

AN ORDINANCE 73214

ORDERING AN ELECTION TO BE HELD ON MAY 4,  
1991, ON A PROPOSED INITIATIVE ORDINANCE TO  
ABANDON THE APPLEWHITE RESERVOIR PROJECT.

\* \* \* \* \*

WHEREAS, a petition has been filed with the City Clerk entitled "Petition For an Initiative Ordinance to abandon the proposed Applewhite Reservoir Project"; and

WHEREAS, the City Clerk, on February 21, 1991, certified to the City Council that the petition contained sufficient valid signatures as called for in Article IV of the City Charter, to require action thereon; and

WHEREAS, a public hearing has been held on the issue, and the City Council has considered the proposed ordinance, but has failed to enact same, and will now submit the proposed ordinance to a vote of the electors; and

WHEREAS, the regular City election has been scheduled for May 4, 1991, and the City wishes to provide for this election to be held in conjunction with the regular City election; NOW THEREFORE:

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

SECTION 1. An election is hereby ordered to be held in the City of San Antonio on the 4th day of May, 1991, at which time there shall be submitted to the qualified voters of the City of San Antonio the proposition to approve or disapprove the following ordinance:

AN ORDINANCE

ABANDONING THE APPLEWHITE RESERVOIR  
PROJECT.

\* \* \* \* \*

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

The City Council hereby adopts this ordinance to abandon the Applewhite Reservoir Project, finding that project will not serve a proper public purpose and declaring that no public funds will be authorized for said project.

That City Council hereby authorizes and instructs the Water Works Board of Trustees, or permit transferee, to take all action necessary to abandon the Applewhite Reservoir Project.

SECTION 2. Said election shall be held at the same polling place locations and absentee substation voting sites as established for the previously scheduled regular City election to be held May 4, 1991.

SECTION 3. All qualified electors residing in the City of San Antonio shall be eligible to vote at said election.

SECTION 4. The foregoing proposed ordinance shall be submitted on the ballot so that each voter may vote "For the Ordinance" or "Against the Ordinance", and said ballots shall have written or printed thereon the following:

PROPOSED INITIATIVE ORDINANCE:

AN ORDINANCE ABANDONING THE APPLEWHITE RESERVOIR PROJECT.

FOR THE ORDINANCE  
AGAINST THE ORDINANCE

SECTION 5. Notice of said election shall be published in a newspaper of general circulation pursuant to law. The manner of holding said election shall be in accordance with the laws governing such elections.

PASSED AND APPROVED this 28<sup>th</sup> day of February, 1991.

*Lila Cockrell*  
M A Y O R

ATTEST: *Thomas S. Rodriguez*  
City Clerk

APPROVED AS TO FORM: \_\_\_\_\_  
*Tom J. Jolley*  
City Attorney

91-09

**CALLING SPECIAL ELECTION -  
TO ABANDON APPLEWHITE  
RESERVOIR PROJECT** ITEM NO. 60

- ARTS & CULTURAL AFFAIRS
- AVIATION
- BUILDING INSPECTIONS
- BUILDING INSPECTIONS-HOUSE NUMBERING
- 1 CITY ATTORNEY
  - MUNICIPAL COURT
  - REAL ESTATE (FASSNIDGE)
  - REAL ESTATE (WOOD)
  - TRIAL SECTION
- CITY MANAGER
  - TRAVIS BISHOP, ASST. TO THE MANAGER
  - CODE COMPLIANCE
- CITY PUBLIC SERVICE-GENERAL MANAGER
- CITY PUBLIC SERVICE-MAPS & RECORDS
- 1 CITY WATER BOARD-GENERAL MANAGER
- COMMERCIAL RECORDER
- COMMUNITY DEVELOPMENT (BASEMENT)
- CONVENTION & VISITORS BUREAU
- CONVENTION FACILITIES
- DOME DEVELOPMENT OFFICE
- ECONOMIC & EMPLOYMENT DEVELOPMENT (DEED)
- ENVIRONMENTAL MANAGEMENT
- FINANCE DIRECTOR
  - ASSESSOR
  - 1 CONTROLLER
    - GRANTS
    - RISK MANAGEMENT
    - TREASURY
- FIRE DEPARTMENT
- HUMAN RESOURCES & SERVICES
- INFORMATION RESOURCES
- INTERNATIONAL RELATIONS
- LIBRARY
- 1 MANAGEMENT SERVICES
- MARKET SQUARE
- METROPOLITAN HEALTH DISTRICT
- MUNICIPAL CODE CORPORATION (PUBLICATION)
- MUNICIPAL COURTS
- PARKS & RECREATION
- PLANNING
  - LAND DEVELOPMENT SERVICES
- POLICE DEPARTMENT
- PUBLIC INFORMATION OFFICE
- 1 PUBLIC UTILITIES
- PUBLIC WORKS
  - CAPITAL PROJECTS MANAGEMENT
  - CENTRAL MAPPING
  - ENGINEERING
  - PARKING DIVISION
  - REAL ESTATE (BILL TOUDOUZE)
  - TRAFFIC ENGINEERING
- PURCHASING & GENERAL SERVICES
- 1 **NORMA**
- 1 **DIK**
- 1 **SUSIE Y.**

MEETING OF THE CITY COUNCIL DATE: FEB 28 1991

MOTION BY: Autner SECONDED BY: Kuo

ORD. NO. 73214 ZONING CASE \_\_\_\_\_

RESOL. \_\_\_\_\_ PETITION \_\_\_\_\_

	ROLLCALL	AYES	NAYS
MARIA BERRIOZABAL PLACE 1		✓	
JOE WEBB PLACE 2			X
HELEN DUTMER PLACE 3		✓	
FRANK D. WING PLACE 4			X
WALTER MARTINEZ PLACE 5		✓	
BOB THOMPSON PLACE 6		✓	
YOLANDA VERA PLACE 7		✓	
NELSON WOLFF PLACE 8		✓	
WEIR LABATT PLACE 9		✓	
JAMES C. HASSLOCHER PLACE 10		✓	
LILA COCKRELL PLACE 11 (MAYOR)		✓	

**91-09**

**FILE "APPLEWHITE" #2**

**CITY OF SAN ANTONIO**  
**Office of the City Clerk**  
**INTERDEPARTMENTAL CORRESPONDENCE SHEET**

**TO:** Mayor and City Council

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

**COPIES:** Alexander E. Briseno, City Manager; Lloyd Garza, City Attorney; George Noe, Director, Management Services; file

**RE:** Request for ordinance - Calling a Special Election for May 4, 1991 in connection with the Regular Scheduled Election

**DATE:** February 22, 1991

**SUMMARY:**

This Ordinance will call for a Special Election to be held in conjunction with the already scheduled May 4, 1991 Regular Election.

**BACKGROUND**

On February 21, 1991, I reported to the City Council that the petition submitted by Ms. Kay Turner, et.al., requesting that an election be held to consider a proposed initiative ordinance was deemed sufficient as to the required number of signatures.

The election ballot will be prepared so that the voters may vote for or against on the proposed initiative ordinance.

**AN ORDINANCE**

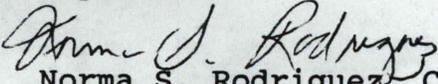
**ABANDONING THE APPLEWHITE RESERVOIR PROJECT  
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO**

**FINANCIAL DATA**

The monies to be expended for this election are appropriated in the Elections Budget.

RECOMMENDATION

I recommend that this Ordinance be approved in order to proceed with the necessary preclearance requirements of the Justice Department.

  
Norma S. Rodriguez, CMC  
City Clerk

APPROVED:

ALEXANDER E. BRISENO, CITY MANAGER

CITY OF SAN ANTONIO

Office of the City Clerk

INTERDEPARTMENTAL CORRESPONDENCE SHEET

TO: Mayor and City Council

FROM: Norma S. Rodriguez, City Clerk

COPIES: Alexander E. Briseno, City Manager; Lloyd Garza, City Attorney; George Noe, Director, Management Services; Ms. Kay Turner, et. al; file

RE: Report by City Clerk on Amended Applewhite Petition

DATE: February 21, 1991

This memorandum will serve to advise you that on Wednesday, February 13, 1991, I received an amended Applewhite petition from Ms. Kay Turner, et. al., and subsequent thereto, I have examined said petition and have determined that it has been signed by at least 5815 additional qualified electors of the City of San Antonio and that each paper of the petition contains the same statement of the circulator. It is further certified that this amended petition contains the necessary additional signatures that, when added to the valid signatures from the original petition, satisfy the Charter requirements that it be equal in number to ten percent of the electors qualified to vote at the time of the last regular municipal election, which is 43,655.

The petition received was worded as follows:

"PETITION 'FOR' AN INITIATIVE ORDINANCE  
TO ABANDON THE PROPOSED APPLEWHITE RESERVOIR PROJECT

In accordance with the Charter of the City of San Antonio, Article IV, Section 34, Power of Initiative, we the undersigned qualified voters of the City of San Antonio, Texas, hereby petition the City Council of said City to enact the following Ordinance or submit the same to a vote of the electors pursuant to said City charter:

AN ORDINANCE

ABANDONING THE APPLEWHITE RESERVOIR PROJECT  
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

THE CITY COUNCIL HEREBY ADOPTS THIS ORDINANCE TO ABANDON THE APPLEWHITE RESERVOIR PROJECT, FINDING THAT PROJECT WILL NOT SERVE A PROPER PUBLIC PURPOSE AND DECLARING THAT NO PUBLIC FUNDS WILL BE AUTHORIZED FOR SAID PROJECT.

THE CITY COUNCIL HEREBY AUTHORIZES AND INSTRUCTS THE WATER WORKS BOARD OF TRUSTEES, OR PERMIT TRANSFEREE, TO TAKE ALL ACTION NECESSARY TO ABANDON THE APPLEWHITE RESERVOIR PROJECT."

\* \* \* \*

At this point the following Charter requirements will go into effect:

Section 40:

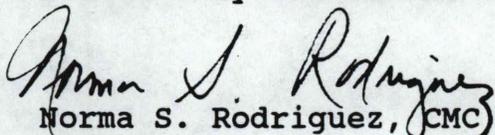
A proposed initiative ordinance shall be read and provision shall be made for a public hearing. The Council shall take final action on the ordinance not later than sixty days after the date on which such ordinance was submitted to the Council by the City Clerk.

Section 41:

If the Council shall fail to pass an ordinance proposed by initiative petition or shall pass it in a form different from that set forth in the petition thereof, ....., the proposed ordinance shall be submitted to the electors at a special or regular municipal election not less than thirty nor more than 90 days from the date the Council takes its final vote thereon.

We propose to place on next week's Council agenda a public hearing on the issue at which time the City Council can also act on the proposed initiative ordinance and if it should not pass can call for an election on the proposed ordinance to be held in May in connection with our Regularly Scheduled Election.

The certification of this petition is made as to the facts herein stated only and not as to the legal sufficiency thereof.

  
Norma S. Rodriguez, CMC  
City Clerk

DO NOT TYPE IN THIS SPACE		CITY OF SAN ANTONIO	For CMO use only
<b>Approval</b>		<b>Request For Ordinance/Resolution</b>	Date Considered _____ Consent <input type="checkbox"/> Individual <input type="checkbox"/> Item No. <b>6</b> Ord. No. _____
Finance	Budget		
Legal	Coordinator		

Date: <b>February 22, 1991</b>	Department: <b>City Clerk</b>	Contact Person/Phone # <b>Norma S. Rodriguez 299-7253</b>
Date Council Consideration Requested: <b>February 28, 1991</b>	Deadline for Action: <b>February 28, 1991</b>	Dept. Head Signature: <i>Norma S. Rodriguez</i>

**SUMMARY OF ORDINANCE**

This is to request that an ordinance be placed for Council's consideration on February 28, 1991, to call a Special Election to be held in conjunction with the Regularly Scheduled Election of May 4, 1991.

This ordinance is as a result of the petition submitted by Ms. Kay Turner, et. al. on the Applewhite Issue, which was certified to the City Council on February 21, 1991 as having the required number of signatures.

Council Memorandum Must Be Attached To Original

Other Depts., Boards, Committees Involved (please specify):

Contract signed by other party  
 Yes  No

FISCAL DATA (If Applicable)	Budgetary Implications
Fund No. <u>11</u> Amt. Expended _____	Funds/Staffing Budgeted Yes <input type="checkbox"/> No <input type="checkbox"/>
Activity No. <u>80-23-01</u> SID No. _____	Positions Currently Authorized _____
Index Code <u>545020</u> Project No. _____	Impact on future O & M _____
Object Code _____	If positions added, specify class and no. _____ _____ _____

**Comments:**

*Imi certam 3:30 pm*

*(#6)*

Coordinator — White  
 Legal — Green  
 Budget — Canary  
 Finance — Pink  
 Originator — Gold