement of the unbonded indebtedness of the City.

Section 86. **MONEY TO BE DRAWN FROM TREASURY IN ACCORDANCE WITH APPROPRIATIONS.** No money shall be drawn from the treasury of the City, nor shall any obligation for the expenditure of money be incurred, except in pursuance of the annual or interim fiscal period appropriation ordinance or such ordinance when changed as authorized by this Charter or by the general laws of Texas. At the close of each fiscal year any unencumbered balance of an appropriation shall revert to the fund from which appropriated and shall be subject to reappropriation as provided by this Charter; but appropriations may be made by the Council, to be paid out of the income of the current year, in furtherance of public improvements or public works which will not be completed within such year, and any such appropriation shall continue in force until the purpose for which it was made shall have been accomplished or abandoned.

Section 87. **CITY DEPOSITORIES.** All monies received by any person, department or agency of the City for or in connection with the business of the City and all funds of the City shall be deposited promptly in the City Depository, which shall be designated by the Council in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by ordinance. All interest on monies belonging to the City shall accrue to the benefit of the City.

Section 88. **COLLECTION AND DEPOSIT OF REVENUES.** The Assessor and Collector of Taxes or other designated official(s) shall collect, issue receipts for, and deposit all ad valorem property taxes, all occupational taxes and all fees and dues as may be prescribed by ordinance.

Section 89. **SEIZURE AND SALE OF PERSONAL PROPERTY.** The Assessor and Collector of Taxes shall, by virtue of his tax rolls, have power and authority to seize and levy upon all personal property and sell the same to satisfy all taxes, together with all penalty, interest and costs due on said personal property by said delinquent to the City. When he seizes personal property for such purposes he shall keep the same at the expense of the owner until the sale is made, and shall give notice of the time and place of sale of same by posting a written notice.

A sale of personal property for delinquent taxes shall convey with it an absolute title, and the owner shall have no right to redeem the same.

Section 90. **TAX LIEN.** On January 1 of each year, a tax lien attaches to all real, personal and mobile home property to secure the payment of all taxes, penalties and interest imposed for the year on the property, whether or not the taxes are imposed in the year the lien attaches.

Section 91. **THE POWER OF THE CITY TO ASSESS, BILL AND COLLECT AD VALOREM PROPERTY TAXES.** The City shall have power annually to assess, bill and collect ad valorem property taxes at the rate and in the total amount authorized by the Constitution of Texas and the general laws of this State. The ad valorem property taxes hereinabove authorized shall be assessed annually and collected on the taxable value of all real, personal and mobile home property having situs in the corporate limits of the City. There shall be an officer in the Finance Department who shall be known as the Tax Assessor-Collector of Taxes. This officer shall assess, bill and collect ad valorem property taxes in accordance with the Constitution of Texas and the State Property Tax Code. The tax levied by any improvement district in the City shall not exceed twenty-five cents annually.

Section 92. **OCCUPATION TAXES.** The Council shall have power annually to levy and collect occupation taxes, in accordance with the provisions of the laws of the State of Texas.

Section 93. **METHOD OF LEVY, ASSESSMENT, AND COLLECTION OF TAXES.** All city taxes shall be levied, assessed and collected in the same manner as may be provided by the laws of Texas for the levy, assessment and collections of state and county taxes, unless otherwise provided by this Charter, or by ordinance; provided, however, that no discounts may be granted for the advance payment of taxes. All powers conferred by the general laws of Texas as they now or hereafter may exist for the assessment, levy and collection of taxes by county and city assessors and collectors are hereby adopted and made applicable to the City and shall be in addition to and cumulative of the powers herein expressly granted, including without limitation, those granted to county and city assessors and collectors of taxes, and to all other persons, bodies or agencies concerned with the assessment and collection of taxes.

Section 94. **TAX RATE.** The City Council before September 15 or as soon thereafter as practicable shall adopt a tax rate for the current tax year and shall notify the Tax Assessor-Collector of the rate adopted. The tax rate consist of two components, each of which must be approved separately. The components are:

- . The rate that, if applied to the total taxable value, will be used to pay debt service for the fiscal year; and

- . The rate, that, if applied to the total taxable value, will impose the amount of taxes needed to fund maintenance and operation expenditures for the fiscal year.

The City may not impose property taxes in any year until the City Council has adopted a tax rate for that year, and the annual tax rate must be set by ordinance. The vote on the ordinance setting the tax rate must be separate from the vote adopting the budget.

Section 95. TAXES WHEN DUE. All ad valorem property taxes are due on receipt of the tax bill and are delinquent if not paid before February 1 of the year following the year in which imposed. The Council shall have power, by ordinance, to provide for the payment of any taxes due, at the option of taxpayers, in one payment, or two equal installments.

Section 95A. CHANGE IN TAX AND FISCAL YEARS. The Council, by ordinance, after a public hearing thereon following notice thereof published 15 days prior to the date of the hearing, is authorized to provide for a change to be made in the City tax year from June 1 through May 31, to January 1 through December 31, and the Council, by ordinance, is authorized to provide that the change be made in one or more stages, and that necessary and appropriate changes be made in the dates for renditions, filing of inventories, assessments, levy of taxes, billings, the period in which payment is to be made, the time when taxes become delinquent, and related matters, to conform to the change in the tax year.

The Council is further authorized by ordinance, in the same manner, after notice and public hearing, to provide for a change in the City's fiscal and budget year from the present period to the period October 1 through September 30, in one or more stages, in conjunction with any change in the tax year pursuant to the authority given hereinabove, and to provide for necessary and appropriate changes to be made in the dates for preparation and adoption of the budget, for submission of work programs and allotments, and for related matters.

In order to provide any necessary financing during the transition or changeover period(s), the Council may, by ordinance, authorize the borrowing of money by the issuance of general obligation bonds or promissory notes and the levying of a sufficient tax to pay the interest thereon and to provide the required sinking fund to pay the principal thereof, and/or may authorize the payment of all or any part of said interest and principal from any other anticipated tax receipts or other available funds.

96. PENALTIES AND INTEREST ON DELINQUENT TAXES. A delinquent tax incurs a penalty of six percent of the amount of the tax for the first calendar month it is delinquent plus one percent for each additional month or portion of a month the tax remains unpaid prior to

July 1 of the year in which it becomes delinquent. However, a tax delinquent on July 1 incurs a total penalty of twelve percent of the amount of the delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax accrues interest at a rate of one percent for each month or portion of a month the tax remains unpaid.

96A. ADDITIONAL PENALTY FOR COLLECTION COSTS. Taxes that remain delinquent on July 1 of the year in which they become delinquent incur an additional penalty to defray costs of collection. The amount of the penalty may not exceed 15 percent of the amount of taxes, penalty and interest due.

96B. DELINQUENT TAX ATTORNEY. The City Council may contract with any competent attorney to represent the City to enforce the collection of its delinquent taxes.

97. PURCHASE PROCEDURE.

Paragraph 1. Contracts for the purchase of supplies, material, or equipment, or for contractual services shall be in writing and opportunity for competitive bidding shall be given before they are awarded as required by state law. The Council shall have the right to reject any and all bids.

Paragraph 2. Where the contract is for less than the amount required to be bid by state law and the item is one provided for in the budget, the Council by ordinance may authorize designated City officials to approve and execute the contract without Council approval, after public notice, competitive bids, requests for proposals, or other procedures and safeguards as may be required in such ordinance. This provision would apply to all city contracts.

98. AUTHORITY TO ISSUE BONDS. The City shall have power to borrow money on the credit of the City and to issue bonds to construct, acquire, equip, renovate, improve and repair public works for public purposes and to fund or refund any bonded indebtedness; provided, however, that any proposition to borrow money and to issue bonds, except as otherwise authorized by the general laws of Texas, shall be first approved by a majority of the qualified electors of the City voting in an election held, as prescribed by ordinance, as nearly in accord with this charter and the laws regulating City elections as may be practicable. The ordinance calling such election shall distinctly specify the purpose thereof; provided, however, that more than one subject or purpose may be included but each shall be separately stated. No election shall be required to authorize the refunding of bonds issued and outstanding. The total bonded debt of the City shall never exceed ten per cent of the total assessed valuation of property shown by the last assessment roll, exclusive of any indebtedness secured in whole or in part by special assessments, exclusive of the bonded debt of any improvement district,

and exclusive of any indebtedness secured by revenues, other than taxes, of the City or of any department or agency thereof.

Section 99. **REVENUE BONDS.** The City shall have power to issue its revenue bonds for the purposes and in the manner and form now or hereafter authorized by any general law of Texas. The City shall also have power to issue its revenue bonds for the acquisition of any other utility or property for public use and to enlarge, improve, extend or equip the same, and to issue its revenue bonds for any other lawful public purpose, provided such bonds shall never be a debt of the City and shall be a charge upon and payable solely from the designated sources, properties or interest acquired and the income therefrom. The Council shall have authority to provide for the terms and forms of any purchase agreement, contract, mortgage, bond or document desired or necessary for the issuance of revenue bonds and the acquisition and operation of any such property or interest.

Section 100. **ISSUANCE OF BONDS FOR IMPROVEMENT DISTRICTS.** The City shall have power to borrow money on the credit of any improvement district of the City and issue bonds therefor for permanent public improvements in such districts, and the Council may divide the City, or any portion thereof, into improvement districts; but every proposition to borrow money on the credit of any improvement district for permanent public improvements therein shall be first submitted to and approved by a majority of the qualified electors residing within such district, voting in an election held for such purpose and shall distinctly specify the purpose of the loan and the permanent public improvements to be constructed; provided, however, that several improvements of different character may be submitted at one election. All bonds shall specify the purpose for which they were issued. All accrued interest to date of payment of the proceeds of sale shall be deposited in the City depository. Such bonds may be negotiated in lots as the Council may decree. No debt shall be contracted for the payment whereof such bonds are issued until such bonds are sold and no debt shall ever be created against any improvement district unless at the same time provision be made to assess and collect annually upon property in such district a sum sufficient to pay the debt service on such bonds and create a sinking fund thereon as required by law. The tax which shall be collected annually from the owners of property in such improvement district for payment of such bonds shall be in addition to all other current taxes levied by the City, and the fund thus created shall be kept separate by the City depository from other funds, and shall not be diverted or used for any other purpose than to pay interest and principal on such bonds.

Section 101. **SALE OF BONDS.** No bond issued by the City shall be sold until after the terms have been considered and the sale has been approved by City Council.

Section 102. **SINKING FUND.** It shall be the duty of the Council each year to levy a tax sufficient to pay the debt service on and provide the necessary sinking fund required by law on all bonds outstanding. The interest and sinking fund, and the funds hereafter created for the retirement of bonds shall be deposited in separate accounts in the City depository and shall not be diverted to any other purpose, or used for any purpose other than to pay interest and principal on such bonds.

Section 103. **SINKING FUND ADMINISTRATION.** The sinking fund for the redemption of any loan or debt may be invested in any investment instruments as authorized by the laws of the State of Texas and any other applicable law, which may include United States interest bearing bonds or bonds of the State of Texas, or Bexar County, Texas, or in bonds of the City, or of any improvement district thereof and the interest of such bonds, shall be reinvested; and such investment instruments shall be sold when necessary to pay the interest or principal of the bonds issued under the provisions of this section. Said sinking fund may be appropriated at any time to reduce the public debt by the purchase and cancellation of outstanding City bonds, or for the investment of such sinking fund.

Section 104. **DISBURSEMENT OF FUNDS.** All checks, vouchers or warrants for the withdrawal of money from the City depository shall be signed by the Director of Finance, or his deputy; provided, however, that checks, vouchers or warrants for the withdrawal of sinking funds shall also be signed by the City Manager, or, in his absence, by an officer designated by the Council.

Section 105. **BORROWING IN ANTICIPATION OF PROPERTY TAXES.** In any tax year, in anticipation of the collection of the ad valorem property tax for such year, whether levied or to be levied in such year, the Council may by resolution authorize the borrowing of money by the issuance of negotiable notes of the City each of which shall be designated "tax anticipation note for the 19__" (stating the tax year). Such notes shall mature and be payable not later than the end of the tax year in which issued, and may be secured by the pledge of the ad valorem property taxes for such year.

Section 106. **BORROWING IN ANTICIPATION OF OTHER REVENUES.** In any tax year, in anticipation of the collection or receipt of other revenues of that year, the Council may by resolution authorize the borrowing of money by the issuance of negotiable notes of the City, each of which shall be designated "special revenue note for the year 19__" (stating the tax year). Such notes may be renewed from time to time, but all such notes, together with the renewals shall mature and be payable not later than the end of the tax year in which issued, and may be secured by pledge of such other revenues for such year.

Section 107. **INDEPENDENT AUDIT.** As soon as practicable after the close of each fiscal year, an independent audit, in accordance with specifications defined by ordinance, shall be made of all accounts of the City government by a Certified Public Accountant, selected by the Council, who shall have no personal interest directly or indirectly in the financial affairs of the City government, or of any of its officers. The results of this audit shall be published immediately upon its completion.

Article VIII, The Corporation Court, shall be amended to state that the San Antonio Municipal Courts shall be Courts of Record and shall have jurisdiction and operate in accordance with state laws providing for San Antonio Courts of Record, as may be amended from time to time, and to provide that Municipal Court judges shall be appointed by the City Council for two year terms, so that said article, when amended, shall read as follows:

“Article VIII, Municipal Court. There are hereby established Municipal courts of the City which shall be courts of record, presided over by judges appointed by the City Council for two year terms. The judge, at the time of his appointment, shall have resided in the city for at least three years immediately preceding his appointment. The municipal courts shall operate pursuant to applicable state law providing for San Antonio Municipal Courts of Record as they exist and as they may be amended from time to time.”

Article IX, Section 118, Paragraph 2, Subsection (1), shall be amended to provide that the Planning Commission shall have the power to recommend rather than to adopt subdivision regulations, and to provide that the regulations shall apply within the extraterritorial jurisdiction, all as provided in state law, so that such subsection when amended shall read as follows:

”(1) Prepare, recommend, and administer rules and regulations pertaining to subdivisions and to platting in territory outside the city limits and within the extraterritorial jurisdiction.”

Article XII, Section 152, which provides for the City to collect property taxes for the San Antonio Independent School District shall be deleted in its entirety.

Article XII, Section 154, pertaining to appointments of boards, commissions, and authorities, shall be amended to delete that the City Manager has the authority to appoint all members of regulatory and zoning boards and commissions, and delete the reference to “the Board of Equalization” a function now carried out by another government entity so that such subsection when amended shall read as follows:

Section 154. **APPOINTMENTS TO BOARDS, COMMISSIONS AND AUTHORITIES.** The Mayor and City Council shall appoint all members of regulatory and zoning boards or commissions. No member of any such board or commission, may be compensated by the City at a rate in excess of twenty dollars per meeting, or more than \$1040 per annum.

Citations in various sections to obsolete statutory references shall be deleted and, in their place, general references to applicable state law shall be inserted:

Section 3, paragraph 1: ~~delete~~ "Chapter 147, page 307, of the Acts of the Thirty-third Legislature, Regular Session, enacted in 1913, pursuant to the Home Rule Amendment to the Constitution of Texas, known as the Enabling Act"

insert in its place "laws passed pursuant to the Texas Home Rule Amendment."

~~delete~~ "House Bill No. 166, Acts of the Fifty-First Legislature, Regular Session"

insert in its place "legislation passed by the State Legislature"

Section 3, paragraph 8: ~~delete~~ "Chapter 106, page 489, Fortieth Legislature, First Called Session, Acts 1927, and/or the provision, without limitations, of Chapter 14 of the Thirty-First Legislature, Second Called Session, page 402, known as the Street Improvement Law, enacted in 1909, together with all amendments now existing or hereafter enacted"

insert in its place "laws providing for assessments against abutting property for street improvements"

Section 25: ~~delete~~ "Chapter 80, page 98, Acts of the Forty-Seventh Legislature, 1941, being Article 2997c, Texas Revised Civil Statutes, as amended"

insert in its place "The provisions of the State Election Code"

Section 101, paragraph 3: ~~delete:~~ "Section 2 of Art. 2368a (Vernon's Ann. Tex. Civ. Statutes), as amended"

insert in its place: "in State law."

Section 163: ~~delete~~ "Chapter 13 of Title 28 of the Revised Civil Statutes of Texas of 1925 and amendments thereto and any amendments that may be made hereafter".

insert in its place: "of statutes".

Article XII, General Provisions, Sections 156, Effect of this Charter on Existing Law; 157, Interim Government, Transitional Provisions; 158, Special Provision for Appointments; and 165, Submission of Charter to Electors, are provisions intended to cover the transition to the new form of government in 1951 and immediately thereafter, and no longer have any effect, and shall be deleted.

PROPOSITION TWO

Shall Section 3, Paragraph 2, Annexation of the City Charter be amended and shall a Section 123A be added to the City Charter to require that before any property may be annexed into the City, the proposed annexation must be first submitted to the Planning Commission for recommendation to the Council, and to provide that annexations may be accomplished as prescribed by state law, said sections when amended to read as follows:

“Section 3, Paragraph 2, Annexation. The City shall have the power, by ordinance, to fix and change the bounds and limits of the City and to provide for the extension of the said bounds and limits and the annexation of additional territory lying adjacent to the City with or without the consent of the territory and the inhabitants thereof annexed; provided, however, that such an ordinance, or any amendment thereto, shall be published one time, prior to passage, in some daily newspaper published in the City and such ordinance shall not be passed until at least thirty days have elapsed after publication. The City shall have power to annex additional territory, lying adjacent to the City, and the inhabitants thereof, as may be authorized by, and in the manner and form prescribed by any general law of Texas.”

“Section 123A. No land shall be annexed into the City until and unless the location and extent thereof shall have been submitted to the Planning Commission and the Commission shall have made a recommendation to the City Council on the proposed annexation. In case of disapproval by the Commission, it shall communicate its reasons to the Council. The Council shall have the right to overrule such disapproval. Failure of the Commission to act within thirty days after the date of submission shall be deemed approved, unless a longer period be granted by the Council.”

PROPOSITION THREE

Shall Section 11 of the City Charter be amended to allow for City Council meetings to be held in the Community and to require compliance with the Texas Open Meetings Act, so that said section, when amended, will read as follows:

“Section 11. **MEETINGS OF THE COUNCIL**. All meetings of the Council shall be held at such times as may be prescribed by ordinance or resolution; but not less than one regular meeting shall be held each week, unless postponed for reasons to be spread on the minutes which shall be kept of all Council meetings. Special meetings of the Council shall be called by the City Clerk upon the written request of the Mayor, the City Manager or three members of the Council. All meetings of the Council and of any committees thereof shall be in compliance with the Texas Open Meetings Act as it may be amended from time to time

PROPOSITION FOUR

Shall Sections 78 and 140 of the City Charter, be amended to modify prohibitions restricting city officials and city employees from political activities in city elections, except as authorized by state law, said sections when amended to read as follows:

“Section 78. **PROHIBITIONS.**

- (a) No person shall willfully or intentionally make any false statement, certificate, mark, rating or report in regard to any test, certification, or appointment held or made, or in any manner commit any fraud interfering with the performance of these provisions or the rules and regulations made thereunder.
- (b) No person seeking appointment to or promotion in the classified civil service shall directly or indirectly give, render or pay any money, service or other valuable thing to any person on account of or in connection with any test, appointment or promotion.
- (c) No city employee shall continue in such position after becoming a candidate for nomination or election to any City or Bexar County elected office.
- (d) No city employee may circulate petitions for city council candidates or city elections, receive or solicit any contribution for any city council candidate or city election.
- (e) No city employee shall make any contribution to the campaign funds of any candidate for City office or take any part in the management or affairs or political campaign of any candidate for City office, further than in the exercise of his rights as a citizen to express his opinion and to cast his vote.
- (f) No employee of the city may wear city council campaign buttons nor distribute literature at work or in a city uniform or in the offices or building of the City of San Antonio.
- (g) City employee organizations shall not be allowed to make any contribution to the campaign funds of any candidate for City office or the take part in the management or affairs of a political campaign for City office, further than to express opinions, except as authorized by state law.

Any person who by himself or with others willfully or intentionally violates any of the provisions of this section shall be subject to such penalty as may be prescribed by ordinance. Any person convicted under this section shall be ineligible, for a period of five years, for appointment to an office or employment in the classified civil service, and shall, if he be an official or employee of the City, immediately forfeit such office or employment.

Section 140. **PROHIBITIONS ON CANDIDATES FOR OFFICE OR EMPLOYMENT.**

- (a) It shall be unlawful for any candidate or any person who may become a candidate for any office or employment under the government of the City,

directly or indirectly to offer or promise to any person or persons any office or employment under the City government or any benefit to be derived therefrom in the event of the election or appointment of such candidate to any such office or employment; or to promise or agree to use his influence to obtain for any person any office or employment under the government of the City. Any violation of any of the provisions of this section shall be a misdemeanor and shall be grounds for removal from office or employment.

- (b) No appointee of any City board or commission shall continue in such position after becoming a candidate for nomination or election to any City or Bexar County elected office ”

PROPOSITION FIVE

Shall Article III, Elections of the City Charter be amended to delete present article in its entirety, and provide that elections be carried out in accordance with the State Election Code; provide a \$100.00 fee for running for elective office, or a petition as specified and to provide that for the purpose of this section, the office of mayor shall be considered a separate office from that of other Council places and to provide that no person may be appointed to or placed on the ballot for election to a term if completion of that term would result in a violation of the term limit provision in effect so that said Article shall after amendment read as follows:

“Article III. Municipal Elections.

Section 19. Regular & Special Elections. The City Clerk shall be responsible for administering all City elections in accordance with the State Election Code and other applicable state law, provided that the Council may, by ordinance, make rules and regulations not inconsistent with state law. Candidates filing for office must pay a \$100.00 filing fee or provide a petition with signatures of registered voters as provided by State law.

Section 20. Limitation on Terms of Office. No person shall be eligible to hold any elected office for more than two full terms, and shall not be placed on the ballot for election to any term if service for the full term would constitute a violation hereof. For the purpose of this section, the office of Mayor shall be considered a separate office from other Council places.”

SECTION 2. The foregoing propositions shall be submitted on the ballot so that each voter may vote “YES’ or “NO”, as follows:

PROPOSITION ONE

Shall sections 3, 4, 5, 25, 34, 35, 49, 56, Article VII in its entirety, Article VIII in its entirety, Sections 118, 152, 154, 156, 157, 158, 163, and 165 of the City Charter be amended to eliminate provisions which have become inoperative because they have been superseded by state law; to replace citations to obsolete statutory references; to update terminology to current legal usage, and to eliminate the obsolete transitional provisions which no longer have any effect?

PROPOSITION TWO

Shall Section 3, Paragraph 2, Annexation of the City Charter be amended and shall a Section 123A be added to the City Charter to require that before any property may be annexed into the City, the proposed annexation must be first submitted to the Planning Commission for recommendation to the Council, and to provide that annexations may be accomplished as prescribed by state law?

PROPOSITION THREE

Shall Section 11 of the City Charter be amended to allow for City Council Meetings to be held in the community, to require compliance with the Texas Open Meetings Act, and to provide for public notice of Council meetings?

PROPOSITION FOUR

Shall Sections 78 and 140 of the City Charter, be amended to modify prohibitions restricting city officials and city employees from political activities in city elections, except as authorized by state law?

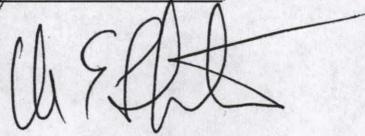
PROPOSITION FIVE

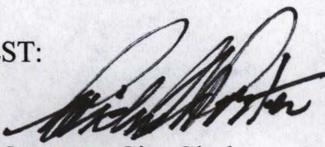
Shall Article III, Elections of the City Charter be amended to delete the present article in its entirety, and provide that elections be carried out in accordance with the State Election Code; provide a \$100.00 fee for running for City elective office, or a petition as specified by state law; to provide that for the purpose of this section, the office of mayor shall be considered a separate office from that of other Council places and to provide that no person may be appointed to or placed on the ballot for election to a term if completion of the term would result in a violation of the term limit provision in effect?

SECTION 3. Propositions approved by a majority of the voters voting shall become effective when the City Council enters an order in the records of the City declaring that the Charter amendments have been adopted.

SECTION 4. As soon as practicable after the election and the declaration by the Council that amendments have been approved, the City Manager shall certify to the secretary of state an authenticated copy of the amendments under the City's seal showing the approval by the voters of the municipality.

PASSED AND APPROVED this 30th day of January, 1997.


M A Y O R

ATTEST:

ASSISTANT City Clerk

APPROVED AS TO FORM: F. J. Gargallo
City Attorney

97-04 

ORDERING A MEETING OF THE CITY COUNCIL
CHARTER ELECTION

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
1 CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - RISK MANAGEMENT
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
PLANNING DEPARTMENT
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA
YOUTH INITIATIVES
1 NORMA
1 DICK
1 SUSIE V.
1 COPY TO JEFFREY DEAN

*MARIA
MONTANA*

AGENDA ITEM NUMBER: 49
 DATE: JAN 30 1997
 MOTION: Bla Balle 2ND: Sols
 ORDINANCE NUMBER: 85551
 RESOLUTION NUMBER: _____
 ZONING CASE NUMBER: _____
 TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1		✓	
DOLORES M. LOTT District 2		ABSENT	
LYNDA BILLA BURKE District 3		✓	
HENRY AVILA District 4		- <i>[Signature]</i>	
JUAN F. SOLIS, III District 5		✓	
ROBERT A. HERRERA District 6		✓	
BOB ROSS District 7		✓	
ROBERT MARBUT District 8		✓	
HOWARD W. PEAK District 9		✓	
JEFF S. WEBSTER District 10		✓	
WILLIAM E. THORNTON Mayor		✓	

MEETING OF THE CITY COUNCIL

PROPOSITION ONE

AGENDA ITEM NUMBER: 49-A
 DATE: JAN 20 1997
 MOTION: Solis 2ND: Billa Burke
 ORDINANCE NUMBER: _____
 RESOLUTION NUMBER: _____
 ZONING CASE NUMBER: _____
 TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1		✓	
DOLORES M. LOTT District 2		<i>absent</i>	
LYNDA BILLA BURKE District 3		✓	
HENRY AVILA District 4		<i>absent</i>	
JUAN F. SOLIS, III District 5		✓	
ROBERT A. HERRERA District 6		✓	
BOB ROSS District 7		✓	
ROBERT MARBUT District 8		✓	
HOWARD W. PEAK District 9		✓	
JEFF S. WEBSTER District 10		✓	
WILLIAM E. THORNTON Mayor		✓	

97-04

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - RISK MANAGEMENT
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
PLANNING DEPARTMENT
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
SOLID WASTE
TRAFFIC ENGINEERING

A) PROPOSITION ONE
 Shall sections 3, 4, 5, 25, 34, 35, 49, 56, Article VII in its entirety, Article VIII in its entirety, Sections 118, 152, 154, 156, 157, 158, 163, and 165 of the City Charter be amended to eliminate provisions which have become inoperative because they have been superseded by state law; to replace citations to obsolete statutory references; to update terminology to current legal usage, and to eliminate the obsolete transitional provisions which no longer have any effect?

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 VIA
 YOUT

MEETING OF THE CITY COUNCIL

PROPOSITION TWO

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - RISK MANAGEMENT
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
PLANNING DEPARTMENT
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VI
YO

AGENDA ITEM NUMBER: 44B
 DATE: JAN 30 1997
 MOTION: Billo Burke 2ND: Solis
 ORDINANCE NUMBER: _____
 RESOLUTION NUMBER: _____
 ZONING CASE NUMBER: _____
 TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1		✓	
DOLORES M. LOTT District 2		<i>Wes</i>	
LYNDA BILLA BURKE District 3		✓	
HENRY AVILA District 4		<i>Wes</i>	
JUAN F. SOLIS, III District 5		✓	
ROBERT A. HERRERA District 6		✓	
BOB ROSS District 7		✓	
ROBERT MARBUT District 8		✓	
HOWARD W. PEAK District 9		✓	
JEFF S. WEBSTER District 10		<i>Wes</i>	
WILLIAM E. THORNTON Mayor		✓	

97-04

B) PROPOSITION TWO

Shall Section 3 and Section 123A of the City Charter be amended to require that before property may be annexed into the City, the proposed annexation must be submitted to the Planning commission for recommendation to the Council, and to provide that annexations may be accomplished as prescribed by state law?

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - RISK MANAGEMENT
FINANCE - TREASURY
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INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
PLANNING DEPARTMENT
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA
YO

MEETING OF THE CITY COUNCIL

PROPOSITION
THREE

AGENDA ITEM NUMBER: 49-C
DATE: JAN 30 1997
MOTION: Alto Burke 2ND: Verona
ORDINANCE NUMBER: _____
RESOLUTION NUMBER: _____
ZONING CASE NUMBER: _____
TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1		✓	
DOLORES M. LOTT District 2		<i>Went</i>	
LYNDA BILLA BURKE District 3		✓	
HENRY AVILA District 4		<i>Went</i>	
JUAN F. SOLIS, III District 5		✓	
ROBERT A. HERRERA District 6		✓	
BOB ROSS District 7		✓	
ROBERT MARBUT District 8		✓	
HOWARD W. PEAK District 9		✓	
JEFF S. WEBSTER District 10		<i>Went</i>	
WILLIAM E. THORNTON Mayor			

37-04

C) PROPOSITION THREE

Shall Section 11 of the City Charter be amended to allow for City Council Meetings to be held in the community, to require compliance with the Texas Opens Meetings Act, and to provide for public notice of Council meetings?

MEETING OF THE CITY COUNCIL

PROPOSITION FOUR

AGENDA ITEM NUMBER: 49-D
 DATE: JAN 30 1997
 MOTION: Solis 2ND: Bill Burke
 ORDINANCE NUMBER: _____
 RESOLUTION NUMBER: _____
 ZONING CASE NUMBER: _____
 TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1		✓	
DOLORES M. LOTT District 2		<i>About</i>	
LYNDA BILLA BURKE District 3		✓	
HENRY AVILA District 4		<i>Ward</i>	
JUAN F. SOLIS, III District 5		✓	
ROBERT A. HERRERA District 6		✓	
BOB ROSS District 7		✓	
ROBERT MARBUT District 8		- ✓	
HOWARD W. PEAK District 9		✓	
JEFF S. WEBSTER District 10		✓	
WILLIAM E. THORNTON Mayor		✓	

97-04

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - RISK MANAGEMENT
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
PLANNING DEPARTMENT
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA
YOUTH INITIATIVES

D) PROPOSITION FOUR

Shall Sections 78 and 140 of the City Charter be amended to modify prohibitions restricting City officials and civil service employees from political activities, except as allowed by state law?

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
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COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - RISK MANAGEMENT
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
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POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
SOLID WASTE

MEETING OF THE CITY COUNCIL

PROPOSITION FIVE

AGENDA ITEM NUMBER: 49-E
DATE: JAN 30 1997
MOTION: Sols 2ND: Billa Burke
ORDINANCE NUMBER: _____
RESOLUTION NUMBER: _____
ZONING CASE NUMBER: _____
TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1		✓	
DOLORES M. LOTT District 2		✓	
LYNDA BILLA BURKE District 3		✓	
HENRY AVILA District 4		✓	
JUAN F. SOLIS, III District 5		✓	
ROBERT A. HERRERA District 6		✓	
BOB ROSS District 7		✓	
ROBERT MARBUT District 8		✓	
HOWARD W. PEAK District 9		✓	
JEFF S. WEBSTER District 10		✓	
WILLIAM E. THORNTON Mayor		✓	

97-04

E) PROPOSITION FIVE

Shall Article III, Elections of the City Charter be amended to delete the present article in its entirety, and provide that elections be carried out in accordance with the State Election Code; provide a \$100.00 fee for running for City elective office, or a petition as specified by state law; to provide that for the purpose of this section, the office of mayor shall be considered a separate office from that of other Council places and to provide that no person may be appointed to or placed on the ballot for election to a term if completion of the term would result in a violation of the term limit provision in effect?

MEETING OF THE CITY COUNCIL

PROPOSITION SIX

97-04

Failed to pass

AGENDA ITEM NUMBER:

49-F

DATE:

JAN 30 1997

MOTION:

Sols

2ND:

Billa Burke

ORDINANCE NUMBER:

RESOLUTION NUMBER:

ZONING CASE NUMBER:

TRAVEL AUTHORIZATION:

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - RISK MANAGEMENT
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
PLANNING DEPARTMENT
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1		✓	
DOLORES M. LOTT District 2		<i>Robert</i>	
LYNDA BILLA BURKE District 3			X
HENRY AVILA District 4		<i>Robert</i>	
JUAN F. SOLIS, III District 5		✓	
ROBERT A. HERRERA District 6			X
BOB ROSS District 7		✓	
ROBERT MARBUT District 8			X
HOWARD W. PEAK District 9			X
JEFF S. WEBSTER District 10		-	X
WILLIAM E. THORNTON Mayor		✓	

F) PROPOSITION SIX

Shall Section 141 of the City Charter be amended to prohibit use of public office for private gain, and to prohibit any Council member, City officer, or any employee with decision making authority over expenditures, contracts, or other city business from having a financial interest, direct or indirect, in any contract with the City, to prohibit political contributions or gifts of over \$250.00 during any calendar year from those doing or applying to do business with the City, requiring the City Council to regulate by ordinance matters concerning financial disclosure, political contributions, limits on outside employment, restrictions on business arrangements, creation of an Ethics Commission and other matters pertaining to ethics on the part of City officers and employees?

P
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MEETING OF THE CITY COUNCIL

*To bring
4th 15th
back next week
(Feb. 3, 1997)*

AGENDA ITEM NUMBER: _____
 DATE: 1-30-97
 MOTION: Silva Bonds 2ND: Solis
 ORDINANCE NUMBER: _____
 RESOLUTION NUMBER: _____
 ZONING CASE NUMBER: _____
 TRAVEL AUTHORIZATION: _____

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - RISK MANAGEMENT
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
PLANNING DEPARTMENT
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA
YOUTH INITIATIVES

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1		✓	
DOLORES M. LOTT District 2		<i>[Signature]</i>	
LYNDA BILLA BURKE District 3		✓	
HENRY AVILA District 4		<i>[Signature]</i>	
JUAN F. SOLIS, III District 5		✓	
ROBERT A. HERRERA District 6			✓
BOB ROSS District 7		✓	
ROBERT MARBUT District 8			✓
HOWARD W. PEAK District 9			✓
JEFF S. WEBSTER District 10			✓
WILLIAM E. THORNTON Mayor		✓	

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

2000 AUG 14 P 2:54

*CITY OF SAN ANTONIO
CITY ATTORNEY'S OFFICE
INTERDEPARTMENTAL CORRESPONDENCE*

TO: Norma S. Rodriguez, City Clerk

FROM: Frank J. Garza, City Attorney

COPIES TO: Travis M. Bishop, Assistant City Manager; file

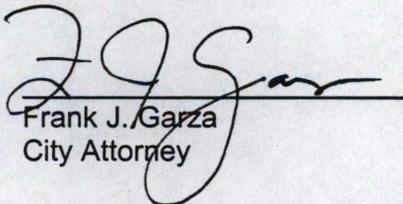
SUBJECT: City Charter Error

DATE: August 14, 2000

In preparing the ordinance for this week's vote on Councilman David Garcia's six-signature memorandum regarding term limits, I discovered an error in the language in Section 20 of the Charter. The current published charter has the following language: " No person shall be eligible to hold any elected office for more than **four years in succession...**" Review of the ordinance and the ballot language approved by the voters, the correct language should read as follows: "No person shall be eligible to hold any elected office for more than **two full terms...**" This charter language is consistent with the legal opinion written to your office in December 1997. See Attached.

Also attached please find the corrected page of the ordinance. This corrected language needs to be reflected in all current copies of the charter including the newly published Charter book, City of San Antonio Code book as well as the internet.

If you have any questions, please feel free to contact me.


Frank J. Garza
City Attorney