AMENDMENT 1

Section 1.04. Extension of Boundaries or Extraterritorial Jurisdiction.

~~The boundaries of the city may be enlarged and extended by the annexation of additional territory, regardless of size or configuration, in any of the following ways:~~

~~1. By annexing territory adjacent to the city and located within its extraterritorial jurisdiction with or without the consent of the residents or owners of the territory annexed, according to the procedures prescribed by Local Government Code § 43.052 and § 43.053.~~

~~2. By acting on the petition of area landowners in sparsely occupied areas according to the procedures prescribed by Local Government Code § 43.028.~~

~~3. By amending the city charter.~~

~~4. By any other manner and procedure now provided by law or as may be provided by law in the future or in any manner provided by ordinance of the city.~~

The City Council shall have the full power to annex territory, to extend and enlarge the city boundaries and exchange areas with other municipalities.

Before the city may annex an area or extend its extraterritorial jurisdiction, the city manager must present a written report on the financial impact of the proposed annexation or extension and the adoption of any proposed service plan to the Planning Commission and city council. ~~On the effective date of any ordinance to annex an area, the area shall become a part of the city and the inhabitants of the area shall become entitled to the rights and privileges of other citizens of the city and be bound by the acts and ordinances adopted by the city.~~

AMENDMENT 2

Section 3.01 Number, Selection, and Term.

The city council shall be composed of the mayor and ~~five~~ six council members, who shall be elected from the city at large. Each council member shall occupy a position on the council, numbered one through ~~five~~ six consecutively. The mayor and council members shall be elected in the manner provided in Article V of this charter to serve for three-year terms.

Unless the context clearly requires otherwise, the terms “city council” or “council”, when used in this charter, shall mean the mayor and the council members.

Section 3.05 General Powers and Duties.

All powers of the city shall be vested in the city council, except as otherwise provided by law or this charter. The city council shall provide for the performance of all duties and obligations

imposed on the city by law through the establishment of general policies and ordinances, which will be implemented by the City Manager. Any member of city council ~~councilmember~~ may place an item on the agenda for a subsequent regular council meeting with the consent of a second member of city council. ~~councilmember.~~

Section 3.06 Mayor and Mayor Pro-tem.

The mayor shall have the following rights and responsibilities:

~~With the advice of the city manager and assistance from the city secretary and other city staff members, as appropriate, prepare agendas for city council meetings.~~

1. Preside at all meetings of the city council. ~~and vote only if there is a tie~~.
2. Sign any ordinance, order, resolution, plat, bond, conveyance, contract, or other document that is authorized or enacted by the city council.
3. Serve as head of the city government for all ceremonial purposes.
4. Serve as the official representative of the city.
5. Perform other duties, consistent with this charter, as may be imposed by the city council.

The mayor shall ~~not~~ have the power to vote on all matters which come before the City Council in same manner as City Council members. ~~veto or modify any ordinance adopted by the city council and shall not, in any way, neutralize or negate any action of the city council.~~ The mayor may not bind or obligate the city in any way without prior authorization from the city council. ~~Anything herein to the contrary notwithstanding, the mayor shall not vote on any motion considered by the council, except as required in order to break a tie.~~

The mayor pro-tem shall be a council member elected by the council at the first meeting following the canvassing of each regular election. The mayor pro-tem shall act as mayor during the disability or absence of the mayor. When acting in the capacity of mayor, the mayor pro-tem shall have the rights and responsibilities and be subject to the limitations~~, including those on voting,~~ conferred on the mayor by this Section. In the event a vacancy in the office of mayor occurs, the council shall within 30 days determine how to fill the vacancy for the office of mayor in accordance with state law.

Section 3.11 Quorum.

~~Three~~ Four members of city council ~~members~~, ~~excluding~~ including the mayor ~~(but not excluding the mayor pro-tem when acting as mayor)~~, shall constitute a quorum for the purpose of transacting business. Except as otherwise provided by this charter or state law, the affirmative

vote of a majority of those members present and voting shall constitute valid action by the city council.

AMENDMENT 3

Section 3.06. Mayor and Mayor Pro-tem.

The mayor shall have the following rights and responsibilities:

1. With the advice of the city manager and assistance from the city secretary and other city staff members, as appropriate, prepare agendas for city council meetings.

2. Preside at all meetings of the city council and vote only if there is a tie.

3. Sign any ordinance, order, resolution, plat, bond, conveyance, contract, or other documents that is authorized or enacted by the city council.

4. Serve as head of the city government for all ceremonial purposes.

5. Serve as the official representative of the city.

6. Perform other duties, consistent with this charter, as may be imposed by the city council.

The mayor shall not have the power to veto or modify any ordinance adopted by the city council and shall not, in any way, neutralize or negate any action of the city council. The mayor may not bind or obligate the city in any way without prior authorization from the city council. Anything herein to the contrary notwithstanding, the mayor shall not vote on any motion considered by the council, except as required in order to break a tie.

The mayor pro-tem shall be a council member elected by the council at the first meeting following the canvassing of each regular election. The mayor pro-tem shall act as mayor during the disability or absence of the mayor. When acting in the capacity of mayor, the mayor pro-tem shall have the rights and responsibilities and be subject to the limitations, including those on voting, conferred on the mayor by this Section. ~~In the event a vacancy in the office of mayor occurs, the council shall within 30 days determine how to fill the vacancy for the office of mayor in accordance with state law~~

Section 3.07. Vacancies.

~~A vacancy is created when any member of the council dies, resigns, or is removed from office under section 3.08. Within 30 days following the creation of a vacancy, the council shall take action to fill the vacancy in accordance with state law.~~

In the event of a single vacancy in the City Council, if there are 365 days or more remaining on the term of the vacated Mayoral or City Council position, the City Council shall call a special election to fill such vacancy. If there are less than 365 days remaining in the term of the vacated Mayoral or City Council position, the City Council may, by majority vote of the remaining Councilmembers, at its discretion appoint a new Mayor or Councilmember to fill such vacancy or call a special election to fill such vacancy.

AMENDMENT 4

Section 3.08. Removal from Office.

(a) Reasons: Any member of the council may be removed from office for any of the following reasons:

1. Failure to maintain the qualifications for office required by sections 3.03 and 5.02 of this charter.
2. Violation of any express prohibition of this charter or the Code of Ethics adopted under Section11.05.
3. Conviction of a crime involving moral turpitude.
4. Failure to attend three consecutive regular city council meetings without being excused by the council.
5. Violation of Section 3.09 (c) of this Charter.

AMENDMENT 5

Section 3.08. Removal from Office.

(a) Reasons: Any member of the council may be removed from office for any of the following reasons:

1. Failure to maintain the qualifications for office required by sections 3.03 and 5.02 of this charter.
2. Violation of any express prohibition of this charter or the Code of Ethics adopted under Section11.05.
3. Conviction of a crime involving moral turpitude.

4. Failure to attend three consecutive regular city council meetings without being excused by the council.

5. Violation of Section 11.03 of this Charter.

AMENDMENT 6

Section 3.08. Removal from Office.

~~***(c) Hearing and decision:*** The remaining members of the city council shall conduct a hearing to take evidence on the complaint. The member complained against shall have a right to representation at the hearing and to question and cross-examine all witnesses, but may not vote on the question of removal. Based on the evidence presented at the hearing, the city council shall make a decision whether the member should be removed from office and shall issue an order setting out its decision. If it determines by at least three affirmative votes that removal is warranted, it shall declare a vacancy to be filled no sooner than the next regular meeting and in accordance with section 3.07. The decision of the city council shall be final and binding so long as it is made in good faith.~~

(c) **Hearing and decision:**

1. All hearings held under this subsection shall be conducted in open session, except that the City Council may conduct a closed session to get advice from its attorney pursuant to the Texas Open Meetings Act;

2. The officer holder subject to any investigation and/or hearing under this section shall be entitled to written notice of the allegations of Removal;

3. A special meeting shall be called to hold the hearing;

4. A member of City Council who initiated or is the subject of the investigation or hearing shall not sit at the dais and shall not participate in deliberation or vote;

5. City Council shall adopt by ordinance rules of order to be followed;

6. The City Council shall state the nature of the hearing and the allegations to be considered, shall be provided the results of any investigation and a presentation of the evidence against the office holder including, but not limited to testimony from individuals;

7. The individual who is subject to the hearing is entitled to representation at the hearing, shall be provided an opportunity to respond to the allegations, cross-examine all witnesses and present any relevant evidence including, but not limited to, testimony from individuals;

8. City Council may ask questions of any individual;

9. No public comment shall be allowed unless agreed to by a majority vote of the voting members of City Council present. Rules for public comment shall be set by City Council;

10. If City Council determines by an affirmative vote of the majority of the voting members of the City Council that removal is warranted, it shall declare a vacancy to be filled no sooner than the next regular meeting and in accordance with section 3.07;

11. In addition to removal, City Council may, by a majority vote of the voting members of City Council, take any action it determines to be appropriate including, but not limited to, directing further investigation, requesting further information, or taking a vote of censure.

AMENDMENT 7

Section 3.09. Prohibitions.

(a) Holding other office: No member of the council shall hold other city office or employment during his term of office and no former member of the council shall hold any compensated appointive city office or employment until at least ~~one~~ two years after the expiration of his term of office.

AMENDMENT 8

Section 3.10 City Council Meetings.

The city council shall meet at least once each month and may hold as many additional meetings as it deems necessary to transact the business of the city. Days and times of regular meetings shall be set by resolution. All meetings shall be posted and conducted in accordance

with the requirements of the Texas Open Meetings Act, Chapter 551, Government Code. The city council ~~must annually~~ shall meet with each board or commission on an as needed basis.

AMENDMENT 9

Section 3.15 Ordinances, In General.

(d) Effective date: Every ordinance shall be effective upon adoption, or at any later time specified in the ordinance; however, no ordinance imposing a penalty, fine, or forfeiture shall become effective until the caption of the ordinance, which shall summarize the purpose of the ordinance and the penalty for violating the ordinance has been published one time on the city's official website or other electronic media that is readily accessible to the public. An ordinance passed on first reading by at least three affirmative votes may become effective after first reading provided the motion so specifies, but the ordinance shall be posted and ~~adopted~~ read pursuant to subsection (c) at ~~a subsequent~~ the next regular meeting ~~as required by section 3.15(b)~~. If the ordinance is not read at the next regular meeting the ordinance shall be void.

AMENDMENT 10

Section 3.16. Emergency Ordinances.

(b) Form and procedure: An emergency ordinance shall be introduced in the form required for ordinances and shall be clearly designated in its caption as an emergency ordinance. Immediately after the enacting clause, it shall contain a declaration stating that an emergency exists and describing it in clear and specific terms. The affirmative vote of three council members shall be required to approve an emergency clause. An emergency ordinance may be adopted, amended, ~~or~~ and rejected at the same meeting at which it is introduced, and the affirmative vote of three council members is required for adoption. After adoption, it shall be numbered as any other ordinance with the designation of "E" following the number and shall be published and become effective in the manner required for any other ordinance.

AMENDMENT 11

Section 4.01 City Manager.

(a) Appointment and qualifications: The city council shall appoint a city manager by affirmative vote of at least four members. The council shall determine a method of selection that ensures orderly, nonpartisan action in securing a competent and qualified person to fill

the position. The city manager shall be chosen based on executive and administrative training, experience, and ability. Within a reasonable time after appointment, which time shall be set by the council, the city manager shall become a resident of the city. An affirmative vote of a majority vote of the voting members of the city council shall be required to terminate a city manager.

AMENDMENT 12

Section 4.01 City Manager.

(a) Appointment and qualifications: The city council shall appoint a city manager by affirmative vote of at least four members. The council shall determine a method of selection that ensures orderly, nonpartisan action in securing a competent and qualified person to fill the position. The city manager shall be chosen based on executive and administrative training, experience, and ability. Within ~~a reasonable time~~ 180 days after appointment, ~~which time shall be set by the council,~~ the city manager shall become a resident of the city.

AMENDMENT 13

Section 4.01 City Manager.

(d) Acting city manager: Within sixty days after the city manager takes office, ~~the city council, on recommendation of~~ the city manager shall appoint a qualified administrative officer of the city to serve as acting city manager in the city manager's absence or disability. No member of the city council may serve as acting city manager.

AMENDMENT 14

Section 4.02 Municipal Court.

(b) Municipal judge and associate judges: The city council shall appoint a municipal judge, who shall be an attorney licensed to practice law in Texas and a resident of the City, and shall fix the compensation for that office. The city council, in its discretion, may appoint additional associate municipal judges, who shall not be required to be attorneys. All municipal judges shall serve at the will of the council and shall receive compensation fixed by the city council.

AMENDMENT 15

Section 5.01 City Elections.

(a) Schedule: Regular city elections shall be held annually on the uniform election day designated by the State of Texas as designated by resolution of the City Council ~~closest to the second Saturday in May~~.

AMENDMENT 16

Section 7.03 Petitions.

(a) Number of Signatures: Initiative, referendum and nonbinding referendum petitions must be signed by at least ~~twenty~~ fifteen percent of the number of qualified voters registered to vote at the last regular city election.

AMENDMENT 17

Section 7.03 Petitions.

(b) Form and content: All papers of a petition shall be of uniform size and style and shall be assembled as one instrument for filing. Each person signing the petition shall personally sign his own name in ink or indelible pencil and the petition shall also include each signer's name, voter's registration number or date of birth, residence address and the date of signing. Petitions shall contain or have attached to them throughout their circulation the full text of the ordinance proposed or sought to be reconsidered, or the question proposed to be submitted at a nonbinding referendum election.

Section 6.02. Recall Petition Required.

Before submitting the question of recalling an official to the voters, a petition, signed by at least ten percent of the qualified voters of the city registered to vote at the last regular city election and demanding the question be submitted, shall be filed with the city secretary. Each person signing the petition shall personally sign his own name in ink or indelible pencil and the petition shall include each signer's voter's registration number or date of birth, name, residence address and the date of signing. The petition shall contain a general statement of the grounds for which removal is sought.

Section 6.04. Recall Petition Form.

NAME	SIGNATURE	VOTER'S REGISTRATION # OR DATE OF BIRTH	ADDRESS	DATE
_____	_____	_____	_____	_____

AMENDMENT 18

Section 7.02 Petitioner's Committee and Affidavit.

Any five qualified voters may begin initiative, referendum or nonbinding referendum proceedings by filing an affidavit with the city secretary stating that they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form. The affidavit shall state their names and addresses, their voter's registration numbers and the address or addresses to which all notices to the committee shall be sent. The affidavit shall set out in full the proposed initiative ordinance, cite the ordinance sought to be reconsidered, or the question proposed to be submitted to the voters at a nonbinding referendum election. When the affidavit is filed, the city secretary ~~immediately~~ shall, by the next business day, issue the appropriate petition blanks to the committee.

Section 7.04 Determining Sufficiency of Petitions.

(a) Certificate of city secretary: Within ten days after a petition is filed, the city secretary shall complete a certificate as to its sufficiency. If the petition is found to be insufficient, the certificate shall specify the particulars of its defects. When the certification is complete, the city secretary shall ~~immediately~~ by the next business day, send a copy of the certificate to each member of the petitioners' committee by certified mail.

AMENDMENT 19

Section 8.08 Planning and Zoning Commission.

(a) Composition and term: The city council shall appoint a planning and zoning commission of seven members who shall be appointed to two-year terms and shall serve until their successors are appointed and qualified.

(b) Rules of procedure: The commission shall establish its own rules of procedure, which shall require that a quorum consists of at least four members of the commission and that an affirmative vote of a majority of those present shall be necessary to act on pending questions. The chairman shall be permitted to vote on any question.

(c) Powers and duties: The commission shall exercise the following powers:

1. Make, amend, extend, and add to the comprehensive plan for the physical development of the city and recommend the comprehensive plan to the city council for approval.

2. Make recommendations to the city council regarding zoning proposals.

~~2~~. 3. Approve or disapprove plats of proposed subdivisions submitted to the city. In considering plats, the commission shall require the proposed subdivision to meet, so far as is practicable, all the standards of layout and street and sidewalk construction applicable to comparable property within the city's corporate limits.

Further, it shall require restriction on the use of the property consistent with the restrictions on comparable property within the city's corporate limits.

~~3~~. 4. Draft rules and regulations governing platting and subdividing of land that are consistent with the state constitution and laws and recommend them to the city council for adoption.

~~4.~~ 5. Annually recommend an annexation plan to the city council.

~~5.~~ 6. Annually submit a five-year capital improvements plan regarding parks, transportation and utilities to the city council ~~and city manager~~, at least one hundred twenty days before the beginning of the budget year. The plan must list projects in order of preference with a recommendation for the year of construction for each project.

~~6. Meet at least once each month.~~

7. Perform other duties and be vested with other powers as the city council shall from time to time prescribe.

(d) Liaison with city council: The city manager or his representative shall attend planning and zoning commission meetings and shall serve as liaison between the commission and the city council.

AMENDMENT 20

Section 8.09 Board of Adjustment.

(a) Composition and term: The city council shall appoint a board of adjustment consisting of five regular members and ~~four~~ two alternate members to serve two-year terms. Alternate members may participate in meetings and vote on matters in the absence of regular members when requested to do so by the city manager or city manager's designee. The city council may remove a member for cause set out in a written charge and as determined by the council after a public hearing on the charges

AMENDMENT 21

Section 8.09 Board of Adjustment.

(a) Composition and term: The city council shall appoint a board of adjustment consisting of five regular members and four alternate members to serve two-year terms. Alternate members may participate in meetings and vote on matters in the absence of regular members when requested to do so by the city manager. ~~or city manager's designee.~~ The city council may remove a member for cause set out in a written charge and as determined by the council after a public hearing on the charges

AMENDMENT 22

Section 8.09 Board of Adjustment.

(b) Rules of Procedure: The presiding officer shall call meetings ~~at least quarterly~~ a minimum of once a year and may administer oaths to witnesses and compel attendance of witnesses. Cases shall be heard in open meeting by at least four members and not more than five members. The minutes of meetings shall be public records of the board's examinations, official actions, and other proceedings and shall reflect each member's vote, absence, or failure to vote on each question.

AMENDMENT 23

Section 8.10 Parks and Recreation ~~Commission~~ Advisory Board~~.~~

(a) Composition and term: The city council shall appoint a parks and recreation ~~commission~~ advisory board consisting of ~~six~~ seven members as needed to facilitate specific parks development projects or activities. The length of term in which the members serve will be determined on the time necessary to complete the specific project and will not be continuous. Should City Council consist of five city council

members and the mayor then each councilmember will be responsible for appointing one member and the mayor shall appoint two members to the board. Should city council consist of six city council members and the mayor then each council member and the mayor shall be responsible for appointing one member. ~~to serve two year terms~~ and ~~one high school student member to serve a one year term. The student member shall not be required to be a registered voter. The city council shall also appoint an alternate member who may vote if a regular member is absent.~~

~~***(b) Rules of procedure:*** The commission shall establish rules of procedure consistent with city ordinances, resolutions, and regulations. The commission shall meet at least monthly, and absence from three consecutive meetings without valid excuse, as determined by the commission, shall result in automatic removal from office.~~

(c) (b) Powers and duties: The ~~commission~~ board shall exercise the following powers:

1. The board shall be responsible for making recommendations to the City Manager specific to the project in which they were appointed.

~~1. Annually submit a five-year comprehensive park plan to the city council and city manager, at least one hundred twenty days before the beginning of the budget year. The plan must list projects in order of preference with a recommendation for the year of construction for each project.~~

~~2. Make recommendations to the city council and city manager concerning the management, maintenance, use or improvement of all parks and public recreational facilities owned or controlled by the city.~~

~~3. Make recommendations to the city council and city manager concerning taking and holding any real property that may be needed for carrying out the commission's purposes by purchase, devise, bequest, or otherwise and instituting condemnation proceedings for parks and recreation purposes whenever it determines that private property should be taken in the name of the city.~~

~~4. Make recommendations to the city council and city manager concerning receipt of donations, legacies, or bequests for the improvement or maintenance of public parks or for the acquisition of new parks.~~

~~5.~~ 2. Any other matters designated by the city ~~ordinance~~ council.

AMENDMENT 24

Section 2.01. General Powers Enumerated.

In addition to the powers enumerated in or implied by this charter, the city shall have and may exercise all powers of local self-government and all other powers, rights, privileges, and immunities which, under the constitution and laws of the State of Texas.~~, it would be competent to specifically enumerate under this charter, and such powers shall be subject only to the limitations imposed by the State constitution, State law, and this charter. In the exercise of its powers, the city may:~~

~~1. Design, adopt, and use a corporate seal.~~

~~2. Contract and be contracted with.~~

~~3. Sue and be sued, implead and be impleaded in all courts in all matters.~~

~~4. Cooperate with the State and any of its agencies, and any other political subdivision of the State, including cooperation pursuant to the Interlocal Cooperation Act, Chapter 791, Government Code, and cooperate with the federal government and any of its agencies.~~

~~5. Own property and acquire property within or without its boundaries, for any municipal purpose, in fee simple or in any lesser estate of interest, by purchase, gift, deed, devise, lease, or condemnation.~~

~~6. Hold, sell, lease, manage, control, improve, and police any property owned by the city or which may be acquired by the city.~~

~~7. Construct, own, lease, operate, and regulate public utilities.~~

~~8. Assess, levy, and collect taxes for general and special purposes on all lawful subjects of taxation.~~

~~9. Borrow money on the faith and credit of the city.~~

~~10. Adopt a budget and appropriate the money of the city for all lawful purposes.~~

~~11. Regulate and control the use the streets and other public places.~~

~~12. Pass and enforce ordinances for the protection and maintenance of good government, peace, and order of the city, for the performance of the functions of the city, for the trade and commerce of the city, and for the health, safety, welfare, and security of the residents of the city.~~

~~13. Provide suitable penalties for violations of city ordinances.~~

~~**Section 2.02 Eminent Domain.**~~

~~The city shall have the full power and right to exercise the power of eminent domain when necessary or desirable to carry out any of the powers conferred by this charter or by the constitution and laws of the State of Texas. The city may exercise the power of eminent domain in any manner authorized or permitted by the constitution and laws of the State of Texas, including the power to condemn private property for any municipal or public purpose, the right to condemn public property for that purpose, and the right to take the fee or any lesser interest in land condemned. The city shall make adequate compensation for condemned property in accordance with laws and constitution of the state.~~

~~**Section 2.03. Zoning.**~~

~~The city council shall have the power and authority to zone the city and to pass all necessary ordinances, rules, and regulations to accomplish its purposes in zoning.~~

Section 3.14. Action Requiring an Ordinance.

In addition to other acts required by law or by specific provision of this charter to be done by ordinance, the city council shall adopt ordinances in order to:

~~1. Adopt or amend an administrative code or establish, alter, or abolish any city department, office, or agency.~~

~~2. Provide for a fine or other penalty or establish a rule or regulation subject to a fine or other penalty for its violation.~~

~~3. Levy taxes.~~

~~4. Grant, renew, or extend a franchise.~~

~~5. Regulate the rates charged by a public utility for its services.~~

~~6~~1. Authorize the borrowing of money.

~~7~~2. Convey or lease or authorize the conveyance or lease of any city land.

~~8. Regulate land use or development.~~

~~9. Amend or repeal any ordinance previously adopted.~~

~~Acts other than those specifically enumerated above may be done either by ordinance or resolution.~~

Section 5.01. City Elections.

~~(c) Registered voter list: A list of registered voters within the city for Travis County voters is available through the Travis County tax assessor-collector. A list of registered voters within the city for Williamson County voters is available through the Williamson County elections administrator.~~

AMENDMENT 25

Section 4.01 City Manager

(c) Powers and duties: The city manager shall be the chief administrative officer of the city and shall be responsible to the city council for the proper administration of all city matters. In fulfilling that administrative responsibility, the city manager shall:

13. Meet with, on no less than a quarterly basis, the representative of the association selected by a majority of the police officers of the police department of the city as the exclusive representative for the police officers to discuss police officer working conditions and compensation, unless a majority of the police officers withdraw the recognition. If a question is raised as to whether an association is the majority representative of the employees of a department, it shall be resolved by a fair election conducted according to procedures agreed on by the parties. If the parties are unable to agree on fair election procedures, any party may request the American Arbitration Association to conduct the election and certify the results. Certification of the results of an election under this section shall resolve the question regarding representation. Any and all of the parties seeking representative status shall pay the expenses of any election equally.