

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Called Meeting

February 22, 1978
4:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman,
Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino

Absent: None

Mayor McClellan opened the meeting scheduled for 4:00 p.m. noting that all Councilmembers were present. She stated that the purpose of the meeting was for consideration of the second reading of the Charter Revision Ordinance. The Mayor indicated that Mr. Gus Garcia, President of the School Board, had agreed to all of the conditions relative to joint absentee polling places between the City of Austin and the Austin Independent School District.

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF AUSTIN ON APRIL 1, 1978 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS, FOR ADOPTION OR REJECTION, THE FOLLOWING AMENDMENTS TO THE EXISTING CHARTER OF THE CITY OF AUSTIN:

1. AN AMENDMENT PROVIDING FOR THE ELECTION OF A NINE MEMBER CITY COUNCIL, EIGHT (8) COUNCILMEMBERS TO BE RESIDENTS OF AND ELECTED FROM DISTRICTS AND THE MAYOR TO BE ELECTED AT LARGE;
2. AN AMENDMENT PROVIDING THAT THE WORDS "COUNCILMAN" AND "COUNCILMEN" AS SAME APPEAR THROUGHOUT THE CHARTER BE CHANGED TO "COUNCILMEMBER" AND "COUNCILMEMBERS," RESPECTIVELY, AND THAT THE WORDS "HE," "HIS," "HIM" AND "HIMSELF" AS SAME APPEAR THROUGHOUT THE CHARTER BE REPLACED WITH THE WORDS "HE OR SHE," "HIS OR HER," "HIM OR HER" AND "HIMSELF OR HERSELF," RESPECTIVELY AND THAT THE WORD "CHAIRMAN" AS SAME APPEARS THROUGHOUT THE CHARTER BE CHANGED TO "CHAIRPERSON;"

3. AN AMENDMENT PROVIDING THAT A CANDIDATE FOR CITY COUNCIL PAY A FILING FEE OF ONE HUNDRED DOLLARS (\$100.00) OR IN LIEU THEREOF SUBMIT A PETITION SIGNED BY A MINIMUM OF TWO HUNDRED (200) REGISTERED VOTERS RESIDING IN THE CITY (AND RESIDING IN THE PARTICULAR DISTRICT IF THE CANDIDATE IS RUNNING FOR A DISTRICT SEAT) REQUESTING THAT THE NAME OF SUCH PERSON BE PLACED ON THE BALLOT;
4. AN AMENDMENT TO THE CITY CHARTER TO REPEAL THE EXISTING LANGUAGE WHICH PROHIBITS OFFICERS (BOARD AND COMMISSION MEMBERS AND COUNCILMEMBERS) OF THE CITY FROM PARTICIPATING IN THE ELECTION OF OTHER CANDIDATES TO CITY OFFICE;
5. AN AMENDMENT TO THE CITY CHARTER TO PROVIDE THAT A COUNCILMEMBER MUST BE EIGHTEEN (18) YEARS OF AGE OR OLDER IN THE COMMENCEMENT OF HIS OR HER TERM; TO PROVIDE THAT A COUNCILMEMBER MUST HAVE RESIDED WITHIN THE CITY FOR AT LEAST SIX (6) MONTHS AND WITHIN THE STATE OF TEXAS FOR TWELVE (12) MONTHS AND TO DELETE THE REQUIREMENTS THAT A COUNCILMEMBER BE A TAXPAYER IN THE CITY AND THAT HE OR SHE NOT BE IN ARREARS IN THE PAYMENT OF ANY TAXES OR OTHER LIABILITY DUE THE CITY;

PROVIDING FOR POLLING PLACES; PROVIDING FOR THE FORM OF THE BALLOT; PROVIDING FOR HOUSE OF ASSEMBLY VOTING; PROVIDING FOR A SPECIAL CANVASSING BOARD; PROVIDING FOR THE USE OF AN ELECTRONIC VOTING SYSTEM; PROVIDING FOR PROPER NOTICE; AND ENACTING PROVISIONS INCIDENT TO AND RELATED TO THE PURPOSE OF THIS ORDINANCE.

The ordinance was read the second time, and Mayor Pro Tem Trevino moved that the ordinance be passed to its third reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor Pro Tem Trevino

Noes: Mayor McClellan, Councilmembers Cooke, Mullen

The Mayor announced that the ordinance had been passed through its second reading only.

City Attorney Jerry Harris told the Council that in Section 2, Article 2 of the Charter, the provision related to qualifications of Councilpersons, and specifically to the age and residency requirements, there is additional language which would require a person to be a taxpayer within the City and would require that a person not be in arrears in any taxes to the City of Austin or any other liability due to the City. Mr. Harris stated the Ordinance included deleting this additional language and that the Council could alter Item 5 of Section 2, Article 2, if it decided not to bring it into compliance with Federal law.

Mayor McClellan stated that third reading of the Ordinance would be February 23, 1978.

The Mayor announced the Council will convene in a closed or executive session, authorized by Section 2, Paragraph (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

ADJOURNMENT

The Council adjourned its meeting at 4:20 p.m.

APPROVED


Mayor

ATTEST:


City Clerk