

#3

3-9-06

## ORDINANCE NO.

1 AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF  
2 AUSTIN ON MAY 13, 2006, FOR THE PURPOSE OF SUBMITTING A  
3 PROPOSED CHARTER AMENDMENT TO THE VOTERS; AND PROVIDING  
4 FOR THE CONDUCT OF THE ELECTION.

5  
6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

7  
8 PART 1. A charter amendment election shall be held in the City on May 13, 2006, at  
9 which the ballot shall be prepared to permit voting "yes" or "no" on the following  
10 proposition:

11 Shall the City Charter be amended to allow a council member elected after April  
12 30, 2006, to serve for three terms?

13 PART 2. If this proposition is approved by the majority of the voters voting at the  
14 election, Article II, Section 3 (*Term Limits*) of the City Charter, is amended to read:

15 § 3. TERM LIMITS.

16  
17 (A) Except as provided in Subsection (C), a ~~[Commencing with the next general~~  
18 ~~municipal election after 1994, no]~~ person may not [shall] be elected to or [and]  
19 serve in the office of Mayor for more than three [two (2)] consecutive terms,  
20 and a [no] person who has held the office of Mayor for more than two years of  
21 a term to which some other person was elected Mayor may not [shall] be  
22 elected to the office of Mayor more than twice [once] in succession.

23 (B) Except as provided in Subsection (C), a ~~[Commencing with the next general~~  
24 ~~municipal election after 1994, no]~~ person may not [shall] be elected to or [and]  
25 serve [in the same position] on the City Council in a position other than Mayor  
26 for more than three [two (2)] consecutive terms, and a [no] person who has  
27 held a position other than Mayor [the office of Councilmember] for more than  
28 two years of a term to which some other person was elected to the position  
29 may not [Councilmember shall] be elected to a position other than Mayor [the  
30 office of Councilmember] more than twice [once] in succession.

31 (C) A person subject to a term limit with respect to an office [Notwithstanding the  
32 above limitation of terms, the Mayor or any Councilmember] may become a  
33 candidate for the office [an additional term or terms] and serve if elected [;] if  
34 [at the time of filing] the person's application to be a candidate for the office

1 [of Mayor or a place on the Council, the application] is accompanied by a  
2 petition requesting that the person [incumbent] be authorized to be a candidate  
3 and the petition is [5] signed by at least [a minimum of] five [(5)] per cent of  
4 the qualified voters of the territory from which the office is elected [city or in  
5 the district, in the case of a district election].

6 (D) A person who was first elected to the office of Mayor before April 30, 2006, is  
7 subject to the provisions of this section with respect to the office of Mayor as  
8 this section read on that date. A person who was first elected to a position on  
9 the City Council other than the office of Mayor before April 30, 2006, is  
10 subject to the provisions of this section with respect to a position other than the  
11 office Mayor as this section read on that date. This subsection expires on the  
12 date that no one subject to its provisions still serves in the office of Mayor or  
13 Councilmember, and need not be reprinted after that date.

14 **PART 3.** The election shall be conducted as provided in Ordinance No. 20060302-002.  
15 The provisions of Ordinance No. 20060302-002 relating to the conduct of the election are  
16 incorporated by reference as part of this ordinance.

17 **PART 4.** This ordinance takes effect on \_\_\_\_\_, 2006.

18 **PASSED AND APPROVED**

19 \_\_\_\_\_, 2006

20 §  
21 §  
22 §  
23 Will Wynn  
24 Mayor

25 **APPROVED:**

26 \_\_\_\_\_  
27 David Allan Smith  
28 City Attorney  
29

**ATTEST:**

\_\_\_\_\_  
Shirley A. Gentry  
City Clerk