

AN ORDINANCE      **94956**

APPROVING THE REPORT OF THE BEXAR COUNTY CANVASSING AUTHORITY AND DECLARING THE RESULTS OF THAT AUTHORITY'S CANVASS OF THE CONSTITUTIONAL AMENDMENT AND SPECIAL ELECTION, HELD ON TUESDAY, NOVEMBER 6, 2001.

\* \* \* \* \*

**WHEREAS**, the City of San Antonio ("City") previously designated the Bexar County Elections Administrator to canvass the election returns for the City's ballot issue on Charter Amendments, as permitted by the Texas Election Code; and

**WHEREAS**, the Bexar County Canvassing Authority met on Friday, November 9, 2001, to canvass the election returns for the City's Charter Amendments, voted on at the Tuesday, November 6, 2001, Constitutional Amendment and Special Election; and

**WHEREAS**, said Authority has delivered its Canvass Authority Report, including tabulation of the San Antonio Charter Amendments; and

**WHEREAS**, it is now necessary for said tabulation to be processed in the same manner as an election not canvassed jointly, as provided in the Texas Election Code; **NOW THEREFORE:**

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

**SECTION 1.** The Report of the Bexar County Canvassing Authority, declaring the results of the canvass of the City of San Antonio's Charter Amendments, at the Constitutional Amendment and Special Election, held on November 6, 2001, is hereby approved and adopted. The full Report of said Authority is filed in the City Clerk's Office and is incorporated herein, by reference, for all purposes. Based on said Report, the City Council of the City of San Antonio hereby finds and declares the results of the Election to be as follows:

PROPOSITION ONE

Shall Article V, Administrative Services of the City Charter, be amended by adding new Sections which create the position of independent City Internal Auditor, providing that the appointment and removal of the Internal Auditor will be by the City Council; all employees of the Department of Internal Audit will work for the Auditor, and the Department of Internal Audit will work to perform financial, fiscal compliance and other audits as directed?

FOR THE ORDINANCE	20,712	68.41%
AGAINST THE ORDINANCE	9,029	29.82%

PROPOSITION TWO

Shall Article V, Sections 53 and 54, Legal Department, be amended and Section 55 be added to provide the appointment of City Attorney by the City Manager is confirmed by the Council; that the City Manager may remove the City Attorney with the advice of the Council; and that the powers and duties of the City Attorney may be performed by an assistant city attorney at his or her discretion?

FOR THE ORDINANCE	18,213	60.16%
AGAINST THE ORDINANCE	11,500	37.98%

PROPOSITION THREE

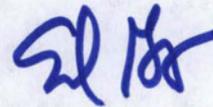
Shall Article VI, Municipal Civil Service of the City Charter Sections 69 and 70 be amended to remove certain licensed professionals and executive job classifications from Municipal Civil Service coverage and protection, specifically assistant directors of City Departments, architects, assistant auditors, attorneys, dentists, doctors, engineers, psychologists, veterinarians, part-time and seasonal employees; and providing for alternate members to the Municipal Civil Service Commission?

FOR THE ORDINANCE	16,571	54.73%
AGAINST THE ORDINANCE	13,135	43.38%

**SECTION 2.** It is therefore found and declared that the majority of the qualified voters of the municipality who voted at said Special Election voted in favor of the proposed Charter Amendments. Therefore, these Charter Amendments shall take effect when the City Council takes action by separate ordinance stating the effective date of each prospective proposition.

**SECTION 3.** As soon as practical, the City Manager shall certify to the Secretary of State an authenticated copy of the Charter Amendments, under the City's seal, showing the approval by the voters of the municipality.

PASSED AND APPROVED this 15<sup>th</sup> day of November, 2001.



MAYOR

ATTEST: *Jolanda L. Ledesma*  
ASSISTANT City Clerk

APPROVED AS TO FORM: *M. Bennett Kay*  
City Attorney

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MEETING OF THE CITY COUNCIL

ALAMO HOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - PUBLIC UTILITIES SUPERVISOR
FINANCE- TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT -NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
<i>Moorehouse</i>
<i>Moorehouse (with afd backing)</i>

AGENDA ITEM NUMBER: \_\_\_\_\_

*49*

DATE: \_\_\_\_\_

NOV 15 2001

MOTION: *Pass*

*Moorehouse*  
**94956**

ORDINANCE NUMBER: \_\_\_\_\_

RESOLUTION NUMBER: \_\_\_\_\_

ZONING CASE NUMBER: \_\_\_\_\_

TRAVEL AUTHORIZATION: \_\_\_\_\_

NAME	ROLL	AYE	NAY
BOBBY PEREZ District 1		✓	
JOHN H. SANDERS District 2		✓	
ANTONIETTE "TONI" MOORHOUSE District 3		✓	
ENRIQUE "KIKE" MARTIN District 4		✓	
DAVID A. GARCIA District 5		✓	
ENRIQUE M. BARRERA District 6		✓	
JULIAN CASTRO District 7		✓	
BONNIE CONNER District 8		✓	
CARROLL W. SCHUBERT District 9		✓	
DAVID CARPENTER District 10		✓	
EDWARD D. GARZA Mayor		✓	

**01-43**

**CITY OF SAN ANTONIO  
CITY CLERK'S OFFICE**

**INTERDEPARTMENTAL MEMORANDUM**

**TO:** Mayor and City Council

**FROM:** Norma S. Rodriguez, City Clerk

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES TO:** Management Team; Travis Bishop, Assistant City Manager; Frank Garza, City Attorney; Files

**SUBJECT:** Approving and accepting the results of the Canvass of the November 6, 2001 Special Election on Charter Amendments

**DATE:** November 15, 2001

**SUMMARY AND RECOMMENDATIONS**

The Bexar County Canvassing Authority met on Friday, November 9, 2001 to canvass the election returns of the Constitutional Amendment and Special Charter Election conducted on Tuesday, November 6, 2001. This proposed ordinance will officially adopt the Report of the Canvass of Bexar County of the Constitutional Amendment and Special Election.

The City Clerk's Office recommends approval of this ordinance at this time.

**BACKGROUND INFORMATON**

On Thursday, September 13, 2001, City Council approved Ordinance #94526, being a contract with Bexar County Clerk's Office for conducting elections services. As stated within Section 6 of said Ordinance, Bexar County Commissioner's Court is authorized to canvass the results of the Constitutional Amendment and Special Election. The Bexar County Canvassing Authority met on Friday, November 9, 2001 and canvassed the election returns for the three (3) City of San Antonio charter amendments.

**POLICY ANALYSIS**

The City of San Antonio has historically joined other entities for election purposes in order to facilitate voting for our citizens and as a cost saving measure.

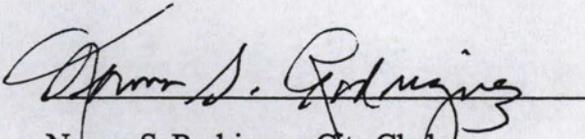
**FINANCIAL IMPACT**

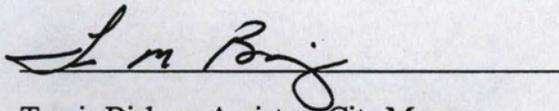
Funds for the election are included in the Election budget.

**COORDINATION**

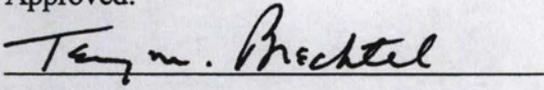
The City Clerk's Office has coordinated this ordinance with the City Attorney's Office, the Office of Budget and Management as well as the Bexar County Clerk's Office, Bexar County Elections Administrator, and the Bexar County Information Services Department.

**SIGNATURES**

  
Norma S. Rodriguez, City Clerk

  
Travis Bishop, Assistant City Manager

Approved:

  
Terry M. Brechtel, City Manager

# **CITY OF SAN ANTONIO**

## **Report on the Canvassing of the November 6, 2001 Special Election on Charter Revision Amendments**

**November 15, 2001**

**Item #49**

# Introduction

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## Canvass Authority Report

THIS ORDINANCE WILL APPROVE THE RESULTS OF THE CANVASS  
FOR THE SPECIAL ELECTION CONDUCTED BY THE COUNTY ON  
TUESDAY, NOVEMBER 6, 2001.

# Canvass Authority Report

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- **Bexar County Commissioner's Court was designated as Canvassing Authority by City Ordinance #94526, being a contract with Bexar County Clerk's Office for election services passed on Thursday, September 13, 2001.**

AS YOU KNOW MAYOR AND COUNCIL, ON SEPTEMBER 13, 2001, AN ORDINANCE WAS APPROVED AUTHORIZING THE CONTRACT WITH BEXAR COUNTY FOR ELECTION SERVICES, AND AT THAT TIME THE BEXAR COUNTY COMMISSIONERS' COURT WAS DESIGNATED AS THE CANVASSING AUTHORITY.

# Canvass Authority Report

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- **Procedures**
  - **Met on Friday, November 9, 2001 at 9:00 AM.**
  - **Reviewed Results of the Constitutional Amendment and Special Election conducted on Tuesday, November 6, 2001.**
  - **Noted Under and Over Votes.**
  - **Manually Adjusted Count for Late Mail-In Ballots (Over-Seas).**

# Canvass Authority Report

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- **Under and Over Votes**

→ **Under Votes:** Represents ballots which were submitted with no apparent marking <sup>for</sup> in a particular measure or race.

→ **Over Votes:** Represents more than one mark on a ballot in a particular measure or race. Upon inspection the voter's intent could not be determined.

**Grand Total for Under Votes – 1,644**

**Grand Total for Over Votes – 18**

# Canvass Authority Report

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- **Over-Seas Ballots**

- It was reported that after over-seas mail ballots were tabulated there was a total of 3 ballots to be counted.

- **Proposition #1**

- »For 1 vote

- »Against 2 votes

- **Proposition #2**

- »For 2 votes

- »Against 1 vote

- **Proposition #3**

- »For 3 votes

- »Against 0 votes

# Canvass Authority Report

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- **Votes Cast Vs. Number of Registered Voters**
  - **On Election Day**
    - **Precinct 3159 in District 8 – A total of 6 votes were cast when 2 voters are registered.**
    - **Precinct 4139 in District 10 – A total of 9 votes were cast when 1 voter was registered.**
    - **In both instances, the precincts were combined with other precincts at one polling place. The judge at each of the polling place inadvertently gave the voters the ballot for another precinct.**

# Canvass Authority Report

## • Results by Council District for Proposition #1

	<u>Reg. Voters</u>	<u>Votes Cast</u>	<u>Turnout</u>	<u>For</u>	<u>Against</u>	<u>UV</u>	<u>OV</u>
District 1	52,128	2,073	3.9%	1,357	671	45	0
District 2	53,845	1,741	2.6%	1,185	520	35	1
District 3	53,255	1,997	3.0%	1,246	702	49	0
District 4	64,635	1,835	2.4%	1,235	564	35	1
District 5	46,843	1,163	2.4%	797	319	47	0
District 6	66,934	1,883	2.4%	1,239	606	38	0
District 7	69,281	3,331	4.7%	2,313	968	48	2
District 8	104,004	5,311	4.7%	3,708	1,534	68	1
District 9	94,177	5,804	6.1%	4,118	1,592	94	0
District 10	83,618	4,953	5.4%	3,397	1,490	65	1
Under Five Votes		180		116	61	3	0
Over-Seas Ballots		<u>3</u>		<u>1</u>	<u>2</u>	<u>0</u>	<u>0</u>
Total Votes Cast		30,274	4.0%	20,712	9,029	527	6

# Canvass Authority Report

## • Results by Council District for Proposition #2

	<u>Reg. Voters</u>	<u>Votes Cast</u>	<u>Turnout</u>	<u>For</u>	<u>Against</u>	<u>UV</u>	<u>OV</u>
District 1	52,128	2,073	3.9%	1,226	794	53	0
District 2	53,845	1,741	2.6%	1,049	656	35	1
District 3	53,255	1,997	3.0%	1,104	842	50	1
District 4	64,635	1,835	2.4%	1,116	678	41	0
District 5	46,843	1,163	2.4%	739	374	50	0
District 6	66,934	1,883	2.4%	1,118	729	36	0
District 7	69,281	3,331	4.7%	2,078	1,186	65	2
District 8	104,004	5,311	4.7%	3,189	2,058	64	0
District 9	94,177	5,804	6.1%	3,547	2,167	90	0
District 10	83,618	4,953	5.4%	2,939	1,948	65	1
Under Five Votes		180		106	67	7	0
Over-Seas Ballots		<u>3</u>		<u>2</u>	<u>1</u>	<u>0</u>	<u>0</u>
Total Votes Cast		30,274	4.0%	18,213	11,500	556	5

# Canvass Authority Report

## • Results by Council District for Proposition #3

	<u>Reg.</u> <u>Voters</u>	<u>Votes</u> <u>Cast</u>	<u>Turnout</u>	<u>For</u>	<u>Against</u>	<u>UV</u>	<u>OV</u>
District 1	52,128	2,073	3.9%	1,073	958	40	2
District 2	53,845	1,741	2.6%	901	798	41	1
District 3	53,255	1,997	3.0%	949	994	54	0
District 4	64,635	1,835	2.4%	970	820	45	0
District 5	46,843	1,163	2.4%	604	518	40	1
District 6	66,934	1,883	2.4%	966	883	34	0
District 7	69,281	3,331	4.7%	1,769	1,502	58	2
District 8	104,004	5,311	4.7%	3,004	2,236	71	0
District 9	94,177	5,804	6.1%	3,424	2,279	101	0
District 10	83,618	4,953	5.4%	2,803	2,076	73	1
Under Five Votes		180		105	71	4	0
Over-Seas Ballots		<u>3</u>		<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Votes Cast		30,274	4.0%	16,571	13,135	561	7

# Canvass Authority Report

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- **Vote Tabulation**

- **Total votes cast (includes under and over votes)**

- **Proposition #1** **30,274**

- **Proposition #2** **30,274**

- **Proposition #3** **30,274**

- **These numbers include late mail-in ballots (over-seas).**

- **Reg. voters for the City of San Antonio** **688,720**

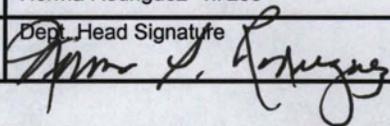
- **Voter Percentage** **4.39%**

# Canvass Authority Report

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- **Recommendations**

- **City Council approve the ordinance accepting the Canvass Report and declaring the results of the November 6, 2001 Special Election.**
- **Copy will be sent to the Secretary of State for official filling.**

DO NOT TYPE IN THIS SPACE	<b>CITY OF SAN ANTONIO</b>	For CMO use only
Approval	<b>Request For Ordinance/Resolution</b>	Date Considered
Finance      Budget		Consent <input type="checkbox"/> Individual <input checked="" type="checkbox"/>
Legal          Coordinator		Item No. <b>49</b>
		Ord. No.
Date: <b>Friday, November 02,</b>	Department: City Clerk	Contact Person/Phone #: Norma Rodriguez x7255
Date Council Consideration Requested: Thursday, November	Deadline for Action: <b>Thursday, November 15, 2001</b>	Dept. Head Signature 
<b>SUMMARY OF ORDINANCE</b>		
This ordinance will approve the results of the canvass for the Special Election conducted on Tuesday, November 6, 2001 for City of San Antonio Charter Amendments.		
Council Memorandum Must be Attached To Original		
Other Depts., Boards, Committees Involved (please specify): City Attorney's Office, Office of Budget and Management, Bexar County Clerk's Office, Bexar County Elections Department, and Bexar County ISD.		
Contract signed by other party Yes <input type="checkbox"/> No <input type="checkbox"/>		
<b>FISCAL DATA (If Applicable)</b>		
Fund No.      11                      Amt. Expended		Funds/Staffing Budgeted    Yes      No <input type="checkbox"/>
Activity No.    27-01-01                      SID No.		Positions Currently Authorized
Index Code    545178                      Project No.		Impact of future O & M
Object Code		
Comments:	If positions added, specify class and no.	
Coordinator - White Legal - Green Budget - Canary Finance - Pink Originator - Gold		