

69421

AN ORDINANCE CANVASSING THE RETURNS AND
DECLARING THE RESULTS OF A BOND ELECTION
HELD ON MAY 6, 1989; AND OTHER MATTERS IN
CONNECTION THEREWITH

WHEREAS, on March 9, 1989, the City Council (the *City Council*) of the CITY OF SAN ANTONIO, TEXAS (the *City*) ordered an election to be held on May 6, 1989 for the purpose of determining whether the resident, qualified electors of the City would authorize the issue of general obligation bonds by the City; and

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

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

PROPOSITION

"Shall the City Council of the CITY OF SAN ANTONIO, TEXAS be authorized to issue and sell general obligations bonds of the City in the aggregate principal amount of \$46,455,000 for the purpose of making permanent public improvements and for public purposes, to-wit, establishing, acquiring, purchasing, constructing, improving, enlarging, equipping, and repairing the City's library system including the branch libraries, literacy learning centers, and the existing main library or the construction of a new main library within an area bounded by the following streets: beginning at the intersection of IH 37 and Durango and from there west on Durango to its intersection with Santa Rosa, north on Santa Rosa to its intersection with Buena Vista, west on Buena Vista to its intersection with Pecos, south on Pecos to its intersection with Matamoros, west on Matamoros to its intersection with Frio, north on Frio to its intersection with West Martin, east on West Martin to its intersection with Main, north on Main to its

intersection with Navarro, southeasterly on Navarro to its intersection with North St. Mary's, northeasterly on North St. Mary's to its intersection with 4th Street, southeasterly on 4th Street to its intersection with Bonham, south on Bowie to its intersection with Houston, east on Houston to its intersection with IH 37, and south on IH 37 to the point of beginning, or any property abutting any of these streets, and the purchase of the necessary sites therefor, such bonds to mature serially or otherwise not more than forty (40) years from their date; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of said City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the City Council of the City be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

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

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

Proposition

"THE ISSUANCE OF \$46,455,000 OF GENERAL
OBLIGATION BONDS FOR LIBRARY SYSTEM
IMPROVEMENTS"

	<u>For</u>	<u>Against</u>
Election Day	<u>29,285</u>	<u>19,171</u>
Absentee Votes	<u>11,924</u>	<u>14,096</u>
TOTAL	<u>41,209</u>	<u>33,267</u>

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

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

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

SECTION 2: The City Council of the City officially finds, determines, and declares that a MAJORITY of the resident, qualified electors of the City voting in such election voted FOR the authorization and issuance of \$46,455,000 of bonds and the levy and pledge of the tax in payment thereof, as submitted in the Proposition; that the Proposition carried at the election; and that the City Council is hereby accordingly authorized to issue and sell general obligation bonds in accordance with the authority granted in the Proposition and with law.

SECTION 3: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 4: All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 5: This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6: If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 7: It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Texas Revised Civil Statutes Annotated Article 6252-17, as amended.

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

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PASSED, ADOPTED, AND APPROVED this, the 8th day of
May, 1989.

CITY OF SAN ANTONIO

Henry Cisneros
Mayor

ATTEST:

Norma J. Rodriguez
City Clerk

(CITY SEAL)

Approved as to Form:

Tom Finlay
City Attorney

89-20

AFFIDAVIT OF POSTING NOTICE

THE STATE OF TEXAS

COUNTY OF BEXAR

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§

BEFORE ME, the undersigned authority, on this day personally appeared Norma Rodriguez, who, after being by me duly sworn, upon oath says that she is the City Clerk of San Antonio, Texas, and does further state that on the 15th day of March, 1989, she posted a true and correct copy of the attached and following NOTICE OF ELECTION, in the English and Spanish languages, at each of the following public places in the City:

1. ONE at the City Hall, San Antonio, Texas.
2. ONE at Federal Courthouse,
a public place within the City.
3. ONE at Bexar County Courthouse,
a public place within the City.
4. ONE at City Hall,
a public place within the City.

Norma S. Rodriguez
City Clerk
City of San Antonio, Texas

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this, the 15th day of March, 1989, to certify which witness my hand and seal of office.

Mary Lou Rodriguez
Notary Public in and for
the State of Texas

(SEAL)

My Commission Expires:



WAIVER OF NOTICE AND CONSENT TO SPECIAL MEETING

WE, the undersigned Mayor and City Councilmembers of the City of San Antonio, Texas, HEREBY WAIVE NOTICE and CONSENT to the holding of a special meeting of the City Council to be held on the 8th day of May, 1989, at 1 o'clock P.M., in the regular meeting place of the City Council in the City Hall, for the purpose of passing, adopting, or otherwise acting upon

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION HELD ON MAY 6, 1989; AND OTHER MATTERS IN CONNECTION THEREWITH

and for the purpose of acting upon such other matters as may properly come before such meeting.

SIGNED this 4TH day of May, 1989.

Henry Cisneros
Mayor

Walter Martinez
City Councilmember

Joe Weber
Mayor Pro Tem

Nelson W. Wolff
City Councilmember

Maria C. Benitez
City Councilmember

Robert S. "Bob" Thompson
City Councilmember

Kelvin R. Gutman
City Councilmember

James C. Harbuck
City Councilmember

Frank D. King
City Councilmember

Wini Sabatt
City Councilmember

Yolanda De
City Councilmember

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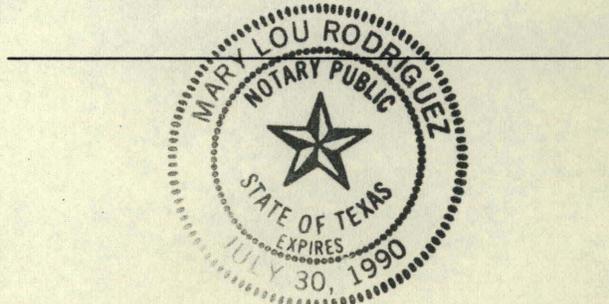
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Mayor Pro Tem

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City Councilmember

Helen Denton
City Councilmember

Nelson W. Wolff
City Councilmember

Frank W. Wong
City Councilmember

Robert "Bert" Thompson
City Councilmember

Yolande
City Councilmember

James H. Harlow
City Councilmember

Wain Slat
City Councilmember

