



# City of San Antonio

## Agenda Memorandum

**File Number:**18-4378

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**Agenda Item Number:** 4.

**Agenda Date:** 8/2/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Office of the City Clerk

**DEPARTMENT HEAD:** Leticia M. Vacek, City Clerk

**COUNCIL DISTRICTS IMPACTED:** City Wide

### **SUBJECT:**

Certification of the result of the Petition submitted to initiate an Earned Paid Sick Time Ordinance.

### **SUMMARY:**

On Thursday, May 24, 2018, a Petition was submitted to the Office of the City Clerk to initiate an Ordinance:

“Amending Chapter 15, Health, of the City Code of San Antonio, Texas to create a new Article XI entitled “Earned Paid Sick Time” to require that certain employees in San Antonio be provided earned paid sick time for use if an employee needs to be absent from work because the employee or the employee’s family member experiences illness, injury, stalking, domestic abuse, sexual assault, or otherwise requires medical or health care, including preventative care and mental health care, establishing notice, posting, and recordkeeping requirements, establishing enforcement authority, establishing civil penalties for violations and setting the effective date.”

Pursuant to Section 34 of the City Charter, “Any initiated ordinance may be submitted to the council by a petition signed by qualified electors of the city equal in number to ten percent of the electors qualified to vote at the time of the last regular municipal election.” In the May, 2017 General Election there were a total of 699,496 Active Voters. Therefore, a total of 69,960 petition signatures from qualified voters of the City of San Antonio were required to be submitted.

### **BACKGROUND INFORMATION:**

Upon submission of the petition pages, the Office of the City Clerk began reviewing the Petition Signatures in accordance with Chapter 277.002 of Texas Election Code (TEC):

- (a) For a petition signature to be valid, a petition must:
  - 1) contain in addition to the signature:
    - A) the signer's printed name;
    - B) the signer's:
      - i) date of birth; or
      - ii) voter registration number and, if the territory from which signatures must be obtained is situated in more than one county, the county of registration;
    - C) the signer's residence address; and
    - D) the date of signing; and
  - 2) comply with any other applicable requirement prescribed by law.
- (b) The signature is the only information that is required to appear on the petition in the signer's own handwriting.
- (c) The use of ditto marks or abbreviations does not invalidate a signature if the required information is reasonably ascertainable.
- (d) The omission of the state from the signer's residence address does not invalidate a signature unless the political subdivision from which the signature is obtained is situated in more than one state. The omission of the zip code from the address does not invalidate a signature.
- (e) A petition signature is invalid if the signer signed the petition earlier than the 180<sup>th</sup> day before the date the petition is filed.

On Monday, June 4, 2018; we met at Bexar County to receive training on the use of their software. The Office of the City Clerk staff utilized the Votec Elections Management and Compliance System (VEMACS) at Bexar County Elections Office to verify the petition in accordance with the law.

**ISSUE:**

N/A

**ALTERNATIVES:**

N/A

**FISCAL IMPACT:**

Personnel from the Office of the City Clerk were paid overtime in accordance with Federal Labor Laws. In addition, \$19,729.95 was spent on Temporary Staff hired to assist with the review of this Petition.

**RECOMMENDATION:**

As a result of our verification, utilizing TEC 277.002 parameters which were set into the VEMACS System; the petition is signed by a sufficient number of qualified electors.