

2-17-05

#5



MEMORANDUM

TO: Mayor and City Council

FROM: Shirley A. Brown, City Clerk

Shirley Brown

DATE: February 16, 2005

SUBJECT: Initiative Petition

The Office of the City Clerk received a petition for An Ordinance Repealing and Replacing Code Chapter 10-6 Relating to Smoking in Public Places, Creating Offenses, and Providing Penalties on February 1, 2005 at 2:11 p.m. For an initiative to be on a ballot, Article IV, Section 1 of the Charter of the City of Austin requires that a petition must be signed by a number of qualified (registered) voters of the city equal to at least ten percent of the number of qualified voters of the city, or 36,764 qualified voters.

The petition contained 5,875 pages with a total of 36,907 lines of names. The validation process was completed on February 10, 2005 at 3:30 p.m. A random statistical sample method of validation was used. Twenty-five (25) percent (or 9,239) of the lines of names submitted were randomly selected and were verified against the voter registration databases of Travis and Williamson counties. Currently there are no registered voters in the area of Austin that is located in Hays county.

Based on that sample, we estimate 33,438 of the signers are registered voters residing in Austin. It is estimated that 3,469 lines of names on the petition do not contain valid signatures of qualified voters of the city. There are not a sufficient number of signatures of qualified voters of the city on the petition to meet the requirements of Article IV, Section 1 of the City Charter.

Cc: Toby Futrell
David Smith
Jenny Gilchrist
Brad Norton
Kristen Vassallo
Dr. Tom Sager
Rodney Ahart