

ORDINANCE NO. 20060403-002

AN ORDINANCE AMENDING ORDINANCE NO. 20060309-005, ORDINANCE NO. 20060309-006, AND ORDINANCE NO. 20060309-007, AND DECLARING AN EMERGENCY.

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

PART 1. Part 1 of Ordinance No. 2006-0309-005 is amended to read:

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 proposition:

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, part of 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; (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?

PART 2. Part 1 of Ordinance No. 2006-0309-006 is amended to read:

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

Shall the City Charter be amended: (a) 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; (b) 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; (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; and (d) to require the City to create at taxpayer expense an online electronic data system for most City public information, which for the most part is already available?

PART 3. Part 1 of Ordinance No. 2006-0309-007 is amended to change the text for Proposition 1 and Proposition 2 to read:

Proposition 1

Shall the City Charter be amended: ^{unless legal exceptions apply - Kim} (a) 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; (b) 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; (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; and (d) to require the City to create at taxpayer expense an online electronic data system for most City public information, which for the most part is already available? ^{See CM Always wording}

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, part of 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; (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? ^{(h) add an environmental policy statement}

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2 **PART 4.** The council finds that the need to prepare the ballots for the May 13, 2006
3 election to permit timely voting by mail constitutes an emergency. Because of this
4 emergency, this ordinance takes effect immediately on its passage for the immediate
5 preservation of the public peace, health, and safety.

6 **PASSED AND APPROVED**

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10 _____, 2006

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Will Wynn
Mayor

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15 **APPROVED:**

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk