



**Austin City Code Amendment
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 10
AGENDA DATE: Thu 07/28/2005
PAGE: 1 of 1**

SUBJECT: Approve an ordinance amending Section 2-2-35 of the City Code relating to the Ethics Review Commission's city council candidate forums and their advertising.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING Law
DEPARTMENT:**

**DIRECTOR'S
AUTHORIZATION: Jennifer Gilchrist**

FOR MORE INFORMATION CONTACT: Tamara Kurtz, Assistant City Attorney/974-2526

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Recommended by the Ethics Review Commission

Under Code Section 2-2-35, the Ethics Review Commission is responsible for coordinating and producing the candidate forums for city council candidates on public access television. When the current ordinance was adopted, public access television was a low-cost, widely accessible media format. However, technology developments have created other venues through which the candidate forums could be widely and inexpensively broadcast to the public.

The Ethics Review Commission recommends that the Code be amended to take advantage of developed and developing media technology, including the internet, radio, and other broadcast media approved by the Commission. The Commission would continue to be required to produce at least one candidate forum on public access television. Candidates who have entered into a campaign finance contract with the City would also continue to be required to participate in the candidate forums.

Additionally, the proposed ordinance expands the available means for advertising for the candidate forums beyond commercial television and daily circulation newspapers.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 2-2-35 OF THE CITY CODE
RELATING TO CANDIDATE FORUMS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 2-2-35 of the Code is amended to read:

§ 2-2-35 OTHER CONSIDERATIONS FOR CAMPAIGN CONTRACT.

(A) [Candidate forums.] Each candidate who has entered into a campaign contract must participate in a series of candidate forums ~~[to be produced for public access television]~~, whether or not the candidate qualifies for matching funds.

(B) The Ethics Review Commission shall produce not fewer than [At least] three forums [shall be produced] for each contested race as follows:

(1) one forum must air on public access television; and

(2) other forums may be produced and made available to the public by radio, broadcast, publication on the Internet, or other means approved by the commission.

~~(C) The City shall make recordings of audio or video [In addition: (A) videotapes of the candidate] forums [shall be made] available to the public at all branches of the City library. [;]~~

(D) [(B)] The City may purchase advertising promoting the candidate forums, [may be purchased by the City on commercial television stations and in the daily circulation newspapers in the City; and]

(E) [(C)] The [the] Ethics Review Commission shall establish [be responsible for establishing] equitable guidelines to coordinate and produce [for] the coordination and production of] candidate forums.

PART 2. This ordinance takes effect on _____, 2005.

PASSED AND APPROVED

_____, 2005

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Brown
City Clerk