

THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY
COUNCIL.

AN ORDINANCE

**ORDERING A SPECIAL ELECTION ON AN INITIATED ORDINANCE
REQUIRING BUSINESSES IN SAN ANTONIO TO PROVIDE PAID SICK
LEAVE TO EMPLOYEES, TO BE HELD ON TUESDAY, NOVEMBER 6, 2018,
IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.**

* * * * *

WHEREAS, on May 24, 2018, a petition for an initiated ordinance was submitted to the City Clerk seeking City Council action to require San Antonio businesses to provide paid sick leave to employees, which signatures the City Clerk certified on August 2, 2018 as sufficient for Council consideration for adoption or for placement on a ballot for consideration by the electors of San Antonio; and

WHEREAS, the City Council has determined to submit the initiated ordinance to the registered voters of the City of San Antonio at the November 6, 2018 uniform election date; **NOW THEREFORE:**

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

SECTION 1. A special election is ordered to be held in the various voting precincts of the City of San Antonio on Tuesday, November 6, 2018, to submit the following proposition to approve an initiated ordinance of the City of San Antonio to the qualified voters of the City:

CITY OF SAN ANTONIO PROPOSITION D

Shall the City Council adopt the initiated ordinance to require private businesses in San Antonio to provide employees one hour of paid sick leave for every 30 hours worked with a yearly cap of 64 hours for medium/large employers (16 or more employees) and 48 hours for small employers (15 or fewer employees) and provide for use, reporting, and enforcement?

SECTION 2. The official ballots for the Election shall be prepared in accordance with the Texas Election Code to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION, with the ballots to contain such provisions, markings, and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

CITY OF SAN ANTONIO PROPOSITION D

FOR } SHALL THE CITY COUNCIL ADOPT THE INITIATED
 } ORDINANCE TO REQUIRE PRIVATE BUSINESSES IN SAN
 } ANTONIO TO PROVIDE EMPLOYEES ONE HOUR OF PAID SICK
 } LEAVE FOR EVERY 30 HOURS WORKED WITH A YEARLY CAP
AGAINST } OF 64 HOURS FOR MEDIUM/LARGE EMPLOYERS (16 OR MORE
 } EMPLOYEES) AND 48 HOURS FOR SMALL EMPLOYERS (15 OR

FEWER EMPLOYEES) AND PROVIDE FOR USE, REPORTING,
AND ENFORCEMENT?

SECTION 3. If approved by the electors, the initiated ordinance requiring paid sick leave for employees of San Antonio businesses, attached as Exhibit 1, shall be adopted in its entirety.

SECTION 4. The Proposition, if approved by a majority of the resident, qualified voters of the City of San Antonio, Texas, who vote in the Tuesday, November 6, 2018 election, is effective when the City Council enters an order stating an effective date of the proposition and states on the records of the City declaring that the initiated ordinance has been adopted.

SECTION 5. As soon as practicable after the election and the declaration by the City Council that the initiated ordinance has been approved and adopted, the Mayor shall certify to the Secretary of State an authenticated copy of the ordinance, under the City's seal, showing the approval by the qualified voters of the municipality.

SECTION 6. The City Council also authorizes the Tuesday, November 6, 2018 special election to be held jointly with other participating local political subdivisions located within Bexar County. The city shall execute an agreement with Bexar County to conduct the election as a joint election with the other political subdivisions identified in the agreement. An ordinance authorizing this contract will be considered by the City Council at a subsequent meeting.

Pursuant to the Texas Election Code, Section 61.012, as amended, the Bexar County Elections Administrator shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirements for voting systems that permit voters with physical disabilities to cast a confidential or secret ballot.

SECTION 7. The special election shall be held as prescribed by law. Voting precincts and hours of voting shall be established by the Bexar County Elections Administrator. An ordinance adopting the precincts and voting hours for the Tuesday, November 6, 2018 election will be considered at a later meeting.

SECTION 8. Voting on Election Day, Tuesday, November 6, 2018, shall be conducted by the use of AIS650 Tabulators, paper ballots, or the iVotronic™ touch screen voting system, as determined by the City Clerk and the Bexar County Elections Administrator.

For early voting by mail and for provisional voting at this election, the City Clerk has determined that voting shall be conducted by the use of the AIS650 Tabulators, and paper ballots.

For early voting by personal appearance, beginning on Monday, October 22, 2018, and ending on Friday, November 2, 2018, the City Clerk has determined that voting shall be conducted by the use of the iVotronic™ touch screen voting system at polling locations to be determined by the Bexar County Elections Administrator. An ordinance authorizing the polling locations for early voting within Bexar County will be considered at a later meeting.

Early voting by personal appearance shall be conducted at the polling locations, during the period of early voting. Hours of early voting shall be established by the Bexar County Elections Administrator in accordance with the applicable provisions of Texas law.

SECTION 9. Electors may cast their early vote by mail. Ballot applications and ballots voted by mail shall be mailed to the early voting clerk as follows:

Jacquelyn F. Callanen, Early Voting Clerk
Bexar County Elections Administrator
203 E. Nueva, 3.61
San Antonio, TX 78207

The last day to receive an application for a ballot to be voted by mail is Friday, October 26, 2018.

SECTION 10. Notice of the Tuesday, November 6, 2018 special election shall be given by publishing a substantial copy of the proposed ordinance, both in English and in Spanish, in a newspaper of general circulation on the same day in each of two successive weeks, with the first publication occurring before the 14th date of the election; and a substantial copy of this Ordinance, both in English and in Spanish, shall be posted at three public places in the City of San Antonio and also at City Hall, located at 100 Military Plaza, not less than 21 days prior to Election Day.

SECTION 11. All resident qualified voters of the City shall be permitted to vote at the Tuesday, November 6, 2018 election and on the day of the election, such electors shall vote at the designated polling places. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and the provisions of the Texas Government Code, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish. The official ballots for the Tuesday, November 6, 2018 elections shall be prepared in accordance with the Texas Election Code.

SECTION 12. If any provision of this Ordinance or its application 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 this Council declares that this Ordinance would have been enacted without such invalid provision.

SECTION 13. 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 Chapter 551, Texas Government Code.

SECTION 14. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____ day of August 2018.

M A Y O R
Ron Nirenberg

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Andrew Segovia, City Attorney

DRAFT