

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.

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 provide that the City Council appoint the City Attorney?

PART 2. If Proposition --- is approved by the majority of voters voting at the election, Article V, § 6 of the Charter is amended to read as follows:

§ 6 CITY ATTORNEY.

The council shall appoint a city attorney who shall be the head of the ~~[There shall be a]~~ department of law ~~[, the head of which shall be the city attorney, who shall be appointed by the city manager]~~. The city attorney shall be a competent attorney who shall have practiced law in the State of Texas for at least five (5) years immediately preceding the city attorney's ~~[his or her]~~ appointment. The city attorney shall be the legal advisor of, and attorney for, all of the officers and departments of the city, and the city attorney ~~[he or she]~~ shall represent the city in all litigation and legal proceedings. The city attorney ~~[He or she]~~ shall draft, approve, or file ~~[his or her]~~ written legal objections to, every ordinance before it is acted upon by the council, and the city attorney ~~[he or she]~~ shall pass upon all documents, contracts and legal instruments in which the city may have an interest.

The city attorney may appoint ~~[There shall be such]~~ assistant city attorneys as may be authorized by the council ~~[and appointed by the city manager,]~~ who shall be authorized to act for and on behalf of the city attorney.

PART 3. This ordinance takes effect on -----, 2012.

PASSED AND APPROVED

_____, 2012

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Lee Leffingwell
Mayor

APPROVED: _____

Karen Kennard
City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk