

**AN ORDINANCE 9 9252**

**CANVASSING THE RESULTS OF THE JOINT SPECIAL ELECTION HELD ON MAY 15, 2004; AND ADOPTING THE AMENDMENT TO THE CITY OF SAN ANTONIO CITY CHARTER.**

\* \* \* \*

**WHEREAS**, the Special Election was held on the 15<sup>th</sup> day of May, 2004, to determine whether the City of San Antonio City Charter should be amended; and

**WHEREAS**, the propositions were submitted to the voters, the election was held and conducted and the returns thereof were made, all as required by the City Charter, the Texas Election Code, and the laws of the State of Texas; and

**WHEREAS**, the City Council has reviewed and investigated all matters pertaining to the election, including the ordering, notices, election officers, holding, and returns thereof, and it is now necessary to declare the official results of the canvass; **NOW THEREFORE:**

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

**SECTION 1.** The City Council having convened on this the 27<sup>th</sup> day of May, 2004, to canvass the returns of the Charter Amendment Election held on Saturday, May 15, 2004 and after canvassing the returns of said election, does hereby find and declare the results of the election to be as follows:

**PROPOSITION NO. 1**

Shall the City Charter be amended effective June 1, 2005, to lengthen the term of office for all members of the city council from two years to three years and to revise term limits to allow a mayor or a member of the city council to serve three consecutive full terms of office, but prohibit the current mayor or any current member of the city council from being elected to a third consecutive term in 2005 or 2008?

<b>FOR</b>	19,451 VOTES	33.88%
<b>AGAINST</b>	37,629 VOTES	65.55%

**PROPOSITION NO. 2**

Shall the City Charter be amended to increase compensation for members of the City Council to an annual salary equal to 75% of the San Antonio median family income determined and published by the U.S. Census Bureau for the most recent decennial census (\$30,998.25 per year, based on the 2000 census), and to an annual salary for the Mayor equal to 100% of the San Antonio median family income as determined above (\$41,331.00 per year, based on the 2000 census), and authorize members of the City Council to participate in health insurance programs available to city employees?

<b>FOR</b>	19,158 VOTES	33.38%
<b>AGAINST</b>	37,393 VOTES	65.15%

**PROPOSITION NO. 3**

Shall the City Charter be amended to establish an Ethics Review Board with independent jurisdiction to enforce and sanction violations of ordinances relating to ethics, lobbying, and campaign finance?

<b>FOR</b>	31,855 VOTES	55.52%
<b>AGAINST</b>	23,200 VOTES	40.43%

**PROPOSITION NO. 4**

Shall the City Charter be amended to permit an individual member of the City Council to hire staff who serve at the will of the council member, subject to provisions established by City Council ordinance?

<b>FOR</b>	16,251 VOTES	28.34%
<b>AGAINST</b>	40,478 VOTES	70.60%

**SECTION 2.** The City Council 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 had been made and delivered, and that the City Council has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America and the ordinance calling the election.

**SECTION 3.** It is therefore found and declared that the majority of the qualified voters of the City of San Antonio, who voted at said Special Election voted in favor of the proposed Charter Amendment, Proposition No. 3, establishing an independent Ethics Review Board. The City Council declares that this Charter Amendment is adopted.

**SECTION 4.** As soon as practical, the Mayor shall certify to the Secretary of State an authenticated copy of the Charter amendment, under the City's seal, showing the approval by the voters of the municipality.

**SECTION 5.** This ordinance shall be effective immediately upon passage hereof.

**PASSED AND APPROVED** on this the 27<sup>th</sup> day of May, 2004.

*Ron Hefourn*  
for M A Y O R  
EDWARD D. GARZA

ATTEST: *Jalado L. Redern*  
Acting City Clerk

APPROVED AS TO FORM: *M. Bernadette Kan*  
for City Attorney

04-21

MEETING OF THE CITY COUNCIL

ALAMODOME
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)
VIA

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

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

MOTION: Pay

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

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

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

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

6 <sup>PM</sup>  
MAY 27 2004  
Hull  
**99252**

NAME	ROLE	STATUS
ROGER O. FLORES JR. District 1		absent
JOEL WILLIAMS District 2		/
RON SEGOVIA District 3		/
RICHARD PEREZ District 4		/
PATTI RADLE District 5		/
ENRIQUE M. BARRERA District 6		/
JULIAN CASTRO District 7		/
ART A. HALL District 8		/
CARROLL SCHUBERT District 9		absent
CHRISTOPHER "CHIP" HAASS District 10		absent
EDWARD D. GARZA Mayor		absent

04-21

The State of Texas



Statutory Documents  
P.O. Box 12887  
Austin, Texas 78711-2887

Geoffrey S. Connor  
Secretary of State

*7/7/04 Scanned  
Copies to Ms. Vasek.  
Jeno  
7107*

Phone: 512-463-5705  
Fax: 512-463-0873  
TTY: 7-1-1  
www.sos.state.tx.us

July 2, 2004

Honorable Edward D. Garza  
Mayor, City of San Antonio  
P.O. Box 839966  
San Antonio, Texas 78283-3966

RECEIVED  
CITY OF SAN ANTONIO  
MAYOR'S OFFICE  
2004 JUL -6 AM 10:42

RE: Charter Amendment - Correction

Dear Mayor Garza,

This is to inform you that the above documents were filed in this office on July 2, 2004.

[REDACTED] s and

Sincerely,

Linda Stout  
Director  
Statutory Documents

ST/ls

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK  
2004 JUL -8 A 9:39



CITY OF SAN ANTONIO

EDWARD D. GARZA  
MAYOR

June 29, 2004

Linda Stout  
Director, Statutory Documents  
Office of the Secretary of State  
P.O. Box 12887  
Austin, TX 78711-2887

RE: Charter Amendment

Dear Ms. Stout,

By letter dated May 28, 2004, the City of San Antonio, submitted a certified copy of the amendment to the City Charter (Ordinance No. 99252), for filing in your office. We have since received confirmation that the amendment has been filed in your office. (See attached letter.) However, it has come to our attention that page two (2) of the ordinance was inadvertently missing. Attached please find a complete certified copy of Ordinance No. 99252, for filing in your office.

We apologize for any inconvenience this may have caused and wish to thank you in advance for your cooperation in this matter. Should you have any questions or if we can be of any further assistance, please do not hesitate to contact the Office of the City Clerk at (210) 207-7253.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Garza', written over a horizontal line.

Edward D. Garza, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read 'Leticia M. Vacek', written over a horizontal line.

Leticia M. Vacek, City Clerk

Cc: Andrew Martin, City Attorney

The State of Texas



Statutory Documents  
P.O. Box 12887  
Austin, Texas 78711-2887

Phone: 512-463-5705  
Fax: 512-463-0873  
TTY: 7-1-1  
www.sos.state.tx.us

Geoffrey S. Connor  
Secretary of State

June 2, 2004

Honorable Edward D. Garza  
Mayor, City of San Antonio  
P.O. Box 839966  
San Antonio, Texas 78283-3966

RE: Charter Amendment

Dear Mayor Garza,

This is to inform you that the above documents were filed in this office on June 2, 2004.

These documents were recorded in Book 66; pages 288 - 290 in the Book of City Charters and Amendments.

Sincerely,

A handwritten signature in cursive script that reads "Linda Stout".

Linda Stout  
Director  
Statutory Documents

ST/ls

2004 JUN 3 11:26

Office of the Secretary of State

<b>DO NOT TYPE IN THIS SPACE</b>	<b>CITY OF SAN ANTONIO</b>	
	<b>Request For Ordinance/Resolution</b>	

Date: <b>Friday, May 21, 2004</b>	Department: City Clerk	Contact Person/Phone #: Yolanda L. Ledesma 207-7255
Date Council Consideration Requested: Thursday, May 27,	Deadline for Action: <b>Thursday, May 27, 2004</b>	Dept. Head Signature <i>Yolanda L. Ledesma</i>

**SUMMARY OF ORDINANCE**

This ordinance will declare the results of the canvass of the Joint Special Election held on Saturday, May 15, 2004.

Attachments to follow.

Staff recommends approval of this ordinance.

Council Memorandum Must be Attached To Original

Other Depts., Boards, Committees Involved (please specify):  
Bexar County Elections Administrator and City Attorney's Office

Contract signed by other party  
Yes  No

**FISCAL DATA (If Applicable)**

Fund No. _____	Amt. Expended _____	Funds/Staffing Budgeted	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Activity No. _____	SID No. _____	Positions Currently Authorized		
Index Code _____	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

# **CITY OF SAN ANTONIO**

## **Canvassing Report of the May 15, 2004 Joint Special Election on Charter Revisions**

**May 27, 2004  
Item # 6**

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### **Canvass Report**

- **Procedures**
  - **Review of Results of the Special Election conducted on Saturday, May 15, 2004**
  - **Note Under Votes**
  - **Manually Adjust Count for Late Mail-In Ballots (Over-Seas) and Provisional Ballots**

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## Canvass Report

- **Under Votes**

→ **Under Votes:** Represents ballots which were cast with no apparent marking for <sup>the</sup> a particular measure.

Grand Total for Under Votes – 4,105

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## Canvass Report

- **Over-Seas Mail and Provisional Ballots**

→ It was reported that after over-seas mail ballots and provisional ballots were tabulated there was a total of 47 ballots to be counted for the City's Special Election.

- **Proposition # 1**

» For	27 votes
» Against	20 votes
» Under votes	0 votes

- **Proposition # 2**

» For	32 votes
» Against	13 votes
» Under votes	0 votes

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## Canvass Report

- **Over-Seas Mail and Provisional Ballots (continued)**

- **Proposition # 3**

- » **For**                    **35 votes**
- » **Against**                **11 votes**
- » **Under votes**          **0 votes**

- **Proposition # 4**

- » **For**                    **22 votes**
- » **Against**                **24 votes**
- » **Under votes**          **0 votes**

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## Canvass Report

- **Votes Cast Vs. Number of Registered Voters**

- **During Early Voting**

- **Precinct 1103 in District 4 – 1 vote was cast when 0 voters are registered.**
- **Precinct 4050 in District 10 – 1 vote was cast when 0 voters are registered.**

- **In both instances, the precincts were combined with other precincts at one polling location. The judge inadvertently gave the voter the ballot for another precinct.**

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## **Canvass Report**

- **Votes Cast Vs. Number of Registered Voters**
  - **On Election Night**
    - **Precinct 3180 in District 9 – 1 vote was cast when 0 voters are registered.**
    - **Precinct 4054 in District 10 – 7 votes were cast when 0 voters are registered**
    - **Precinct 4072 in District 2 – 2 votes were cast when 0 voters are registered.**
  - **In these instances, the precincts were combined with other precincts at one polling location. The judge inadvertently gave the voters the ballot for another precinct.**

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## **Canvass Report**

### **Results by City Council District**

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## Canvass Report

### • Results by Council District for Proposition # 1

	Reg. Voters	Votes Cast	Turnout	For	Against	UV
District 1	62,980	5,588	8.87%	2,041	3,490	57
District 2	60,558	3,309	5.46%	1,068	2,221	20
District 3	62,103	4,994	8.04%	1,576	3,364	54
District 4	60,669	3,592	5.92%	1,051	2,514	27
District 5	58,010	3,359	5.79%	1,384	1,927	48
District 6	73,403	4,250	5.79%	1,440	2,802	8
District 7	77,538	7,178	9.26%	2,574	4,558	46

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## Canvass Report

### • Results by Council District for Proposition # 1 (continued)

	Reg. Voters	Votes Cast	Turnout	For	Against	UV
District 8	80,216	7,449	9.29%	2,482	4,950	17
District 9	87,654	9,571	10.92%	3,355	6,183	33
District 10	80,345	8,071	10.05%	2,453	5,600	18
Mail & Provisional Ballots		47		27	20	
Total Votes Cast		57,408	8.16%	19,451	37,629	328

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## Canvass Report

• Results by Council District for Proposition # 2

	Reg. Voters	Votes Cast	Turnout	For	Against	UV
District 1	62,980	5,587	8.87%	1,892	3,564	131
District 2	60,558	3,309	5.46%	1,027	2,219	63
District 3	62,103	4,994	8.04%	1,398	3,488	108
District 4	60,669	3,592	5.92%	953	2,560	79
District 5	58,010	3,356	5.79%	1,209	2,048	99
District 6	73,403	4,250	5.79%	1,364	2,838	48
District 7	77,538	7,178	9.26%	2,517	4,543	118

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## Canvass Report

• Results by Council District for Proposition # 2 (continued)

	Reg. Voters	Votes Cast	Turnout	For	Against	UV
District 8	80,216	7,449	9.29%	2,613	4,766	70
District 9	87,654	9,571	10.92%	3,600	5,902	69
District 10	80,345	8,066	10.04%	2,553	5,452	61
Mail & Provisional Ballots		45		32	13	
Total Votes Cast		57,397	8.16%	19,158	37,393	846

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## Canvass Report

• Results by Council District for Proposition # 3

	Reg. Voters	Votes Cast	Turnout	For	Against	UV
District 1	62,980	5,578	8.86%	2,935	2,335	308
District 2	60,558	3,309	5.46%	1,678	1,420	211
District 3	62,103	4,994	8.04%	2,381	2,323	290
District 4	60,669	3,592	5.92%	1,736	1,669	187
District 5	58,010	3,354	5.78%	1,665	1,417	272
District 6	73,403	4,250	5.79%	2,459	1,678	113
District 7	77,538	7,178	9.26%	4,129	2,754	295

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## Canvass Report

• Results by Council District for Proposition # 3 (continued)

	Reg. Voters	Votes Cast	Turnout	For	Against	UV
District 8	80,216	7,449	9.29%	4,386	2,860	203
District 9	87,654	9,571	10.92%	5,887	3,459	225
District 10	80,345	8,058	10.03%	4,564	3,274	220
Mail & Provisional Ballots		46		35	11	
Total Votes Cast		57,379	8.16%	31,855	23,200	2,324

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## Canvass Report

• Results by Council District for Proposition # 4

	Reg. Voters	Votes Cast	Turnout	For	Against	UV
District 1	62,980	5,588	8.87%	1,681	3,816	91
District 2	60,558	3,270	5.40%	909	2,325	36
District 3	62,103	4,994	8.04%	1,284	3,623	87
District 4	60,669	3,592	5.92%	858	2,692	42
District 5	58,010	3,359	5.79%	1,186	2,103	70
District 6	73,403	4,250	5.79%	1,155	3,067	28
District 7	77,538	7,178	9.26%	2,122	4,969	87

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## Canvass Report

• Results by Council District for Proposition # 4 (continued)

	Reg. Voters	Votes Cast	Turnout	For	Against	UV
District 8	80,216	7,449	9.29%	2,140	5,247	62
District 9	87,654	9,540	10.88%	2,776	6,692	72
District 10	80,345	8,070	10.04%	2,118	5,920	32
Mail & Provisional Ballots		46		22	24	
Total Votes Cast		57,336	8.15%	16,251	40,478	607

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## Canvass Report

- **Vote Tabulation**

- **Reg. voters for the City of San Antonio**      **703,476**
- **Voter Percentage** *Turn Out*      **8.16%**

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## Canvass Report

- **Recommendation**

- **City Council approves the ordinance accepting the Canvass Report and declaring the results of the May 15, 2004 Joint Special Election.**

*upon approval, the Elec Results will be submitted*  
→ **Copy of ordinance will be sent to the Secretary of State for official filling.**

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The election results are in the following order

1. Precinct Order (EV, EN and Combo for Prop 1, Prop 2, Prop 3 and Prop 4)
2. Precinct by District (EV, EN and Combo for Prop 1, Prop 2, Prop 3 and Prop 4)