



City of Alamo Heights

# Charter Amendment Election

Presented By: Jennifer Reyna, City Secretary  
and Shawn P. Eddy, Assistant City  
Manager/Public Works Director

Item # 9

City Council Meeting  
August 23, 2010



# Summary

- Consideration of ordinances determining that a charter amendment should be submitted to the voters of the City and ordering a Special Election to be held on November 2, 2010



# Background Information

- On May 24, 2010, Councilmember Fred Prassel requested that the Governance and Communication Committee explore the possibility of amending the City Charter to add provisions for initiative and referendum
- On June 7, 2010, Councilmember Prassel met with the Governance and Communication Committee to assist with his request



# Background Information

- On August 9, 2010, a staff report was provided to City Council with the Committee's findings and recommendations
- Council directed staff to draft a charter amendment that includes both initiative and referendum and make minor modifications to the petition and procedures for the recall of officers



# Charter Amendment

- Article XIX of the City Charter currently titled “Recall of Officers” shall be amended and retitled “Initiative, Referendum and Recall” to include the rights of qualified electors of the city to initiate an ordinance and rescind at the polls an ordinance approved by the city council and the petition and procedures for initiative, referendum and recall of elective officers shall be revised to be consistent with the Texas Elections Code



# Initiative, Referendum & Recall

- The qualified electors of the city shall have the right to initiate an Ordinance, rescind at the polls an Ordinance approved by the City Council, or recall and remove the Mayor or any member of the City Council



# IRR Exceptions

- Ordinances appropriating money, levying taxes, fixing public utility rates, deciding issues of public health and safety, zoning or rezoning property, any ordinance not subject to initiative or referendum as provided by State Law or any ordinance submitted by the council of its own initiative to a vote of the electors shall not be subject to initiative or referendum



# Petitions

- Petition shall be signed by qualified voters of the city equal in number to at least twenty percent (20%) of the number of votes cast at the last regular municipal election of the city, but in no event less than 500 such petitioners in the case of initiative or referendum and no less than 300 such petitioners in the case of recall



## Petitions (Cont.)

- Each signer of such petition shall provide:
  - printed name and signature;
  - place of residence;
  - date of birth; and
  - date of signature



## Other Provisions

- Initiative and referendum ordinances adopted or approved by the electors shall be published and may be amended or repealed by the council within 6 months of adoption
- No recall petition shall be filed against any elective officer of the City of Alamo Heights within 6 months after his election, nor within 6 months after an election for such officer's recall



# Fiscal Impact

- Estimated costs of this effort are anticipated to be approximately \$6,000 including legal fees, advertisement and elections costs



# Policy Analysis

- The rights of initiative and referendum are being added to the city charter as forms of direct democracy available to citizens
- Recall provisions are being amended to be consistent with the Texas Elections Code
- Section 9.004 of the Texas Local Government Code establishes the provisions for an election to vote on propositions pertaining to proposed charter amendments



# Election Information

- Contracting with Bexar County will designate Jacquelyn F. Callanen as the Elections Administrator
  - Bexar County conducts both Early Voting and Election Day Activities
    - Early Voting
      - Includes Lion's Field, 2809 Broadway
    - Election Day
      - Cambridge Elementary, 1001 Townsend
        - » Precincts 3020 and 3026
      - Alamo Heights High School, 6900 Broadway
        - » Precinct 3025



## Election Information (Cont.)

- Bexar County provides election staff, equipment and supplies
- A publication in English in the *San Antonio Express-News* and in Spanish in *La Prensa* will be provided by Bexar County
- A publication in the *North Central News* in English and Spanish will be published twice to meet the publication requirements by the Local Government Code, Chapter 9, Section 9.004c
- Voting information will also be available on the City's website