

Austin American-Statesman

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PUBLIC NOTICE

Before the undersigned authority personally appeared James Mickler, who on oath says that he/she is a Legal Advertising Agent of the Austin American-Statesman, a daily published newspaper that is generally circulated in Bastrop, Bell, Blanco, Burnet, Caldwell, Comal, Coryell, Fayette, Gillespie, Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Travis, and Williamson Counties, and State of Texas, and that the attached advertisement was published in said newspaper, to wit: AUSTIN CLERKS OFFICE, CITY OF, first date of publication 04/13/2021, last date of publication 04/20/2021, published 2 time(s), and that the attached is a true copy of said advertisement.

AUSTIN CLERKS OFFICE, CITY OF
PO BOX 1088
AUSTIN, TX 78767-1088

Invoice/Order Number:	0000634459
Ad Cost:	\$28,904.40
Paid:	\$0.00
Balance Due:	\$28,904.40

Signed _____

James Mickler

(Legal Advertising Agent)

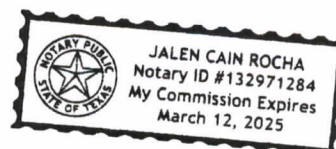
Sworn or affirmed to, and subscribed before me, this 27th day of April, 2021 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed _____

Jalen C. Rocha

(Notary)

Please see Ad on following page(s).



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**NOTICE OF SPECIAL AND CITIZEN
(AVISO DE ELECCION ESPECIAL Y ELECCION
ELECTION DAY SATURDAY
(DÍA DE ELECCIÓN SABADO 11 DE ABRIL DE 2021)
EARLY VOTING MONDAY, APRIL 19, 2021
(VOTACIÓN ANTICIPADA LUNES, 19 DE ABRIL DE 2021)
CITY OF AUSTIN (CIUDAD DE AUSTÍN)**

To the registered voters of the City of Austin: Notice is hereby given that the polling places listed below will be open from 7:00 a.m. - 7:00 p.m. on Saturday, May 1, 2021, for voting in the City of Austin (COA) Municipal Special Election. Early voting by personal appearance will be conducted from Monday, April 19, 2021 through Tuesday, April 27, 2021. (Para los votantes registrados de la Ciudad de Austin: Por la presente se notifica que los lugares de votación que se enumeran a continuación estarán abiertos desde las 7:00 a.m. - 7:00 p.m. el sábado 1 de mayo de 2021 para votar en la Ciudad de Austin (COA) Municipal Elección Especial. La votación anticipada en persona se llevará a cabo desde el lunes 19 de abril de 2021 hasta el martes 27 de abril de 2021.)

Proposition A: Shall the City Charter be amended to give the Austin Firefighters Association, Local 975 of the International Association of Fire Fighters, the authority to require the City to participate in binding arbitration on all issues in dispute with the Association if the City and the Association reach impasse in collective bargaining negotiations? Fiscal Impact: Given the current low interest rate environment, a ratings downgrade is estimated to result in a 3 to 5 basis point increase in future borrowing costs which equates to \$315,000 to \$525,000 in additional interest payments per \$100 million general obligation debt issuance.

Proposition B: Shall an ordinance be adopted that would create a criminal offense and a penalty for sitting or lying down on a public sidewalk or sleeping outdoors in and near the Downtown area and the area around the University of Texas campus; create a criminal offense and penalty for solicitation, defined as requesting money or another thing of value, at specific hours and locations or for solicitation in a public area that is deemed aggressive in manner; create a criminal offense and penalty for camping in any public area not designated by the Parks and Recreation Department? Fiscal Impact: No anticipated fiscal impact.

Proposition C: Shall the City Charter be amended to allow for a Director of Police Oversight to be appointed or removed in a manner established by City Council ordinance, with duties that include the responsibility to ensure transparency and accountability as it relates to policing? Fiscal Impact: No anticipated fiscal impact.

Proposition D: Shall the City Charter be amended to transition the election for mayor from gubernatorial election years to presidential election years, providing that the mayor elected in 2022 will serve a 2-year term and then mayoral elections will occur on the same date as presidential elections starting in 2024? Fiscal Impact: No anticipated fiscal impact.

Proposition E: Shall the City Charter be amended to provide for the use of ranked choice voting in city elections, if such voting is permitted by state law? Fiscal Impact: It is difficult to provide an adequate estimate on the fiscal impact or ranked choice voting as ranked choice voting is not currently used as a voting system in Texas. Anticipated fiscal increase due to additional staff, equipment, and programming costs may be offset by cost savings due to not holding a runoff election.

Proposition F: Shall the City Charter be amended to change the form of city government from "council-manager" to "strong mayor-council", which will eliminate the position of professional city manager and designate an elected mayor as the chief administrative and executive officer of the city with veto power over all legislation which includes the budget, and with sole authority to hire and fire most department heads and direct staff, and with no articulated or stated charter authority to require the mayor to implement Council decisions. Fiscal Impact: It is likely that this action will not have a fiscal impact, or the impact will be negligible. In other strong mayor-council jurisdictions, the City Manager position is replaced with a City Administrator.

Proposition G: Shall the City Charter be amended to provide for an additional geographic council district which will result in 11 council members elected from single member districts? Fiscal Impact: The operating cost for an additional Council office would be \$516,103, one-time capital expenditures of approximately \$125,000 to accommodate an additional suite of offices, and annual rent for the displaced City Hall occupant would be approximately \$60,000.

Proposition H: Shall the City Charter be amended to adopt a public campaign finance program, which requires the city clerk to provide up to two \$25 vouchers to every registered voter who may contribute them to candidates for city office who meet the program requirements? Fiscal Impact: The annual cost is estimated at \$2.3 million, and an additional one-time cost of \$750,000 for the development and implementation of the online voucher system and portal.

For more information on the fiscal impact relating to all Charter amendments please visit: <http://austintexas.gov/page/election-2021>

If **Proposition A** is approved by the majority of voters voting at the election, Article IX (Personnel) of the City Charter is amended to add Section 7, to read as follows:

ARTICLE IX. - PERSONNEL.

§ 7. - COLLECTIVE BARGAINING IMPASSE.

If the City and the Austin Firefighters Association, Local 975 of the International Association of Fire Fighters, have reached an impasse regarding the negotiation of a collective bargaining agreement, pursuant to Texas Local Government Code § 174.152:

- Either the City or the Association, after written notice to the other party containing specifications of the issues in dispute, may request arbitration and, in such event, the City and the Association shall submit all issues in dispute to arbitration within 45 days of receipt of the requesting party's written arbitration request. The arbitration ruling shall be final, binding, and enforceable against both parties.
- Both parties shall select one arbitrator within 5 days of the original written request to arbitrate and provide written notification to the other party of the name and contact information for the selected arbitrator. The selected arbitrators shall attempt to select a third (neutral) arbitrator within 10 days of their selection in order to form a three-person Arbitration Board. If the arbitrators are unable to agree on a third arbitrator, the parties shall request a nationwide list of 9 qualified neutral arbitrators from the American Arbitration Association. The parties or their designees may agree on one of the 9 neutral arbitrators on the list. If they do not agree within 5 days after the date they receive the list, each party or the party's designee shall alternate striking a name from the list, and the name remaining is the third arbitrator. The third arbitrator shall preside over the Board. Any decisions made by the Board at any stage of the arbitration process will be determined by simple majority vote of the selected arbitrators.
- Arbitration shall be conducted by the City and the Association pursuant to the procedures, timelines, duties, requirements, and rights as set forth in Texas Local Government Code §§ 174.153, 174.157-174.162, 174.164, and 174.253, or any successor to these statutory provisions.
- In making its decision, the Board may consider only the following:
 - the history of collective bargaining agreements and negotiations between the parties;
 - compensation and conditions of employment that prevail in comparable public sector employment in other cities;
 - the rate of increase or decrease in the cost of living for the Austin area as determined by the Consumer Price Index (CPI-W), adjusted as necessary to account for housing and tax costs in the Austin area and other relevant local factors;
 - any of the following conditions:
 - hazards of employment,
 - physical qualifications,
 - educational qualifications,
 - mental qualifications,
 - job training,
 - skills,
 - employee morale, and
 - any other factors the Board determines to be relevant to the issues raised by the parties; and
 - revenues available to and contractual obligations of the City and the impact of any arbitration ruling on the taxpayers of the City.

If **Proposition B** is approved by a majority of voters voting at the election, the City Code is amended as indicated below, with the Purpose appearing before Section 9-4-11 of the City Code, and the Effectiveness and Severability appearing after Section 9-4-14 of the City Code:

Part 1. Purpose

On June 30, 2019, the Austin City Council amended provisions of the Austin City Code relating to camping and solicitation in public areas of Austin and to sitting or lying down on public sidewalks or sleeping outdoors in certain downtown areas of the city. These provisions had long been effective in maintaining safety and order throughout the city. Since and as a result of the adoption of the amended provisions, and the adoption of further amendments by the City Council, Austin has been plagued by threats to public health and safety, as camping and sleeping outdoors, sitting or lying down on public sidewalks, and solicitation during the evening and nighttime hours have expanded dramatically, notwithstanding the fact that Austin has shelters and other facilities that do not reach maximum capacity and that are available to individuals as an alternative to such

be appointed and may be removed as provided by ordinance. The director provided by ordinance, including the responsibility to ensure transparency.

If **Proposition D** is approved by the majority of voters voting at the election

ARTICLE IX. - ELECTIONS.

§ 2. - ELECTION DATE; COUNCIL TERMS; ELECTION BY MAJORITY AN

(E) This paragraph provides for a transition from elections for mayor or with a presidential election to even-numbered years that do coincide a paragraph, and after the transition as prescribed in this paragraph, the

- The term of the mayor elected in the November 2022 general.
- A general election shall be held for mayor in November 2024.

If **Proposition E** is approved by the majority of voters voting at the election

ARTICLE IX. - ELECTIONS.

§ 9. - RANKED CHOICE VOTING

(A) This section shall be operative provided it is not in conflict with the

(B) To the extent of any conflict with other provisions of this Charter, in

(C) For the purposes of this section, the following terms have the following

- Batch elimination. The term "batch elimination" means the an election is mathematically impossible.
 - Continuing ballot. The term "continuing ballot" means a ballot
 - Continuing candidate. The term "continuing candidate" means
 - Election is mathematically impossible. The term "election is not possible" means because such candidate's vote total in a no to such candidate in future rounds from candidates who receive enough to surpass that of the candidate with the next highest
 - Inactive ballot. The term "inactive ballot" means a ballot in which ballot that assigns equal rank to two or more candidates and all to two or more candidates are eliminated.
 - Highest rank. The term "highest rank" refers to the highest rank number 3, rank number 4, or rank number 5.
 - Last place candidate. The term "last place candidate" means round.
 - Rank. The term "rank" means the number assigned on a ballot preference for that candidate. Rank number 1 is the highest and so on.
 - Ranked choice election. The term "ranked choice election" means
 - Ranked choice office. The term "ranked choice office" means
- (D) The provisions of this section shall apply to ranked choice election choice office.
- (E) All candidates in a ranked choice election shall be listed on the candidate for each office, inclusive of any write-in candidate, per fewer than five candidates on the ballot for such office, in which number of such candidates for such office inclusive of any write-in
- (F) For all ranked choice elections, the following tabulation procedures
- If a candidate receives a majority of highest rank votes, that candidate
 - If no candidate receives a majority of highest rank votes, the number of votes for each continuing candidate shall be counted its highest ranked continuing candidate for that round, and the candidate. A round ends with one of the following outcomes:
 - If there are more than two continuing candidates, the candidate
 - If there are more than two continuing candidates, a new round shall begin; provided, however, that batch elimination of the last place candidate, unless such candidate, in which case no such batch elimination.
 - A tie between two or more candidates shall be resolved in accordance with the provisions of this section.

If **Proposition F** is approved by the majority of voters voting at the election

ARTICLE I. - INCORPORATION, FORM OF GOVERNMENT, POWERS.

§ 2. - FORM OF GOVERNMENT.

The municipal government provided by this Charter shall be government ("mayor-council government"). Pursuant to the provisions of, state constitution, the state laws, and this Charter, all powers of the city shall hereinafter referred to as "the council," which shall be the legislative body of the city, and the mayor, (appointed the city manager) who shall execute the laws.

§ 5. - STREET DEVELOPMENT AND IMPROVEMENT.

The city shall have the power to develop and improve, or cause streets, sidewalks, alleys, highways, and other public ways within the city, including widening, straightening, extending and establishing building line property therefor; by filling, grading, raising, lowering, paving, repaving and by constructing, reconstructing, altering, repairing, and resigning or appurtenances and incidentals in connection with such development and in any one or more of the kinds or classes of development and improvement thereof. The cost of such development and improvement shall be paid by the levied against the property abutting thereon and the owners thereof, and is under any procedure now or hereafter permitted by state law.

If improvements be ordered constructed in any part of the area turnouts and switches, and two feet on each side thereof, of any railroad portion or portions thereof, ordered improved, then the city council shall its improvements in such area against such railroad, and shall have power, by and its road-bed, ties, rails, fixtures, rights and franchises, which tax shall claim except state, county, and city ad valorem taxes, and which may be provided by law for the collection of ad valorem taxes by the city, or by suit such tax shall prescribe the time, terms and conditions of payment thereof, per annum, and same, if not paid when due, shall be collectible, together with attorney's fees, if incurred. The city council shall have power, by ordinance evidence of any such assessments.

As an alternate and cumulative method of developing, improving, or highways, and other public ways within the corporate limits, the city shall be with Chapter 105, page 488, Acts 1927, Forfeiture Legislation, First Called S and specifications pursuant thereto. To pay to the contractor, the success be assessed against the abutting property and the owners thereof, to re by levying assessments against the abutting property and the owners the aforesaid statutes, in an amount permitted by said statutes and not in so occasioned by the improvements; and to issue assignable certificates in full to be enforceable in the manner prescribed by the aforesaid statutes. The

INITIATIVE ELECTION ION DE INICIATIVA CIUDADANA)

Y, MAY 1, 2021
DE MAYO DE 2021)

I – TUESDAY, APRIL 27, 2021
2021 – MARTES, 27 DE ABRIL DE 2021)
J DE AUSTIN)

shall have such duties, responsibilities, and staff as
and accountability as it relates to polling.
the City Charter is amended to read as follows:

D RUN-OFF ELECTIONS.

runoff in even-numbered years that do not coincide
with a presidential election. Except as provided in this
regular term of the mayor is four years.

election is two years,
marking the end of the transition period.

the City Charter is amended to read as follows:

state constitution or the state laws.

is section controls.

and meanings:

mutaneous elimination of multiple candidates whose

that is not an inactive ballot.

any candidate who has not been eliminated.
thematically impossible" applies to a candidate who
and, plus all votes that could possibly be transferred
ed a lower or an equal number of votes, would not be
vote total in such round.

ch all ranked candidates have been eliminated, or a
l candidates with higher ranks than the rank assigned

whether that be rank number 1, rank number 2, rank

s a continuing candidate with the fewest votes in a

lot by a voter to a candidate to express the voter's
ranking, rank number 2 is the next highest ranking.

ens any election for a ranked choice office.

s the offices of mayor and council member
ons. No runoff election shall be held for any ranked

ballot. The ballot shall permit a voter to rank five
ted by law, in order of preference, unless there are
case the ballot shall permit a voter to rank the total
candidate permitted by law.

apply:

andidate shall be elected.

ulation shall proceed in rounds. In each round, the
ad each continuing ballot shall count as one vote for
active ballots shall not be counted for any continuing

with the most votes shall be elected.

the last place candidate shall be eliminated and a
ch elimination shall occur at the same time as such
batch elimination would result in only one continuing
shall occur.

ordance with the election law.

the City Charter is amended to read as follows:

be, and shall be known as, Personnel-manager
subject only to the limitations imposed by the
all be vested in and exercised by an elective council,
the city (enact legislation, adopt budgets, determine
and administer the government of the city.

to be developed and improved, any and all public
corporate limits of the city by laying out, opening,
as along the same, by purchasing, condemning, and
ing, and repairing, in a permanent manner, the same;
rbs, gutters, drains, sidewalks, culverts, and other
provements. The city may make or cause to be made
authorized hereinafter, or any combination of parts
e city, or partly by the city and partly by assessments
uch assessments may be levied in any amounts and

a between and under rails, tracks, double-tracks,
y using, occupying, or crossing any such highways,
ve power, by ordinance, to assess the whole cost of
r ordinance, to levy a special tax upon such railway,
constitute a lien thereon superior to any other lien or
rforced either by sale of said property in the manner
n any court having jurisdiction. The ordinance levying
and the rate of interest, not to exceed eight percent
in interest, to expenses of collection and reasonable
ss, to cause to be issued assignable certificates in

id paving any and all public streets, sidewalks, alleys,
ve the power and authority to proceed in accordance
ssion, as now or hereafter amended, to adopt plans
d order, in cash, that part of the cost which may
emburse itself for the amount paid such contractor
neof, after the hearing and notice prescribed in the
ases of the enhancement in value of such property
or of the city for such assessments, said certificates
ch shall likewise have the power to make any such

reside in the City of Austin and who meet the requirements of subdivision 3(A)(5) above, in a manner that promotes a
large pool of applicants and applicant diversity by race, ethnicity, gender, and geography. This process shall remain
open until February 1, 2013 and thereafter until September 1 in each year ending in the number zero.

(3) The City of Austin Auditor shall remove from the commissioner or independent auditor applicant pool any person
with conflicts of interest including:

(a) Within the five years immediately preceding the date of application, either the applicant or their spouse, shall
have done any of the following:

(i) been appointed to, elected to, or have been a candidate for state or city office.

(ii) served as an officer, employee, or paid consultant of a political party or of the campaign committee of a
candidate for elective state, county or city office.

(iii) been a registered state or local lobbyist.

(iv) contributed or bundled \$1,000 or more in aggregate to candidates for City of Austin elective office in
the last city election.

(b) A person who has been, within the three years immediately preceding the date of application: a paid employee
of the City of Austin; person performing paid services under a professional or political contract to the City of
Austin, to the city council, [see] to any member of the city council, or to the mayor; any controlling person of any
such consultant; or a spouse of any of the foregoing.

(4) No later than February 15, 2013, and no later than October 1 in each year ending in the number zero, the City Auditor
shall review the auditor review panel applicants and remove those who do not meet the prescribed qualifications in
subdivision 3(A)(5) or have conflicts of interest as defined by subdivision 3(B)(1). No later than February 15, 2013, and
no later than October 1 in each year ending in the number zero, the City Auditor shall at a public meeting randomly
draw the names of three qualified independent auditors from a pool consisting of all qualified independent auditors,
without conflicts of interest, that have applied to serve on the Applicant Review Panel. After the drawing, the City
Auditor shall notify the three qualified independent auditors whose names have been drawn that they have been
selected to serve on the panel. If any of the three qualified independent auditors declines to serve on the panel or is
disqualified because of any conflict of interest prescribed above in subdivision 3(B)(2), the City Auditor shall resume
the random drawing at a public meeting as soon as possible until three qualified independent auditors who meet
the requirements of this section have agreed to serve on the panel.

(5) No later than March 1, 2013, and thereafter no later than October 31 in each year ending in the number zero, the City
Auditor shall have reviewed and removed individuals with conflicts of interest, as defined in subdivision 3(B)(3), or who
fail to meet the qualification prescribed in subdivision 3(B)(1), from among the commission applicants, and then shall
publicize the names in the applicant pool and provide copies of their applications to the Applicant Review Panel.

(6) No later than May 1, 2013, and thereafter by January 15 in each year ending in the number one, the Applicant
Review Panel shall select a pool of 60 applicants from among the qualified applicants. These persons shall be the
most qualified applicants on the basis of relevant analytical skills, ability to be impartial, residency in various parts
of the city, and appreciation for the City of Austin's diverse demographics and geography. The members of the
Applicant Review Panel shall not communicate directly or indirectly with any elected member of the city council, or
their representatives, about any matter related to the nomination process or any applicant prior to the presentation
by the panel of the pool of recommended applicants to the city council.

(7) No later than May 2, 2013, and by January 15 in each year ending in the number one thereafter, the Applicant Review
Panel shall submit its pool of 60 recommended applicants to the city council. Each member of the city council within
five days in writing may strike up to one applicant from the pool of applicants. No reason need be given for a strike.
Any applicant struck by any member of the city council must be removed from the pool of applicants. No later than
May 8, 2013, and thereafter by January 22 in each year ending in one, the Applicant Review Panel shall submit the
pool of remaining applicants to the City Auditor.

(8) No later than May 9, 2013 and thereafter by January 23 in each year ending in the number one, the City Auditor
shall randomly draw at a public meeting eight names from the remaining pool of applicants. These eight individuals
shall serve on the commission.

(9) No later than June 30, 2013, and thereafter by February 28 in each year ending in the number one, the eight
commissioners shall review the remaining names in the pool of applicants and, from the remaining applicants
in that pool, shall appoint six applicants to the commission. These six appointees must be approved by at least
five affirmative votes among the eight commissioners. These six appointees shall be chosen to ensure that the
commission reflects the diversity of the City of Austin, including, but not limited to, racial, ethnic, and gender
diversity. However, it is not intended that formulas or specific ratios be applied for this purpose. Applicants shall
also be chosen based on relevant analytical skills and ability to be impartial. As for geographic diversity, for the
first redistricting in 2013, the eight commissioners shall appoint the remaining six members to ensure geographic
diversity and that at least three commissioners come from each of the four existing Travis County Commissioners
precincts, to the extent feasible with the remaining six open seats. As for the redistricting in each year ending in the
number one thereafter, the eight commissioners shall ensure that at least one commissioner member resides in each
of the then current council districts, to the extent feasible with the remaining six open seats.

(10) Once constituted, the commission shall conduct hearings and adopt a plan for the boundaries of the city's council
districts as required by the Charter of the City of Austin.

(J) Citizens Redistricting Commission Vacancy, Removal, Resignation, or Absence.

(1) In the event of substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office,
a member of the commission, having been served written notice and provided with an opportunity for a response,
may be removed by a vote of 10 of the commissioners.

(2) Any vacancy, whether created by removal, resignation, or absence, in the 14 commission positions shall be filled by
the commission within 15 days after the vacancy occurs, from the remaining pool of applicants and in compliance
with the applicant requirements of subdivision 3(B)(8). Nine members must agree to any appointment.

(K) The activities of the commission are subject to all of the following:

(1) the commission shall comply with all state and city requirements for open meetings.

(2) the records of the commission and all data considered by the commission are public records that will be made
available in a manner that ensures immediate and widespread public access.

(3) commission members and commission staff may not communicate with or receive communications about
redistricting matters from anyone outside of a public hearing. This paragraph does not prohibit communication
between commission members, commission staff (which shall exclude staff of any council members or of the
mayor), legal counsel, and consultants retained by the commission that is otherwise permitted by state and city
open meeting requirements.

(4) the commission shall select one of its members to serve as the chair and one to serve as vice chair. The chair and
vice chair shall remain voting members of the commission.

(5) the commission shall hire commission staff, legal counsel, and consultants as needed; provided, however, that
compensation of such persons shall be limited to the period in which the commission is active. The commission
shall establish clear criteria for the hiring and removal of these individuals, communication protocols, and a code
of conduct. The commission shall apply the conflicts of interest listed in subdivision 3(B)(3) to the hiring of staff,
legal counsel, and consultants. The commission shall require that at least one of the legal counsel hired by the
commission has demonstrated extensive experience and expertise in implementation and enforcement of the
federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 and following). The commission shall make hiring, removal,
or contracting decisions on staff, legal counsel, and consultants by nine or more affirmative votes.

(6) notwithstanding any other provision of law, no employer shall discharge, threaten to discharge, intimidate, coerce,
or retaliate against any employee by reason of such employee's membership on the commission or attendance or
scheduled attendance at any meeting of the commission.

(7) the commission shall establish and implement an open hearing process for public input and deliberation that
shall be subject to public notice and promoted through an extensive outreach program to solicit broad public
participation in the redistricting public review process. The hearing process shall begin with hearings to receive
public input before the commission votes and approves a preliminary redistricting plan. In 2013, there shall be
at least two such public hearings, before the commission votes on a preliminary plan, in each of the four Travis
County Commissioner precincts, and in each year ending in the number one thereafter, there shall be at least one
such public hearing, before the commission votes on a preliminary redistricting plan in each of the then existing 10
council districts. In addition, these hearings shall be supplemented with all other appropriate activities to further
increase opportunities for the public to observe and participate in the review process. Following the commission's

actions. The purpose of this ordinance is to restore generally the provisions of the Austin City Code that were in effect on June 19, 2019 prior to the City Council's action, expand the area in which solicitation is prohibited during the evening and nighttime hours, and modify the boundaries of the geographic area to which the ordinance applies to encompass the area that contains the campus of The University of Texas at Austin and areas where many students at the university and through which they must move to travel to and from the campus. This will return to the effective system of management and control of the city which these provisions promoted and secured.

Part 2, Subsection (B) of Section 9-4-11 of the Austin City Code is hereby repealed and replaced with the following:

§ 9-4-11 CAMPING IN PUBLIC AREA PROHIBITED

(B) Except as provided in Subsection (D), a person commits an offense if the person camps in a public area that is not designated as a camping area by the Parks and Recreation Department.

Part 3, Section 9-4-13 of the Austin City Code is hereby repealed and replaced with the following:

§ 9-4-13 SOLICITATION

(A) The council finds that:

- (1) Aggressive solicitation is disturbing and disruptive to residents and businesses and contributes to the loss of access to and enjoyment of public places and to a sense of fear, intimidation and disorder.
- (2) Aggressive solicitation includes, approaching or following pedestrians, repetitive soliciting despite refusals, the use of abusive or profane language to cause fear and intimidation, unwanted physical contact, or the intentional blocking of pedestrian and vehicular traffic.
- (3) The presence of individuals who solicit money from persons at or near banks, automated teller machines, public transportation facilities, and crosswalks is especially troublesome because of the enhanced fear of crime in a place that is confined, difficult to avoid, or where a person might find it necessary to wait.
- (4) This section is intended to protect citizens from the fear and intimidation accompanying certain kinds of solicitation, and not to limit a constitutionally protected activity.

(B) In this section:

(1) **AGGRESSIVE MANNER** means:

- a. intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation without the person's consent;
- b. following the person being solicited, if that conduct is:
 - i. intended to or likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
 - ii. intended to or reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation;
- c. continuing to solicit a person within five feet of the person being solicited after the person has made a negative response;
- d. intentionally or recklessly blocking the safe or free passage of the person being solicited or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitation;
- e. using obscene or abusive language or gestures toward the person being solicited;
- f. approaching the person being solicited in a manner that:
 - i. is intended to or likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
 - ii. is intended to or reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.

(2) **AUTOMATED TELLER MACHINE** means a device, linked to a bank's account records, which is able to carry out banking transactions.

(3) **AUTOMATED TELLER FACILITY** means the area comprised of one or more automatic teller machines, and any adjacent space that is made available to banking customers.

(4) **BANK** includes a bank, savings bank, savings and loan association, credit union, trust company, or similar financial institution.

(5) **BUS** means a vehicle operated by a transit authority for public transportation.

(6) **CHECK CASHING BUSINESS** means a person in the business of cashing checks, drafts, or money orders for consideration.

(7) **PUBLIC AREA** means an outdoor area to which the public has access and includes, but is not limited to, a sidewalk, street, highway, park, parking lot, alleyway, pedestrian way, or the common area of a school, hospital, apartment house, office building, transport facility, or shop.

(8) **SOLICIT** means to request, by the spoken, written, or printed word, or by other means of communication an immediate donation or transfer of money or other thing of value from another person, regardless of the solicitor's purpose or intended use of the money or other thing of value, and regardless of whether consideration is offered.

(C) A person commits an offense if the person solicits:

- (1) in an aggressive manner in a public area;
- (2) in a bus, at a bus station or stop, or at a facility operated by a transportation authority for passengers;
- (3) within 25 feet of:
 - a. an automated teller facility;
 - b. the entrance or exit of a bank; or
 - c. the entrance or exit of a check cashing business;
- (4) at a marked crosswalk;
- (5) on either side of the street on a block where a school attended by minors or a child care facility has an entrance or exit;
- (6) at a sidewalk cafe authorized under Chapter 14-4 (Sidewalk Cafes) or the patio area of a bar or restaurant; or
- (7) within the boundaries of the City of Austin between 7:00 p.m. and 7:00 a.m.

(D) A culpable mental state is not required, and need not be proven, for an offense under this Chapter Subsection (C) (2), (3), or (4).

(E) This section is not intended to proscribe a demand for payment for services rendered or goods delivered.

Part 4, Section 9-4-14 of the Austin City Code is hereby repealed and replaced with the following:

§ 9-4-14 SITTING OR LYING DOWN ON PUBLIC SIDEWALKS OR SLEEPING OUTDOORS IN THE DOWNTOWN AUSTIN COMMUNITY COURT AREA PROHIBITED

(A) **DISABILITY** means having a physical or mental impairment which substantially limits one or more major life activities.

(1) **PHYSICAL OR MENTAL IMPAIRMENT** means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(2) **MAJOR LIFE ACTIVITIES** means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, learning, breathing and working.

(B) The council finds that the City has a compelling interest in:

- (1) encouraging and preserving a vital, pedestrian-friendly urban core;
- (2) assuring that the urban core remains accessible to individuals with disabilities and compliant with the provisions of the Americans with Disabilities Act;
- (3) promoting tourism and business in the central business district;
- (4) preserving the quality of urban life and in protecting its citizens from intimidating behavior; and
- (5) encouraging businesses and neighborhoods in the central city where walking is a realistic alternative to vehicles that use fossil fuels.

(C) The council finds that in areas with high pedestrian traffic and a high incidence of petty crime related to public disorder, individuals sitting or lying in the pedestrian right-of-way:

- (1) contribute to a sense of fear, intimidation, and disorder;
- (2) are disruptive to residents, businesses, and customers;
- (3) discourage, block, or inhibit the free passage of pedestrians; and
- (4) contribute to the loss of access to and enjoyment of public places.

(D) This section applies in the following area, including the streets and pedestrian rights-of-way that bound the area, but does not apply on the campus of the University of Texas:

- (1) beginning at the intersection of 30th Street (West) and Lamar Boulevard (North);
- (2) south on Lamar Boulevard (North) to the north shore of Lady Bird Lake;
- (3) east along the north shore of Lady Bird Lake to the point directly south of the curve at the intersection of Jesse E. Segovia Street and Robert Martinez, Jr. Street;
- (4) north to the curve at the intersection of Jesse E. Segovia Street and Robert Martinez, Jr. Street;
- (5) west along Jesse E. Segovia Street to the intersection of Chicon Street;
- (6) north on Chicon Street to the intersection of Seventh Street (East);
- (7) west on Seventh Street (East) to the IH-35 East Frontage Road;
- (8) north on the IH-35 East Frontage Road to the intersection of 14th Street (East);
- (9) east on 14th Street (East) to the boundary of Oakwood Cemetery;
- (10) south and east along the boundary of Oakwood Cemetery to Leona Street;
- (11) north on Leona Street to the intersection of Manor Road;
- (12) east on Manor Road to the intersection of Dean Keeton Street (East);
- (13) west on Dean Keeton Street (East) to the intersection of Red River Street;
- (14) north on Red River Street to the intersection of 38th Street (East);
- (15) west on 38th Street (East and West) to the intersection of Guadalupe Street;
- (16) south on Guadalupe Street to the intersection of 30th Street (West); and
- (17) west on 30th Street (West) to the intersection of Lamar Boulevard (North), the place of beginning.

(E) A person commits an offense if, after having been notified by a law enforcement officer that the conduct violates this section:

- (1) the person is asleep outdoors; or
- (2) the person sits or lies down in the right-of-way between the roadway and the abutting property line or structure, or an object placed in that area.

(F) This section does not apply to a person who:

- (1) sits or lies down because of a medical emergency;

development, improvement or paving with its own forces if, in the opinion expended or economically, and in such event the city shall have the power in the same amount and in the same manner as if the work had been performed.

§ 7.-LIMITED PURPOSE ANNEXATION.

In addition to the power to annex additional territory for all purpose after, and extend the corporate boundary limits of the city for the limited purpose annex for such limited purposes additional territory lying adjacent to the city or inhabitants of such annexed territory; provided, however, that no such corporate boundary limits enclosing the territory which is a part of the city are now or may hereafter be established shall be annexed for any limited purpose for such limited purposes are not coterminous with the corporate limits of the city for all purposes, such boundary limits of the limited purpose territory shall be annexed by which territory is to be annexed to the city for all purposes for which it is being annexed, and shall be published one time in the form in which it is to be finally adopted, not less than 30 days prior to

When any additional territory has been annexed for said limited purpose or purposes only. However, in dealing with the proper power which it otherwise possesses and which a reasonable and expedient purposes for which such property is annexed, and the power of the city to purpose territory shall include the powers enumerated in the next two sections. With regard to territory annexed for the limited purpose of planning regulate the use of property and the density of structures, to require comp and regulate the subdivision of property and to control and regulate the care for the limited purpose or purposes of health or safety, the city shall have the to health and safety and to require compliance with such regulations. Every purposes, who is otherwise qualified, shall be entitled to vote in city election recall of the mayor or a city council member or the amendment of this Charter of the city in connection with any ordinance, regulation, or action w his or her property because of such limited purpose annexation, but will no The city shall have no power to levy any tax for municipal purposes on either for limited purpose or purposes, and no funds of the city shall be spent in a for the accomplishment of the limited purpose or purposes for which the charges from property owners and inhabitants of such territory for service limited purpose or purposes for which the territory is annexed.

§ 8.-TRANSITION.

(A) This section provides for a transition from the "council-manager go

(B) The charter amendments related to the transition shall take effect elected in the November 2022 general election.

ARTICLE II.-THE COUNCIL.

§ 1.-COUNCIL MEMBERSHIP.

(A) The council shall be composed of:

(1) [1] a mayor elected from the city-at-large ward;

(2) [2] 10 council members elected from single-member districts.

(B) [The term "council member" includes the mayor unless otherwise

(C) [The independent citizens redistricting commission, as presently the city into 10 geographical council districts for the election of each council district by a number or by other designation.

§ 2.-ELIGIBILITY OF COUNCIL MEMBERS.

(A) [A candidate for mayor must meet all eligibility requirements of state for 12 months and in the city for six months immediately preceding application for a place on the ballot; if the mayor ceases to reside

(B) [A candidate for city council from a council district must meet all resided continuously in the state for 12 months and in the council for six months immediately preceding the regular filing deadline to ballot. If a council member elected from a council district ceases to were drawn at the time of the council member's election, the cou

§ 3.-REDISTRICTING.

(A) For purposes of this section, the following terms are defined.

(1) **COMMISSION** means the Independent Citizens Redistricting I

(2) **CONTROLLING PERSON** means an officer, director, manager, 10% ownership of a legal entity.

(3) **DAY** means a calendar day, except that if the final day of a Saturday, Sunday, or holiday in which the City of Austin's office that is not a Saturday, Sunday, or holiday in which the City of

(4) **PANEL** means the Applicant Review Panel of three qualified the commission.

(5) **QUALIFIED INDEPENDENT AUDITOR** means an auditor who Accountancy and has been a practicing independent auditor Applicant Review Panel.

(6) **SPOUSE** means one's licensed marriage spouse, common law

(7) **SUBSTANTIAL NEGLIGENCE OF DUTY** means that an individual, this section, intentionally, knowingly, or negligently, Missing h constitutes a substantial neglect of duty.

(B) In 2013 and thereafter, in each year following the year in which Congress, at the beginning of each decade, the commission shall districts in conformance with the standards and process set forth in no later than July 1, 2013, and thereafter no later than March 1 in shall not draw district lines at any other time, except if the dism invalidating the then existing district plan, in whole or in part, or the city election is moved, then the dates in this article shall be adjust draw the lines prior to the election date.

(C) The commission shall:

- (1) conduct an open and transparent process enabling full public district lines;
- (2) draw district lines according to the redistricting criteria speci;
- (3) conduct themselves with integrity and fairness. This selection independent from influence by the city council and is rational

(D) The commission shall consist of 14 members.

- (1) Each commission member shall be a voter who has been c or more years immediately preceding the date of his or her a student member described below, shall have voted in at least immediately preceding his or her application. One commis community college or university in the City of Austin and who;
- (2) The term of office of each member of the commission expir succeeding commission in the year following the year in which
- (3) Nine members of the commission shall constitute a quorum. N official action, including approval of a final plan establishing th
- (4) Each commission member shall apply this section in a manner in the integrity of the redistricting process. A commission r beginning from the date of appointment, to hold elective pi commission shall be ineligible, for a period of three years begin public office for the City of Austin, to serve as paid staff for a council, [every member of the city council or the mayor, or for of Austin. This three year ban on having a paid consultancy c the member individually and all entities for which the member

(E) The commission shall establish the boundaries of the council distri criteria as set forth in the following order of priority:

- (1) districts shall comply with the United States Constitution, population with other districts, except where deviation is re or is allowable by law;
- (2) shall comply with the federal Voting Rights Act (52 U.S.C. S. of federal or state law;
- (3) districts shall be geographically contiguous;
- (4) the geographic integrity of any local neighborhood or local or that minimizes their division to the extent possible withou subdivisions. A community of interest is a contiguous populatio that should be included within a single district; for purposes of interest shall not include relationships with political parties, inc
- (5) to the extent practicable, district boundaries shall be drawn nearby areas of population are not bypassed for more distant
- (6) to the extent practicable, district boundaries shall be drawn us
- (7) to the extent practicable, district boundaries shall be drawn us

(F) The place of residence of any incumbent or potential political candi or any district. Districts shall not be drawn for the purpose of favor candidate, or political group.

(G) By December 1, 2013, and thereafter on November 1 in each year a

of the journal mayor, the work can be done more
to reimburse itself for the cost of such improvement
made by a successful bidding contractor.

6. the city shall have the power, by ordinance, to fix
rules of planning, zoning, health, and safety and to
y, with or without the consent of the property owners
territory which lies farther than five miles from the
for all purposes, as those corporate boundary limits
purpose or purposes. Whenever the boundary limits
boundary limits enclosing the territory which a part
nity shall be known as "Limited Purpose Boundary
ited purposes shall state clearly the limited purpose
in a newspaper of general circulation in the city and
its final passage.

urpose or purposes, it shall be a part of the city for
ity and inhabitants thereof, the city shall have every
nt for the accomplishment of the limited purpose or
deal with the property and inhabitants of such limited
eading sentences but shall not be limited or restricted
or zoning, the city shall have the power to control and
fence with reasonable coming regulations, to control
struction of buildings. With regard to territory annexed
power to adopt all reasonable regulations pertaining
inhabitant of territory annexed for limited purpose or
as on every issue where the question is the election or
ter, and every such inhabitant shall be deemed to be
rich is, or is alleged to be, applicable to him or her or
t be eligible to run for any office in the City of Austin,
in the property or the inhabitants of territory annexed
upn territory except where reasonable and expedient
nity is annexed; but the city may collect reasonable
s rendered by the city in the accomplishment of the

vement," to the "mayor-council government,"
upon the commencement of the term of the mayor

se provided;

ed below in Section 3, shall be empowered to divide
f council members. The commission shall designate

view and must have resided continuously in the state
g the regular filing deadline for a mayoral candidate's
in the city, the mayor automatically resigns;

eligibility requirements of state law and must have
it district from which the member is seeking election
r a council candidate's application for a place on the
s reside in the district as the boundaries of the district
oll member automatically resigns.

Commission
principal, or shareholder or member owning at least

period within which an act is to be performed is a
es are closed, the period is extended to the next day
Austin's offices are closed.

1. independent auditors that screens applicants for

is currently licensed by the Texas Board of Public
or for at least five years prior to appointment to the

s spouse, or recognized domestic partner,
all has disregarded a manifest duty, prescribed by
al or more of the meetings in a three month period

the national census is taken under the direction of
adjust the boundary lines of the 10 single-member
this article. The commission shall be fully established
each year ending in the number (1). The commission
ds must be redrawn because of a judicial decision
a date of the city election is moved. If the date of the
ted to ensure the commission has sufficient time to

c consideration of and comment on the drawing of
ed in this section; and
process is designed to produce a commission that is
dy representative of this city's diversity.

continuously registered in the City of Austin for two
appointment. Each commission member, except the
three of the last five city of Austin general elections
son member shall be a student duly enrolled in a
resides and is registered to vote in the City of Austin,
is upon the appointment of the first member of the
the national census is taken.

ine or more affirmative votes shall be required for any
e boundaries of any council district
that is impartial and that reinforces public confidence
member shall be ineligible for a period of 10 years
blic office for the City of Austin. A member of the
ring from the date of appointment, to hold appointive
as a paid consultant to, the City of Austin, the city
veive a non-competitively bid contract with the City
r entering non-competitively bid contracts applies to
is a controlling person.

cts for the City of Austin in a plan using the following

Each council district shall have reasonably equal
guaranteed to comply with the federal Voting Rights Act

ac: 10101 and following) and any other requirement

immunity of interest shall be respected in a manner
violating the requirements of any of the preceding
in that shares common social and economic interests
its effective and fair representation. Communities of
cumbents, or political candidates.

to encourage geographical compactness such that
populations.

ing the boundaries of existing election precincts.
ing geographically identifiable boundaries.

date shall not be considered in the creation of a plan
ing or discriminating against any incumbent, political

ation in the manner and the commission shall adopt

vote approving the preliminary plan, there shall be at least four public hearings, geographically dispersed with at
least one hearing in each of the four Travis County Commissioners' precincts and each hearing shall be held on a
different date. The commission also shall display the approved preliminary plan for written public comment in a
manner designed to achieve the widest public access reasonably possible. Written public comment shall be taken
for at least 14 days from the date of public display of the approved preliminary plan. The commission then shall vote
on a proposed final plan and then it shall hold two subsequent public hearings, one north of Lady Bird Lake and
one south of Lady Bird Lake and take at least five days of written public comments. The commission then shall be
finished with all hearings and adopt a final plan by no later than December 1, 2013, and thereafter by November 1
in each year ending in the number one.

(8) members of the commission shall not be compensated for their service; Members of the panel and the commission
are eligible for reimbursement of reasonable and necessary personal expenses incurred in connection with the
duties performed pursuant to this act.

(9) the city council shall appropriate sufficient funds to meet the operational cost of the commission and the cost of any
outreach program to solicit broad public participation in the redistricting process.

(10) the commission shall remain inactive except when necessary to comply with its duties under this ordinance and the
Charter of the City of Austin.

§ 5. TERM LIMITS.

(34) (Except as provided in subsection (C), a person may not be elected to or serve in the office of mayor for more than two
consecutive terms; and a person who has held the office of mayor for more than two years of a term to which some
other person was elected mayor may not be elected to the office of mayor more than once in succession.)

(34) (A) Except as provided in subsection (C)(8), a person may not be elected to, or serve on, the city council (in a position
other than mayor) for more than two consecutive terms, and a person who has held a position [other than mayor]
for more than two years of a term to which some other person was elected to the position may not be elected to a
position [other than mayor] more than once in succession.

(34) (B) A person subject to a term limit with respect to an office may become a candidate for the office and serve if elected
if the person's application to be a candidate for the office is accompanied by a petition requesting that the person
be authorized to be a candidate and the petition is signed by at least five per cent of the qualified voters of the
territory from which the office is elected.

§ 7. - POWERS OF THE COUNCIL.

All legislative powers and authority which are expressly or impliedly conferred on or possessed by the city shall be vested
in and exercised by the council; provided, however, that the council shall have no power to, and shall not:

(A) Sell, convey, lease, mortgage, or otherwise alienate any land which is now, or shall hereafter be, dedicated for park
purposes, unless:

(1) the qualified voters of the city shall authorize such act by adopting in a general or special election a proposition
submitting the question and setting forth the terms and conditions under which such sale, conveyance, lease,
mortgage, or other alienation is to be made; or

(2) a lease is to an independent school district, as defined by state law, for a purpose that two-thirds of the council
find is a park purpose.

(B) Sell, convey, or lease all or any substantial part of the facilities of any municipally owned public utility, provided that the
council may lease all or a substantial part of such facilities to any public agency of the State of Texas if the qualified
voters of the city authorize such lease by adopting in a general or special election a proposition submitting the question
and setting forth the terms and conditions under which such lease is to be made.

(C) Accept or admit liability in, or pay any claim for damages asserted against the city without first obtaining a written opinion
from the city attorney regarding the city's liability therein.

§ 9. [INTERFERENCE IN PERSONNEL MATTERS] REPEALED.

[Neither the council nor any of its members shall instruct or request the city manager or any of his or her subordinates
to appoint to or remove from office or employment any person except with respect to those offices which are to be filled by
appointment by the council under the provisions of this Charter. Except for the purpose of inquiry and investigation, the council
and its members shall deal with the administrative service of the city solely through the city manager and shall not give orders to
any of the manager's subordinates either publicly or privately.]

§ 10. [MAYOR AND MAYOR PRO TEM] PRESIDENT OF THE COUNCIL.

[The council member elected to and occupying the place designated "mayor" shall be the mayor of the City of Austin. At
its first meeting following each regular election of council members, the council shall, by election, designate one of its member as
president of the council [mayor pro tem], who shall serve in such capacity at the pleasure of the council. The [mayor or president of
the council] shall preside at all meetings of the council and shall be recognized as head of the city government for all ceremonial
purposes; for the purpose of receiving service of civil process; and for military purposes; but he or she shall have no regular
administrative duties. The mayor, as a member of the council, shall be entitled to vote upon all matters considered by the council,
but shall have no veto power.] The [mayor pro tem/president of the council] shall act as mayor during the absence or disability of
the mayor, and shall have power to perform every act the mayor could perform if present.

§ 11. CITY CLERK.

The council shall appoint the city clerk who shall serve at the pleasure of the council. The city clerk shall keep the records
of the council, and shall have such other duties and responsibilities as may be assigned by this Charter and by ordinance [the
council].

§ 12. MEETINGS OF THE COUNCIL.

The council shall meet in regular session at the City Hall at least once each week at such time as may be prescribed by
ordinance, unless otherwise ordered by the council for reasons to be documented in the minutes. Special meetings of the council
shall be called by the city clerk upon written request of the mayor, the president of the council, or two members of the council. All
meetings shall be open to the public except as may be authorized by the laws of the State of Texas.

§ 14. - PROCEDURE TO ENACT LEGISLATION.

The council shall legislate by ordinance only, and the enacting clause of every ordinance shall be, "BE IT ORDAINED BY
THE CITY COUNCIL OF THE CITY OF AUSTIN." Before any ordinance shall be adopted, the city attorney shall approve such
ordinance in writing or shall file with the city clerk his or her written legal objections thereto. Every ordinance passed by the
council shall, before it becomes effective, be signed by the city clerk or other person authorized by the council, and be presented
to the mayor for approval and signature. If the mayor does not approve the ordinance, the mayor shall endorse on it the date of
his presentation to him or her, and return it to the city clerk with a written statement of objections to the ordinance. The city clerk shall
endorse on the ordinance that date of its return to him or her. If the mayor does not approve or veto an ordinance in accordance
with this section within ten days after its presentation to him or her, the ordinance shall be effective as if signed by the mayor. The
city clerk shall present the ordinance, with the objections of the mayor, at the first council meeting after the clerk has received
the Mayor's objections. The council may pass any ordinance over the veto of the mayor within 45 days after the objections of the
mayor are presented to the council by two-thirds vote of the council or by three-fourths vote where two-thirds vote or more was
required for passage of the original ordinance. Every ordinance adopted [enacted] by the council shall be signed by the mayor,
mayor pro tem, or by two council members, and) shall be filed with and recorded by the city clerk before the same shall become
effective. Unless otherwise provided by law or this Charter, no ordinance shall become effective until the expiration of 10 days
following the date of mayoral approval or override of mayoral veto [the final passage], except where an ordinance relating to the
immediate preservation of the public peace, health or safety, is adopted as an emergency measure by the favorable votes of at
least two-thirds of the council members and contains a statement of the nature of the emergency.

ARTICLE III. ELECTIONS.

§ 2. ELECTION DATE; COUNCIL TERMS; ELECTION BY MAJORITY AND RUN-OFF ELECTIONS.

(A) The city's general election shall be held on the November uniform election date authorized by state law in even-numbered
years. Notwithstanding any other provision of this Charter, the regular term of the mayor and council members is four
years. Council terms shall be staggered so that a general election is held every two years, and half, or as near to half as
is practical, of the council is elected at each election.

(B) A council member shall hold office for a term specified by this Charter or until a successor has been elected and
qualified. If elected to fill an unexpired term, a council member shall hold office for the remainder of the unexpired term
or until a successor has been elected and qualified.

(C) The regular term of a council member begins on the date set by ordinance. A council member may qualify for office
on that date or as soon thereafter as practicable. In the case of a special election to fill an unexpired term, the person
elected may qualify and assume office as soon as practicable after the canvass of the election.

(D) At every regular election and at every special election called to fill one or more [vacant places on the council] offices,
election to each [place on the council] office shall be by a majority of all the votes cast for such [place] office at such
election. In every such election each qualified voter shall vote for not more than one candidate for each [precinct place]
office to be filled. Where in an election to a [place on the council] office, no candidate receives a majority of all the
votes cast for such [place] office at such election, the council shall, immediately upon declaring the official results of
the election, issue a call for a run-off election for every [place] office to which no one was elected. Such run-off election
shall be held in accordance with state law and the two (2) candidates who received in the preceding election the highest
number of votes for each [place] office to which no one was elected shall be voted on again, and the candidate who
receives the majority of the votes cast for each such [place] office in the run-off election shall be elected to such [place]
office.

§ 3. REGULATION OF ELECTIONS.

All elections shall be held in accordance with the laws of the State of Texas regarding the holding of municipal elections
and in accordance with the ordinances adopted by the council for the conduct of elections. The council shall by ordinance
appoint the election judges and other election officials. Voting precincts shall be established by ordinance and may be altered
from time to time in like manner.

§ 4. FILING OF CANDIDATES.

Any qualified person who desires to become a candidate for election to [mayor] or a place on the council shall file with the
city clerk, at least 45 days prior to the election day, an application for his or her name to appear on the ballot. Such application
shall be accompanied by a filing fee of \$500.00. Such filing fee may be reduced by \$1.00 per signature for each registered voter
who signs a petition requesting that the name of the candidate be placed on the ballot, if such petition is sufficient to satisfy
statutory requirements. In case of a district position, the petition shall be signed by registered voters residing in the particular
district. Such application shall designate by number the place on the council to which the candidate seeks election and
shall contain a sworn statement by the candidate that he or she is fully qualified under the laws of Texas and the provisions of
this Charter to hold the office he or she seeks.

(1) sits on a chair or bench that is supplied by a public agency or by the adjoining private property owner;

(2) operates or patronizes a commercial establishment that conducts business on the sidewalk under Title 14 (Use of Streets and Public Property) of the Code;

(3) participates in or views a parade, festival, performance, rally, demonstration, or similar event;

(4) sits on a chair or bench that is supplied by a public agency or by the adjoining private property owner;

(5) sits within a bus stop zone while waiting for public or private transportation; or

(6) is waiting in a line for goods, services, or a public event.

(B) It is an affirmative defense to prosecution if a person sits or lies down as the result of a physical manifestation of a disability, not limited to visual observation.

(H) A culpable mental state is not required, and need not be proven, for an offense under this section.

Part 5. Effectiveness and Severability.

(A) The effective date of this ordinance shall be the earlier of (i) ten (10) days after the date of its final passage by the Austin City Council, as prescribed under Article IV, Section 4(a) of the Austin City Charter or (ii) the date upon which the results of an election required under Article IX, Section 4(b) are canvassed.

(B) If any section, paragraph, clause, or provision of this ordinance is for any reason held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause, or provision shall not affect any of the remaining provisions of this ordinance, and to this end, the provisions of this ordinance are declared to be severable. This ordinance shall supersede the Austin City Code to the extent there are any conflicts.

If Proposition C is approved by the majority of voters voting at the election, Article V (Administrative Organization) of the City Charter is amended to add Section 7, to read as follows:

ARTICLE V. - ADMINISTRATIVE ORGANIZATION.

§ 7. - Director of Police Oversight.

Notwithstanding any other provision of this Charter, the city council may provide for a director of police oversight who shall

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and may, upon receipt of a request from the commission, by the end of the calendar year, submit a final plan for the City of Austin specifically describing the district's boundaries. Upon adoption, the commission shall certify the plan to the city council. The plan shall have the force and effect of law.

(1) The commission shall issue a report that explains the basis for achieving compliance with the criteria listed above and shall include a final plan.

(2) If the commission does not adopt a final plan by the dates in this section, it shall immediately petition state court for an order prescribing a final plan in accordance with the redistricting criteria and requirements set forth in this section. The final plan shall be used for all subsequent city council elections until a final plan is adopted.

(H) The commission has the sole legal standing to defend any action brought by the city council if it determines that funds or other resources provided for the city council shall provide adequate funding to defend any action brought by the city council to determine whether the city attorney or other legal counsel represent the commission in defense of a certified final map.

(J) Commission Selection Process.

(1) No later than December 1, 2012, and thereafter by June 1 in each year, the Auditor shall initiate and widely publicize an application process to meet the requirements of subdivision 3(D)(1) above, in a manner that is fair, open, and transparent, and qualified commissioner applicants shall be invited to submit applications. The pool of qualified commissioner applicants shall remain open until February 1, 2013 and thereafter until September 1, 2013.

(2) No later than December 1, 2012 and thereafter by June 1 in each year, the Auditor shall initiate and widely publicize an application process

boundaries for each of the council districts prescribed by the city council. The city council may not change the plan.

on which the commission made its decisions in include definitions of the terms and standards used

In this section, the city attorney for the City of Austin shall determine the boundary lines of the single-member districts in accordance with the plan prescribed by the court. The plan shall be adopted by the commission to replace it.

Regarding a certified final map, and shall inform the city of the operation of the commission are not adequate. The commission shall retain a certified map. The commission has sole discretion to retain the commission at its discretion shall

each year ending in the number zero, the City of Austin shall, open to all registered City of Austin voters who are not members of a large, diverse (by race, ethnicity, language, and qualifications). This process shall occur 30 days in each year ending in the number zero. In each year ending in the number zero, the City of Austin shall, open to all qualified independent auditors that

§ 5. - BALLOTS.

For every regular election and for every special election called to fill one or more vacant ~~places on the council~~ offices, the city clerk shall place upon the official ballot the name of every candidate who shall file an application which complies with the provisions of this Charter. The council places to be filled shall be placed on the ballot in numerical order. The name of each candidate shall be placed on the ballot under the designated ~~place~~ office for which he or she shall have filed, and in such manner that the names of the candidates for each ~~place~~ office shall be clearly separate and distinguishable from the names of the candidates for every other ~~council place~~ office. The order on the ballot of the names of the candidates for each respective ~~council place~~ office shall be determined by lot in a drawing to be held under the supervision of the city clerk, at which drawing each candidate or his or her named representative shall have a right to be present.

ARTICLE IV.-INITIATIVE, REFERENDUM, AND RECALL.

§ 6.-POWER OF RECALL.

In this section, "officeholder" means the mayor or a council member. The people of the city reserve the power to recall any member of the council or officeholder and may exercise such power by filing with the city clerk a petition, signed by qualified voters of the territory from which the ~~council member~~ officeholder is elected, equal in number to at least 10 percent of the qualified voters of the territory from which the ~~council member~~ officeholder is elected, demanding the removal of ~~a council member~~ the officeholder. The petition shall be signed and verified in the manner required for an initiative petition, shall contain a general statement of the grounds for which the removal is sought, and one of the signers of each petition paper shall make an affidavit that the statements therein made are true.

§ 7.-RECALL ELECTION.

Within 20 days after a recall petition is filed, the city clerk shall examine the same. The provisions regulating examination, certification, and amendment of initiative petitions shall apply to recall petitions. If the petition is certified by the city clerk to be sufficient and the mayor or council member whose removal is sought does not resign within five days after the certification to the council, the council shall order and hold a recall election in the territory from which the mayor or council member is elected on the first authorized election date that allows sufficient time to comply with other requirements of law.