

AN ORDINANCE      2015-05-20-0422

**CANVASSING THE SPECIAL ELECTION HELD ON SATURDAY, MAY 9, 2015,  
IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.**

\* \* \* \* \*

**WHEREAS**, a Special Election was held on Saturday, May 9, 2015, for consideration of two propositions; and

**WHEREAS**, at the May 9, 2015 election, the voters of the City of San Antonio were asked to consider Proposition No. 1:

**THE EDWARDS AQUIFER PROTECTION VENUE PROJECT  
PROPOSITION  
PROPOSITION NO. 1**

Authorizing the City of San Antonio to protect water quality in the Edwards Aquifer by establishing a watershed protection and preservation project known as the ***“Edwards Aquifer Protection Venue Project”*** to acquire and preserve land or interests in land in the Edwards Aquifer recharge and contributing zones both inside and outside Bexar County, and to develop a recharge, recharge area or recharge feature protection program and to impose a sales and use tax at the rate of one-eighth of one percent (1/8 of 1%), (a portion of which tax shall be shared with and used for the ***“Parks Development and Expansion Venue Project”*** if such venue project is also approved by the voters), in an amount not to exceed \$100 million (including costs of issuance and interest on bonds or other obligations, if any), for the purpose of financing the ***“Edwards Aquifer Protection Venue Project”***, to begin upon the full collection of sales and use tax authorized by the voters on November 2, 2010 for the Edwards Aquifer Protection Venue Project and for the Parks Development and Expansion Venue Project.

**WHEREAS**, at the May 9, 2015 election, the voters of the City of San Antonio were asked to consider Proposition No. 2:

**THE PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT  
PROPOSITION  
PROPOSITION NO. 2**

Authorizing the City of San Antonio to establish the ***“Parks Development and Expansion Venue Project”*** which includes the acquisition of open space and development of linear parks along San Antonio’s Creekways, specifically including the Leon Creek, Salado Creek, Medina River, San Antonio River, and tributaries, such as the Apache, Alazan, Culebra, Huesta, Huebner, Lorence, Martinez, Olmos, and San Pedro, and for improvements and additions to the Municipal Parks and Recreation System, and to impose a sales and use tax at the rate of one-eighth of one percent (1/8 of 1%) (a portion of which tax shall be shared with and used for the

***“Edwards Aquifer Protection Venue Project”*** if such venue project is also approved by the voters), in an amount not to exceed \$80 million (including costs of issuance and interest on bonds or other obligations, if any), for the purpose of financing the ***“Parks Development and Expansion Venue Project”*** to begin upon the full collection of sales and use tax authorized by the voters on November 2, 2010 for the Edwards Aquifer Protection Venue Project and for the Parks Development and Expansion Venue Project.

**WHEREAS**, the Propositions were submitted to the voters, the election was held and conducted, and the returns were made, all as required by the City Charter 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, 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 20<sup>th</sup> day of May 2015, to canvass the returns of the election held on May 9, 2015, and after canvassing the returns of this election, officially finds and determines that this election was duly ordered; proper notice of this election was given; proper election officers were duly appointed prior to this election; the election was duly held; the City has complied with the Federal Voting Rights Act, the Texas Election Code, and the City Charter; and due returns of the result of this election have been made and delivered, all in accordance with the law and the Ordinance calling the election.

**SECTION 2.** The City Council, after canvassing the returns of the May 9, 2015 Special Election, does hereby find and declare that the following votes were cast at the Special Election on the submitted Proposition No. 1 by the resident, qualified electors of the City who voted at the election and declare the results of the election to be as follows:

**THE EDWARDS AQUIFER PROTECTION VENUE PROJECT  
PROPOSITION NO. 1**

<b>FOR</b>	<b>65,365</b>	<b>78.14%</b>
<b>AGAINST</b>	<b>18,283</b>	<b>21.86%</b>

**SECTION 3.** The City Council, after canvassing the returns of the May 9, 2015 Special Election, does hereby find and declare that the following votes were cast at the Special Election on the submitted Proposition No. 2 by the resident, qualified electors of the City who voted at the election and declare the results of the election to be as follows:

**THE PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT  
PROPOSITION NO. 2**

<b>FOR</b>	<b>62,309</b>	<b>74.90%</b>
<b>AGAINST</b>	<b>20,876</b>	<b>25.10%</b>

**SECTION 4.** The City Council hereby finds, determines, and declares the result of the May 9, 2015 Special Election to be that: **Proposition No. 1 - The Edwards Aquifer Protection Venue Project**, so submitted to the voters, was approved and has received a favorable majority in all respects and has carried.

**SECTION 5.** The City Council hereby finds, determines, and declares the result of the May 9, 2015 Special Election to be that: **Proposition No. 2 - The Parks Development and Expansion Venue Project** submitted to the voters, was approved and has received a favorable majority in all respects and has carried.

**SECTION 6.** The voters have authorized City Council to impose, levy, assess, and collect the approved sales and use tax, as provided in Chapter 334 of the Texas Local Government Code, up to an amount not to exceed the combined \$180 million, as set forth in Propositions No. 1 and No. 2 as follows: \$100 million limit set forth in **Proposition No. 1 - The Edwards Aquifer Protection Venue Project**, and \$80 million limit set forth in **Proposition No. 2- The Parks Development and Expansion Venue Project**, as voted and as provided by law, for the purpose of financing the two venue projects. The City Council shall subsequently adopt, by separate action, an ordinance (the "Sales and Use Tax Levy Ordinance") adopting, imposing, and levying the approved sales and use tax at the maximum rate not to exceed one-eighth of one percent (1/8 of 1%), as approved by the voters of the city.

**SECTION 7.** The Office of the City Clerk is authorized and directed to send to the State Comptroller of Public Accounts by United States certified or registered mail, a certified copy of this Ordinance, along with a map of the City, clearly showing the boundaries of the City, and upon its adoption, a certified copy of the Sales and Use Tax Ordinance, as required by Chapter 334 of the Texas Local Government Code and Section 321.405 of the Texas Tax Code.

**SECTION 8.** This ordinance is effective immediately, if approved by eight or more affirmative votes; otherwise, it is effective on the tenth day from the date of passage.


**PASSED AND APPROVED** on this 20<sup>th</sup> day of MAY, 2015.

  
M A Y O R  
Ivy R. Taylor

ATTEST:

  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	<b>1B ( in consent vote: 1A, 1B, 1C )</b>						
<b>Date:</b>	05/20/2015						
<b>Time:</b>	01:27:21 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance canvassing the official results of the Special Election held on Saturday, May 9, 2015.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				
Alan Warrick	District 2		x				x
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				