

AN ORDINANCE 2018-11-15-0902

CANVASSING THE OFFICIAL RESULTS OF THE NOVEMBER 6, 2018 SPECIAL ELECTION FOR AN AREA LOCATED WITHIN FIVE MILES OF THE BOUNDARY OF THE LACKLAND AIR FORCE BASE AND THE LACKLAND AIR FORCE BASE – MEDINA TRAINING ANNEX IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

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WHEREAS, the City of San Antonio held a Special Election seeking authority to protect the areas surrounding Lackland Air Force Base and the Lackland Air Force Base – Medina Training Annex and to preserve the efficacy of the bases' respective missions consistent with the intent of the Texas Local Government Code Section 43.0117 enacted by the Texas Legislature and signed by the Governor in the 2017 85th Leg. Special Session; and

WHEREAS, the new legislation specifically required the ballot proposition to be worded "to allow the voters of the area to be annexed to choose between either annexation or providing the municipality with the authority to adopt and enforce an ordinance regulating the land use in the area in the manner recommended by the most recent joint land use study"; and

WHEREAS, on Tuesday, November 6, 2018, an election was held for the purpose of providing the voters in areas within five miles of the boundary of Lackland Air Force Base and the Lackland Air Force Base – Medina Training Annex the opportunity to vote on whether to be annexed for limited purposes into the City or to authorize the City to adopt and enforce an ordinance regulating the land use in the area in the manner recommended by the most recent joint land use study, including the authority to adopt and impose fees, fines and other charges; and

WHEREAS, the proposition was submitted to the voters, the election was held and conducted, and the returns reviewed and investigated, all as required by the City Charter, the Texas Election Code, the Texas Local Government Code and the laws of the State of Texas, 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 15th day of November, 2018, to canvass the returns of the Special Election held November 6, 2018, 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, Texas Local Government Code, and the City Charter, and the laws of the State of Texas; and due returns of the result of this election have been made and delivered, all in accordance with the law and the Resolution ordering the Election.

SECTION 2. The City Council does officially find and declare the results of the Special Election, effective on the same date of this ordinance, to be as follows:

CITY OF SAN ANTONIO PROPOSITION A

OPTION 1:

YES ANNEXATION: SHALL THE CITY OF SAN ANTONIO ANNEX FOR LIMITED PURPOSES, WHICH INCLUDES THE AUTHORITY TO IMPOSE RELATED FINES, FEES AND OTHER CHARGES, CERTAIN AREAS IN THE CITY'S EXTRATERRITORIAL JURISDICTION WITHIN FIVE MILES OF THE LACKLAND AIR FORCE BASE AND THE LACKLAND AIR FORCE BASE – MEDINA TRAINING ANNEX AND WITHIN THREE YEARS FOLLOWING CITY COUNCIL APPROVAL ANNEX FOR FULL PURPOSES TO PROVIDE CITY SERVICES AND IMPOSE TAXES?

OR

OPTION 2:

NO ANNEXATION BUT WITH LAND USE REGULATIONS: SHALL THE CITY OF SAN ANTONIO BE PROVIDED WITH THE AUTHORITY TO ADOPT AND ENFORCE AN ORDINANCE REGULATING THE LAND USE IN THE CITY'S EXTRATERRITORIAL JURISDICTION WITHIN FIVE MILES OF THE BOUNDARY OF THE LACKLAND AIR FORCE BASE AND THE LACKLAND AIR FORCE BASE – MEDINA TRAINING ANNEX IN THE MANNER RECOMMENDED BY THE MOST RECENT JOINT LAND USE STUDY, FOR THE PURPOSE OF PROTECTING THE MILITARY MISSIONS, INCLUDING THE AUTHORITY TO ADOPT AND IMPOSE RELATED FEES, FINES AND OTHER CHARGES?

OPTION 1	1,832	16.08%
OPTION 2	9,564	83.92%

SECTION 3. The City Council finds that a majority of the resident, qualified voters in areas within five miles of the boundary of Lackland Air Force Base and the Lackland Air Force Base – Medina Training Annex have provided the City of San Antonio the authority to adopt and enforce an ordinance regulating the land use in the City's Extraterritorial Jurisdiction within five miles of the boundary of the Lackland Air Force Base and the Lackland Air Force Base – Medina Training Annex in the manner recommended by the most recent Joint Land Use Study, for the purpose of protecting the military missions, including the authority to adopt and impose related fees, fines and other charges.

SECTION 4. As soon as practicable after the election and the declaration by the City Council that the Proposition Option 2 has been approved and adopted, the Mayor shall certify to the Secretary of State an authenticated copy of the Proposition Option 2, under the City's seal, showing the approval by the resident, qualified voters in areas within five miles of the boundary of the Lackland Air Force Base and the Lackland Air Force Base – Medina Training Annex.

SECTION 5. 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 6. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED on this 15th day of November, 2018.



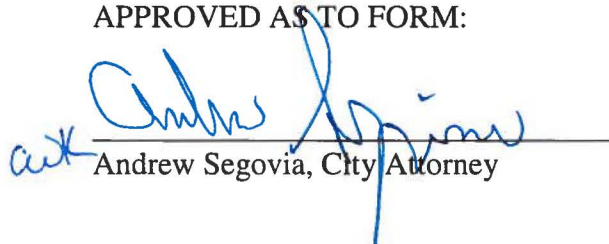
M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vadek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

CITY COUNCIL MEETING

ITEMS 4A, 4B, 4C
DATE: November 15, 2018

TO APPROVE

NAME	ROLL CALL	MOTION	SECOND	ABSTAIN	AYE	NAY	ABSENT
Roberto C. Treviño DISTRICT 1		✓			✓		
William "Cruz" Shaw DISTRICT 2							X
Rebecca J. Viagran DISTRICT 3					✓		
Rey Saldaña DISTRICT 4					✓		
Shirley Gonzales DISTRICT 5					✓		
Greg Brockhouse DISTRICT 6					✓		
Ana E. Sandoval DISTRICT 7					✓		
Manny Peláez DISTRICT 8					✓		
John Courage DISTRICT 9			✓		✓		
Clayton H. Perry DISTRICT 10					✓		
Ron Nirenberg MAYOR					✓		

COMMENTS:
