

AN ORDINANCE **98020**

ORDERING A BOND ELECTION TO BE HELD JOINTLY WITH BEXAR COUNTY AND THE NORTH EAST INDEPENDENT SCHOOL DISTRICT ON THE 4TH DAY OF NOVEMBER, 2003, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ON A PROPOSED BOND ISSUE FOR STREETS AND PEDESTRIAN IMPROVEMENTS, DRAINAGE IMPROVEMENTS, LIBRARY IMPROVEMENTS, PARKS AND RECREATION IMPROVEMENTS, AND PUBLIC HEALTH AND SAFETY IMPROVEMENTS; MAKING PROVISION FOR THE HOLDING OF THIS ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of San Antonio, Texas (the "City") wishes to call a bond election for November 4, 2003; and

WHEREAS, the Commissioners Court of Bexar County, Texas (the "County") and the Board of Trustees of the North East Independent School District ("NEISD") also intend to call an election for November 4, 2003, and the parties therefore wish to hold a joint election as permitted by the provisions of Section 271.002, as amended, Texas Election Code ; and

WHEREAS, the City Council of the City hereby finds that an election should be held to determine whether the City Council shall be authorized to issue bonds of the City in the amounts and for the purposes hereinafter identified and that said election should be held jointly with the County and NEISD; **NOW THEREFORE:**

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

SECTION 1. A bond election shall be held on Tuesday, the 4th day of November, 2003, in accordance with the laws of Texas and the provisions of the Charter of the City of San Antonio, and the official ballots for said election shall be prepared in accordance with the Texas Election Code and at said election the following PROPOSITIONS shall be submitted in accordance with law:

STREETS AND PEDESTRIAN IMPROVEMENTS PROPOSITION

PROPOSITION NO. 1

"Shall the City Council of the City of San Antonio, Texas, be authorized to issue and sell general obligation bonds of the City in

the principal amount of \$29,398,217 for the purpose of making permanent public improvements and for public purposes, to wit, constructing street and pedestrian improvements and drainage and amenities incidental thereto, street lighting, technology improvements, and signage, and acquiring lands and rights-of-way necessary for street improvements, with respect to:

STREET AND PEDESTRIAN IMPROVEMENT PROJECTS

Adam Hill Sidewalks - Horal to Deadend
Blanco Road – Hildebrand to Summit Phase I
Brooks City Base
Cincinnati – Fredricksburg to IH 10
Commerce Street – RR to S. Palmetto
Cornell – Brazos to Colorado
Culebra Area Streets, Phase 4A – Pettus from Culebra to Broadview
Deco District – Fredericksburg Road Streetscape and Sidewalks and Travis Building Parking Lot
– Quentin to Kings Highway
Duke Area Streets, Phase I of a Multi-Phase Project
Durango – Trinity to Deadend
El Monte, Phase II – Blanco to San Pedro
Fay, Phase II, Part 2
Houston and Commerce Underpass – Houston and Commerce at IH 37
Kelly USA
La Manda – West Avenue to Buckeye
Marbach Phase I – Military to Pinn
Ozark –Erskine to Williamsburg
Pearl Parkway – Broadway to Avenue A
Pedestrian Mobility and Traffic Calming Projects in District 4
Pedestrian Mobility and Traffic Calming Projects in District 1
Redland Road Improvements – Redland Woods to Jones Maltsberger
Right of Way Acquisition of Highway 281 Corridor – 1604 to Stone Oak
Rosabel Street – Culebra to Inez
School Safety Improvements (District 9)
School Sidewalk Priority Program (District 7)
Skyline Neighborhood Improvements Phase I – Erin, Bell, Cisco and Middle Streets
South Texas Medical Center Improvements
Southtown - South Presa – Carolina to Lowell
Stahl Road – O’Connor to Judson
Zarzamora – 410 to Applewhite Road and Applewhite – Zarzamora to Watson

and in providing for the above improvements, the City Council shall have the option to utilize other funds available for such purposes, and after making due provision for all other projects listed above may use any excess funds for constructing other street and pedestrian improvements, and drainage and amenities incidental thereto, street lighting, technology improvements, and

signage, and acquiring lands and rights-of-way necessary for street improvements; such bonds to mature serially or otherwise not more than forty (40) years from their issued date; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of said City Council, provided that such interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

DRAINAGE IMPROVEMENTS PROPOSITION

PROPOSITION NO. 2

"Shall the City Council of the City of San Antonio, Texas, be authorized to issue and sell general obligation bonds of the City in the principal amount of \$18,912,770 for the purpose of making permanent public improvements and for public purposes, to wit: constructing facilities for the removal of, and protection from, harmful excesses of water and acquiring lands and rights-of-way necessary thereto, with respect to:

DRAINAGE IMPROVEMENT PROJECTS

Alamo Farmsteads Drainage Phase I on Whitby from Abe Lincoln to Leon Creek
Ansley Blvd. Drainage 1091
Cardiff Area Drainage Improvements and Honey Blvd. – Aransas to Commerce
General McMullen Area Drainage – Dexter to Roselawn
Linda Lou – Presa to Hackberry
Marney Plaza Outfall
Oak Glen Low Water Crossing Warning System
Octavia #63 Phase II, Part B
Olympia Drainage Area Phase I
San Pedro/Huisache Area Drainage, Phase I
Sinclair Road at Rosillo Creek
Upper Olmos Creek
Weidner Low Water Crossing Warning System

and in providing for the above improvements, the City Council shall have the option to utilize other funds available for such purposes, and after making due provision for the above projects, the City Council, in its discretion, may use any excess funds for constructing other facilities for the removal of harmful excesses of

water, and acquiring lands and rights-of-way necessary thereto; such bonds to mature serially or otherwise not more than forty (40) years from their issued date; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of said City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

LIBRARY IMPROVEMENTS PROPOSITION

PROPOSITION NO. 3

“Shall the City Council of the City of San Antonio, Texas, be authorized to issue and sell general obligation bonds of the City in the principal amount of \$3,965,000 for the purpose of making permanent public improvements and for public purposes, to wit, acquiring, constructing, improving, renovating, and equipping library facilities and other education facilities to be utilized as libraries and acquiring lands and rights-of-way necessary thereto, with respect to:

LIBRARY IMPROVEMENT PROJECTS

Alternative Energy Source For Hausman Library Project
Brookhollow Library Rehabilitation And Improvements
Cody Library Facility And Collections Enhancement
Cody Library Parking Lot Expansion
Cortez Library Upgrades
Hausman Road Library Upgrades/Expansion
Forest Hills Branch Library Upgrades
Hertzberg Library Stabilization Project
Johnston Library Upgrades
McCreless Library Upgrades
Northeast Library – Roosevelt High School
Pan American Library Upgrades

and in providing for the above improvements, the City Council shall have the option to utilize other funds available for such purposes, and after making due provision therefore, the City Council, in its discretion, may use any excess funds for acquiring, constructing, improving, renovating, and equipping library

facilities and other educational facilities to be utilized as libraries and acquiring lands and rights of way necessary thereto; such bonds to mature serially or otherwise not more than forty (40) years from their issued date; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of said City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

PARKS AND RECREATION IMPROVEMENTS PROPOSITION

PROPOSITION NO. 4

"Shall the City Council of the City of San Antonio, Texas, be authorized to issue and sell general obligation bonds of the City in the principal amount of \$27,224,013 for the purpose of making permanent public improvements and for public purposes, to wit: acquiring, constructing, and equipping park, cultural, and recreation facilities and improvements and making park additions, and acquiring lands and rights-of-way necessary thereto, with respect to:

PARKS AND RECREATION IMPROVEMENT PROJECTS

Al Forge Park Improvements
Alderete Park Walking Trail
Arnold Park Improvements
Botanical Gardens ADA And Funston Acquisitions
Brackenridge Park – Japanese Tea Gardens Rehabilitation
Cathedral Rock Nature Park Improvements
Cuellar Park Community Center Roof Replacement
District 4 Soccer Field Development
District 6 Park Land Acquisition and Development
District 6 Pool Facility Rehabilitation Westwood Terrace, New Territories And Cuellar Parks
District 9 Neighborhood Park/Sports Field Land Acquisition
Eisenhower Park And Friedrich Park Water Service Improvements
Father Benavides Park Improvements
Friesenhahn Park Improvements
Golden Community Park Improvements
Hausman Road Park Land Acquisition and Site Development
Heritage Neighborhood Park Improvements

Hillside Acres Gardens Development
Historic City Cemeteries Fencing
Ingram Hills Park Development
Jimmy Flores Park Improvements
Lackland Terrace Park Improvements
Lakeside Park Improvements
Las Palmas Park Improvements
Los Angeles Heights Park Improvements
Market Square: Farmer's Market Rehabilitation
McAllister Park Rehabilitation And Improvements
McClain Park Development
Medina Base Road Park Improvements
Miller's Pond Park Improvements
Mission Trails Facility Improvements
Mitchell Lake/Land Heritage Institute
Monticello Park Improvements
Mudd Creek Park Improvements
Museo Americano
Nani Falcone Park Improvements
Northampton Park Development
O.P. Schnabel Park Entrance Improvements
Olmos Basin Park Improvements
Oscar Perez Memorial Park Development
Pearsall Park Improvements
Rainbow Hills Park Improvements
Regional Youth Sports Facility Improvements
San Antonio Zoo Facility Improvements
South San Community Center Playground Development
Spring Time Park Pool Rehabilitation
Stone Oak Park Improvements
Tom Slick Community Park Improvements
Tower of the Americas Rehabilitation
Walker Ranch Park Improvements
West End Park Improvements
West Side Branch YMCA Roof Replacement
Witte Museum/ Pioneer Hall Improvements
Woodlawn Lake Park Improvements

and in providing for the above improvements, the City Council shall have the option to utilize other funds available for such purposes, and after making due provision therefore, the City Council, in its discretion, may use any excess funds for acquiring, constructing, and equipping park, cultural, and recreation facilities and improvements and making park additions, and acquiring of lands and rights-of-way necessary thereto; such bonds to mature serially or otherwise not more than forty (40) years from their

issued date; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of said City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

PUBLIC HEALTH AND SAFETY IMPROVEMENTS

PROPOSITION NO. 5

“Shall the City Council of the City of San Antonio, Texas, be authorized to issue and sell general obligation bonds of the City in the principal amount of \$35,500,000 for the purpose of making permanent public improvements and for public purposes, to wit: acquiring, constructing, improving, renovating and equipping public health and safety facilities, and acquiring lands and rights-of-way necessary thereto, with respect to:

PUBLIC HEALTH AND SAFETY IMPROVEMENT PROJECTS

Animal Care Facility
District 2 Comprehensive Health Facility
Emergency Operations Center
Medical Center Area Senior Multi-Service and Health Center

and in providing for the above improvements, the City Council shall have the option to utilize other funds available for such purposes, and after making due provision therefore, the City Council, in its discretion, may use any excess funds for acquiring, constructing, improving, renovating and equipping public health and safety facilities, and acquiring lands and rights of way necessary thereto; such bonds to mature serially or otherwise not more than forty (40) years from their issued date; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of said City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

SECTION 2. The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote “FOR” OR “AGAINST” the aforesaid PROPOSITIONS, with the ballots to contain such provisions, markings, and language as required by law, and with such PROPOSITIONS to be expressed substantially as follows:

**STREETS AND PEDESTRIAN IMPROVEMENTS PROPOSITION
PROPOSITION NO. 1**

FOR } “THE ISSUANCE OF \$29,398,217 OF GENERAL OBLIGATION
 } BONDS FOR STREET AND PEDESTRIAN IMPROVEMENTS AND
 } DRAINAGE AND AMENITIES INCIDENTAL THERETO”
AGAINST }

**DRAINAGE IMPROVEMENTS PROPOSITION
PROPOSITION NO. 2**

FOR } “THE ISSUANCE OF \$18,912,770 OF GENERAL OBLIGATION
 } BONDS FOR REMOVAL OF AND PROTECTION FROM HARMFUL
 } EXCESSES OF WATER”
AGAINST }

**LIBRARY AND EDUCATIONAL IMPROVEMENTS PROPOSITION
PROPOSITION NO. 3**

FOR } “THE ISSUANCE OF \$3,965,000 OF GENERAL OBLIGATION BONDS
 } FOR THE LIBRARY AND EDUCATION IMPROVEMENTS.”
AGAINST }

**PARKS AND RECREATION IMPROVEMENTS PROPOSITION
PROPOSITION NO. 4**

FOR } “THE ISSUANCE OF \$27,224,013 OF GENERAL OBLIGATION
 } BONDS FOR PARKS AND RECREATION IMPROVEMENTS AND
 } PARK ADDITIONS”
AGAINST }

**PUBLIC HEALTH AND SAFETY IMPROVEMENTS PROPOSITION
PROPOSITION NO. 5**

FOR } “THE ISSUANCE OF \$35,500,000 OF GENERAL OBLIGATION BONDS
 } FOR PUBLIC HEALTH AND SAFETY IMPROVEMENTS.”
AGAINST }

SECTION 3. The City Council of the City of San Antonio hereby finds that the November 4, 2003 Bond Election shall be held jointly with Bexar County and the North East Independent School District.

SECTION 4. Said election shall be held as prescribed by law at the following voting places in the several precincts of the City of San Antonio, as listed in **Attachment I**, and Bexar County, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m. at those locations listed in **Attachment II**. Attachments I and II are attached hereto and incorporated herein for all purposes.

SECTION 5. Voting at said election for election day voting shall be done by the use of AIS650 Tabulators, paper ballots or the iVotronic™ touch screen voting system, as determined by the City Clerk of the City of San Antonio and the Bexar County Elections Administrator. The City Clerk does determine hereby that AIS650 Tabulators and paper ballots shall be used for the casting of early votes by mail at this election. Voting at said election for early voting by personal appearance shall be done by the use of the iVotronic™ touch screen voting system. The equipment shall be placed at branch offices as listed in **Attachment III**, which is attached hereto and incorporated herein for all purposes, established for the purpose of conducting early voting by personal appearance during the dates and hours hereby indicated in **Attachment III**.

SECTION 6. Early voting by personal appearance shall be conducted at the branch offices as listed in Attachment III, during the period for early voting, commencing Monday, October 20, 2003 and ending Friday, October 31, 2003, including Saturday, October 25, 2003 and Sunday, October 26, 2003.

SECTION 7. Electors may cast their early vote by mail, and the early voting clerk's mailing address to which ballot applications and ballots voted by mail shall be sent to, is as follows:

Cliff R. Borofsky
Bexar County Elections Administrator
203 W. Nueva 3.61
San Antonio, Texas 78207
Attention: Early Voting Clerk

SECTION 8. The City Council will hereafter contract with the Bexar County Elections Administrator to conduct this election. The contract will be considered by the City Council at a subsequent meeting, as evidenced by passage of an ordinance.

SECTION 9. Notice of such bond election shall be given by posting a substantial copy of this Ordinance, both in English and in Spanish, at three (3) public places in the City of San Antonio and also at the City Hall, not less than 15 days prior to the date set for said election; and a substantial copy of this Ordinance also shall be published, both in English and in Spanish, on the same day in each of two successive weeks in a newspaper of general circulation published in the City of San Antonio, the date of the first publication to be not less than 14 nor more than 30 days prior to the date set for said election.

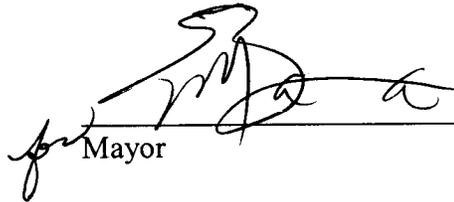
SECTION 10. All resident qualified electors of the City shall be permitted to vote at the election and on the day of the election, such electors shall vote at the designated polling place. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, 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.

SECTION 11. All bonds voted at said election shall be issued only in accordance with, and subject to all restrictions and requirements of, all applicable laws.

SECTION 12. Pursuant to the City of San Antonio City Charter, this Ordinance shall not become effective until August 24, 2003, which is the tenth day following the passage of this Ordinance, and this Ordinance shall be considered to be dated as of such effective date.

PASSED AND APPROVED this 14 day of August, 2003.

CITY OF SAN ANTONIO



Mayor

ATTEST:



Acting City Clerk

(CITY SEAL)

I, the undersigned, City Attorney of the City of San Antonio, Texas, hereby certify that I read, passed upon, and approved as to form the foregoing Ordinance prior to its adoption and passage as aforesaid.



Andrew Martin, City Attorney,
City of San Antonio, Texas