

ORDINANCE NO. 20060309-007

AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF AUSTIN AND ITS EXTRATERRITORIAL JURISDICTION ON MAY 13, 2006, AND ESTABLISHING THE ORDER IN WHICH CHARTER AMENDMENT PROPOSITIONS SHALL APPEAR ON THE BALLOT.

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

PART 1. A charter amendment election shall be held in the City and its extraterritorial jurisdiction on May 13, 2006, at which the ballot shall be prepared to permit voting "yes" or "no" on the following propositions in the order numbered:

Proposition 1

Shall the City Charter be amended: (a) to require that all private citizens' emails to any public official be placed on the City website in "real time," including emails or electronic communications between private citizens and public officials in all City departments, including the Library Department, Police Department, City health clinics, and City departments handling utility bills and code enforcement, and limit the ability of citizens to keep private the details of these communications; (b) to require that the heads of all City departments, including the Police Department, Parks Department, Library Department, all city manager's staff and all city council members and their staff post online in real time information about all meetings and phone calls with private citizens; (c) to prohibit the City from exercising state law protection for information that could expose the City and taxpayers to greater financial and legal liability and risk; (d) to require the City to create at taxpayer expense an online electronic data system for most City communications and documents, which for the most part are already available to the public; and (e) to install and permanently operate such a system at an estimated cost of approximately \$36 million initially and \$12 million annually thereafter if fully implemented, which could require a tax increase equivalent to three cents per \$100 valuation or a reduction in City services?

Proposition 2

Shall the City Charter be amended to: (a) limit investment in roads, utilities, water quality infrastructure, drainage infrastructure, and other infrastructure extensions and capacity expansions in the Barton Springs Zone, which includes a large portion of southwest Austin and Travis County, including neighborhoods such as Oak Hill, Barton Hills, Zilker, Circle C, Travis Country, Village at Western Oaks, and Westcreek; (b) limit the City's ability to influence development in proposed utility

and special districts in the extraterritorial jurisdiction; (c) limit the City's ability to enter into agreements that may subsidize private development in the Barton Springs Zone, such as solar energy rebates, SMART Housing incentives, and other rebates or subsidies; (d) make all 'grandfathering' decisions in the Barton Springs Zone under state law subject to city council approval; (e) disqualify certain individuals from exercising certain property rights under state law in the Barton Springs Zone; (f) severely limit the City's ability to enter into economic development agreements city-wide; and (g) prohibit the City from participating in or supporting certain road projects?

Proposition 3

Shall the City Charter be amended to change the initial date of the term served by the mayor and council members to comply with a change in state election law?

Proposition 4

Shall the City Charter be amended to allow a council member or mayor first elected after April 30, 2006, to serve for three terms?

Proposition 5

Shall the City Charter be amended to limit contributions from individuals outside the Austin city limits, increase and adjust for inflation the aggregate contribution amount that a council member may collect and the maximum individual contribution to a candidate for city council, allow a person elected to city council to fund an account to pay officeholder expenses, and allow fundraising by unsuccessful candidates and retired council members to retire campaign debt?

Proposition 6

Shall the City Charter be amended to restore a city employee's ability to purchase additional benefit coverage, by repealing Article IX, Section 4 (*Employee Benefits*) of the City Charter?

Proposition 7

Shall the City Charter be amended to increase the term served by a municipal court judge from two years to four years?

PART 2. The election shall be conducted as provided in Ordinance No. 20060302-002, as amended. The provisions of Ordinance No. 20060302-002, as amended, relating to the conduct of the election are incorporated by reference as part of this ordinance. The provisions of Ordinance Nos. 20060302-003, 20060302-005, 20060309-002, 20060309-

003, 20060309-004, 20060309-005, and 20060309-006 are incorporated by reference as part of this ordinance.

PART 3. This ordinance takes effect on March 20, 2006.

PASSED AND APPROVED

March 9, 2006

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk