

ORDINANCE NO.

AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF AUSTIN ON NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING A PROPOSED CHARTER AMENDMENT TO THE VOTERS; AND PROVIDING FOR THE CONDUCT OF THE ELECTION.

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

PART 1. A charter amendment election shall be held in the City on November 6, 2012 at which the ballot shall be prepared to permit voting “yes” or “no” on the following proposition:

Proposition ---

Shall the city charter be amended to permit the members of the city council and the city council’s appointees to hire and manage their own staffs?

PART 2. The election shall be conducted as provided in Ordinance No. - [calling the election]. The provisions of Ordinance No. - relating to the conduct of the election are incorporated by reference as part of this ordinance.

PART 3. If Proposition --- is approved by the majority of voters voting at the election, Article IX, § 1 of the Charter is amended to read as follows.

§ 1 CLASSIFIED PERSONNEL SERVICE.

There is hereby established a classified personnel service in which all appointments and promotions shall be made on the basis of merit and fitness. The classified service shall include all offices and employments in the city except the following: Members of the city council and the direct hires of individual council members; council appointees and direct hires of council appointees; the city clerk; the city manager and his or her assistants; the directors and assistant directors, as designated by the city manager, of departments; members of boards and commissions in the city's service; the judge and clerk of the municipal court; officers and employees of classes or departments within the civil service statutes of Texas.

PART 4. If Proposition --- is approved by the majority of voters voting at the election, Article IX, § 6 of the Charter is amended to read as follows.

§ 3 COUNCIL APPOINTEES.

1 (A) Notwithstanding any other provision of this charter:

- 2 (1) Each member of the City Council may hire assistants and other office
3 staff as may be necessary to carry out the duties and responsibilities of
4 the city council, and as may be authorized by ordinance.
- 5 (2) Each of the salaried city employees that this charter provides be
6 appointed by the City Council shall hire and manage the appointee's
7 own staff as may be authorized by ordinance;
- 8 (3) The City Council may by ordinance provide for the adoption of
9 personnel policies for the employees subject to this section.

10 (B) If an officer or employee who is appointed by the city council under this Charter,
11 other than a judge of a municipal court, announces candidacy, or in fact becomes a
12 candidate, in any general, special, or primary election, for any elective public
13 office, the officer's or employee's announcement or candidacy is an automatic
14 resignation of the office or employment.

15 **PART 5.** This ordinance takes effect on -----, 2012.

16 **PASSED AND APPROVED**

17
18 §
19 §
20 _____, 2012 § _____

21 Lee Leffingwell
22 Mayor

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25 **APPROVED:** _____

26 Karen Kennard
27 City Attorney

25 **ATTEST:** _____

26 Shirley A. Gentry
27 City Clerk

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