



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4819

**Type:** Staff Briefing - With Ordinance

**In control:** City Council A Session

**On agenda:** 8/16/2018

**Title:** Ordinance ordering an election for three City Charter Amendments proposed by the Fire Union to be held on Tuesday, November 6, 2018, in the City of San Antonio, Bexar County, Texas. [Andrew Segovia, City Attorney]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Draft Ordinance, 2. Union Charter Amendments PPT, 3. Ordinance 2018-08-16-0619, 4. Staff Presentation

| Date      | Ver. | Action By              | Action            | Result |
|-----------|------|------------------------|-------------------|--------|
| 8/16/2018 | 1    | City Council A Session | Motion to Approve | Pass   |

**DEPARTMENT:** Office of the City Attorney

**DEPARTMENT HEAD:** Andy Segovia, City Attorney

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

November 6, 2018 Election for three City Charter Amendments proposed by the Fire Union.

**SUMMARY:**

This item orders an election to be held on November 6, 2018 for three City Charter amendments proposed by the Fire Union.

**BACKGROUND INFORMATION:**

On April 11, 2018, three petitions were submitted to the Office of the City Clerk to amend the City Charter as follows:

- 1) To limit the term the City Manager may serve to no longer than eight years, to limit the compensation of the City Manager to no more than ten times the annual salary furnished to the lowest paid full-time city employee, and to require a supermajority vote to appoint the City

Manager;

- 2) To increase the number of days within which a petition may be filed seeking a referendum on an ordinance passed by council from forty to one hundred eighty days after passage of the ordinance, to provide that no more than twenty thousand signatures of registered voters are required for a petition to amend the City Charter instead of ten percent of those electors qualified to vote at the last regular municipal election, and to expand the types of ordinances that may be subject to referendum including appropriation of money, levying a tax, granting a franchise, fixing public utility rates, zoning and rezoning of property; and
- 3) To provide the International Association of Fire Fighters Local 624 with unilateral authority to require the City to participate in binding arbitration of all issues in dispute with the Association within forty-five days of the City's receipt of the Association's written arbitration request.

On May 17, 2018, the Office of the City Clerk reported to the City Council that the three petitions were signed by a sufficient number of qualified electors.

This item satisfies City Council's ministerial duty to order the Charter amendment election to be held at the next uniform election date, November 6, 2018.

Key dates leading to the election date are as follows:

|                           |  |
|---------------------------|--|
| Tuesday, October 9, 2018  | Last day to register to vote for the November election |
| Monday, October 22, 2018  | First day of early voting by personal appearance       |
| Friday, November 2, 2018  | Last day of early voting by personal appearance        |
| Tuesday, November 6, 2018 | Election day. Polls open from 7:00 am to 7:00 pm       |

**ISSUE:**

Section 9.004(a) and (b) of the Texas Local Government Code require the City Council to submit the proposed City Charter amendments to the voters at the next uniform election date that allows sufficient time to comply with other requirements of law, for their approval at an election because the submission was supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.

**ALTERNATIVES:**

None.

**FISCAL IMPACT:**

The costs of election services via contract with the Bexar County Elections Administrator for securing polling sites, delivery of equipment, and hiring of election judges and clerks, will be brought at a later date. The Office of the City Clerk will provide other administrative election duties. This does not address the fiscal impact of adoption of any, or all, of the proposed amendments.

**RECOMMENDATION:**

Staff recommends approval of this ordinance.