



AUSTIN CITY COUNCIL
MINUTES

SPECIAL MEETING
MONDAY, APRIL 3, 2006

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a special meeting on Monday, April 3, 2006 in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:07 a.m.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 10:19 a.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney - Section 551.071

1. Discuss legal issues related to James Jeff Jack, et al. v. City of Austin; Cause No. D-1-GN-06-001053, in the 345th Judicial District Court, Travis County, Texas. (concerns a challenge to Proposition 1 and 2 on the May 13, 2006 City election). (Private Consultation with Attorney – 551.071) (related to Item #2)

Executive Session ended at 10:59 a.m. and Mayor Wynn called the Council Meeting back to order at 11:03 a.m.

Action Item:

2. Approve an ordinance amending the ballot language for the charter amendments set as Proposition 1 and Proposition 2 on the May 13, 2006 City election. (Proposition 1 submits a citizen's initiative amendment to the voters related to mandating online access to city administrative records and eliminating certain state law authority and Proposition 2 submits a citizen's initiative amendment to the voters related to development in the Barton Springs Edwards Aquifer watershed). (Related to Item #1)
Ordinance No. 20060403-002 was approved with the following friendly amendments on Council Member McCracken's motion, Mayor Wynn's second on a 6-1 vote. Mayor Pro Tem Thomas voted No. The first amendment by Council Member Alvarez was to change Proposition 1 (Part 2 and 3) ballot language to read, " (d) To provide online access to public information, which for the most part is already available, by creating an online electronic data system for most City communication and documents at taxpayer expense. This was accepted by the maker of the motion and Mayor Wynn, who seconded the motion. The second amendment was to amend Proposition 1

(Part 2 and 3) ballot language (a) by adding the words, “unless legal exceptions apply” after the word “communications.” This was accepted by the maker of the motion and Mayor Wynn, who seconded the motion. The third amendment by Mayor Wynn was to amend Proposition 1 (Part 2 and 3) ballot language by moving (d) to (a) and re-lettering the remaining items. This was accepted by the maker of the motion. The final ballot language approved for Proposition 1 was, “Shall the City Charter be amended: (a) to provide online access to public information, which for the most part is already available, by creating an online electronic data system for most City communications and documents at taxpayer expense, (b) to require that private citizens’ emails to public officials be placed on the city website in “real time,” including emails or electronic communications between private citizens and public officials in all City departments, and limit the ability of citizens to keep private the details of these communications, unless legal exceptions apply; (c) to require that the heads of all City departments, all city manager’s staff and all City council members and their staff post online in real time information about meetings and phone calls with private citizens; and (d) 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.

The final amendment from Council Member Alvarez was to amend Proposition 2 (Part 1 and 3) by adding the following, “(h) add an environmental policy statement” to the end of the language. This was accepted by the maker of the motion and Mayor Wynn, who seconded the motion.

Mayor Wynn adjourned the meeting at 2:10 p.m. without objection.

The minutes for the Special Called Meeting of April 3, 2006 were approved on this the 20th day of April, 2006 on Council Member Kim’s motion, Mayor Pro Tem Thomas’ second on a 7-0 vote.