



Amarillo City Council Special Meeting

July 16, 2024

10:00 AM

City Hall - Council Chamber
601 S. Buchanan Street, 3rd Floor
Amarillo, Texas 79101

AGENDA

1. **Call to Order**
2. **Public Comment** The public will be permitted to offer public comment on agenda items and items related to City business. Citizens interested in commenting may sign up online at <https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-registration-form>, by calling the City Secretary's office at (806) 378-3014, or in person in Room 303 of City Hall, 601 S. Buchanan. Citizens should sign up at least 15 minutes prior to the scheduled meeting start time.
3. **Agenda Items**
 - 3.A. Presentation and Discussion of Charter Review Citizens Committee Recommendations
4. **Adjourn**

Please note: The City Council may take up items out of the order shown on any Agenda. The City Council reserves the right to discuss all or part of any item in an executive session at any time during a meeting or work session, as necessary and allowed by state law. Votes or final decisions are made only in open Regular or Special meetings, not in either a work session or executive session.

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Watch the meeting live: <http://amarillo.gov/city-hall/city-government/view-city-council-meetings>.

I certify that the above notice of meeting was posted on the electronic bulletin board in City Hall, 601 S. Buchanan, Amarillo, Texas, and the City website (www.amarillo.gov) on or before

the 12th of July, 2024 at 5:00 p.m. in accordance with the Open Meetings Laws of the State of Texas, Chapter 551, Texas Government Code.

/s/ Stephanie Coggins

Stephanie Coggins, City Secretary



Agenda Transmittal Memo

Date: July 16, 2024

Council Priority: Business Friendly Community
Communication
Fiscal Responsibility
Infrastructure
Public Safety
Technology and Innovation

Department: City Manager's Office

Contact Person: Floyd Hartman, Assistant City Manager

Agenda Caption: Presentation and Discussion of Charter Review Citizens Committee Recommendations

Agenda Item Summary: This item is a presentation and discussion of the Charter Review Citizens Committee (Committee) Recommendations to City Council. The Committee was appointed by City Council to review the Amarillo City Charter and recommend possible amendments to be taken to an election. The Committee was given a charge of Charter topics that Council wished to be considered as part of their review, and they spent five weeks reviewing these topics in detail to prepare and provide their recommendations to City Council.

Requested Action: Listen to and discuss the Committee's recommendations

Funding Summary: Between \$80,000 and \$120,000 which will come from general revenue funds.

Purchasing Summary: N/A

Community Engagement Summary: The process has been discussed

Staff Recommendation: Consider recommendations and next steps

Attachments: 1. Amarillo_CharterReview_2024_CommitteeRecommendations-Final



City of Amarillo

Charter Review Citizens Committee Recommendations

July 2024





July 11, 2024

Mr. Floyd Hartman
Interim City Manager
City of Amarillo
601 S. Buchanan
Amarillo, TX 79101

Subject: Transmittal of the Amarillo Charter Review Citizens Committee Recommendations to the City Council

Dear Mr. Hartman:

This Amarillo Charter Review Citizens Committee Recommendations report provides the findings and recommendations for Charter updates for the Amarillo City Council's consideration. The Committee met each Thursday over the course of five weeks from May 30 to June 27, 2024, to review and discuss the proposed Charter amendments noted during the Council work session on May 9, 2024, and other items raised by the Committee.

The Committee was focused on increasing representation of local government to the citizens of Amarillo. Additionally, the Committee's recommendations will increase accessibility to the citizens and accountability by the citizens.

The results of the Committee's deliberations are the following seven recommendations, comprised of four Charter amendments shown in priority order, two updates to the Governance and Ends Policies, and one finding of "no required changes:"

1. Changes to the recall provisions to decrease the number of signatures to 30% of votes cast in the election of the officer, eliminating the 1/5th certification, and to allow 60 days for obtaining signatures (Article II, Section 24).
2. Increasing the City Council's terms of office to staggered, four-year terms (Article V, Section 2), updating the vacancies provisions to comply with state law, to require the City Council set a special election should a vacancy occur with more than 12 months remaining in the term of office (Article V, Section 3), and establishing term limits (Article V, Section 5).
3. Expanding the City Council from five to seven members (Article V, Section 1), establishing three Councilmember Places with residency requirements, the three geographic places, and a districting commission every ten years (Article V, Section 4), and recognizing two additional Councilmember Places (Article V, Section 5).
4. Clarifying the powers and duties of the City Manager to consulting with City Council prior to offering employment to an unclassified executive-level employee (Article V, Section 21).
5. Updating the City's Governance and Ends Policies to establish a regular review cycle of the City's Charter through a citizens committee and to make recommendations (New Section 1.8).
6. Updating the City's Governance and Ends Policies to clarify the City Manager's communications with the City Council to align with recommendation number four above (Section 3.8b).
7. Retaining the City Manager's hiring authority for the City Attorney position, with the City Attorney reporting to the City Manager.

The Committee's report was reviewed by Committee Chair Freda Powell and Committee Vice Chair Gary Pitner in advance of being submitted for City Council consideration of the proposed ballot measures and recommendations.

Sincerely,

A handwritten signature in black ink that reads "AL ZELINKA". The signature is stylized with a large, bold "A" and "Z".

Al Zelinka
Director

c: Floyd Hartman, Assistant City Manager
 Stephanie Coggins, City Secretary
 Dennis Hawkins, Baker Tilly
 Mary Locey, Baker Tilly

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Executive Summary

The City Council appointed a Charter Review Citizens Committee comprised of 10 Amarillo citizens and set forth its suggestions for updates to the City Charter on May 9, 2024. The Committee members along with two non-voting Councilmember representatives meet over the course of five consecutive weeks beginning on May 30 and concluding on July 27. Throughout their deliberations, the Committee members remained focused on achieving Charter amendments that would provide for more representation and accessibility by the citizens of Amarillo to their local government elected officials as well as to increase elected officials and local government's accountability to the citizens Amarillo.

Committee members engaged in healthy debates during each of the five meetings, they requested additional research, maps, and documents to aid them in their duties to develop meaningful recommendations for proposed ballot measures and policy updates. The Committee members also stressed the importance of educating the Amarillo citizens on the ballot measures to reduce the potential for misinformation hindering the election outcome.

The following sections of this report detail the Committee's work and recommendations for City Council consideration of placing four measures on the November 5, 2024, general election ballot.

Charter Review Committee

In Spring 2024, the City Council convened a Charter Review Citizens Committee comprised of Amarillo residents and two Councilmembers as representatives and non-voting members of the Committee. The City Council provided direction to the Committee to examine and make recommendations to the Council on the following topics:

- Increasing the number of Councilmembers
- Increasing the length of the Mayor and Councilmember terms from two years to four years and to consider moving to staggered terms
- Modifying the recall process to make it easier for the community to initiate the recall of an elected official
- Have the City Attorney appointed by the City Council

The City Council assigned the Interim City Manager, City Secretary, and City Attorney to support the work of the Committee and approved a contract with Baker Tilly, LLP's Public Sector Advisory Group to provide technical support and expertise in the areas of charter study and prepare a draft ordinance for the City Council to order the election on the Charter updates.

The Committee held five public meetings from the end of May through June 2024, thoroughly analyzing, deliberating, and considering input on all matters within its Council-directed scope. The Committee made four recommendations requiring amendments to the Charter, two recommendations that can be implemented without amending the Charter, and one recommendation that requires no changes. The Committee's recommendations are summarized below in order of priority as determined by the Committee.

Throughout its deliberations, the Committee remained focused on addressing Charter changes that would enhance representation and good governance for the community, City staff, and the City Council. Through the four recommended Charter amendments, the Charter Review Citizens Committee believes the citizens of Amarillo will improve trust in their local government by ensuring future City Councils will:

-  Be **Accountable** to the citizens of Amarillo
(Proposition A - Recall), (Proposition B – Length of terms and term limits);
-  **Maximize accessibility** by the citizens of Amarillo
(Proposition C – From five to seven members, three members with
residency requirements in geographical areas); and
-  Have clear **Administrative accountability** over the City Manager
(Proposition D – City Manager authority).

Summary of Committee Recommendations

Recall Criteria (Proposed Proposition A)

1. The Committee recommends the following Charter changes to Article II, Section 24. - Recall:
 - i. Change the number of required signatures from 30% of registered voters with 1/5 certifying they voted on the officer(s) to 30% of votes cast in election of the officer(s) being recalled.
 - ii. Change the requirement for the submittal of signatures on a recall petition from 30 days to 60 days.
 - iii. That no officer can be recalled within six months of assuming office or within six months of the end of the officer's term.

Council Terms and Vacancies (Proposed Proposition B)

2. The Committee recommends the following Charter changes to Article V, Section 2. – Term of Office, Section 3. – Vacancies, and Section 5. - Elections:
 - i. **Section 2. – Term of Office**
 - a. Increase the term of office for the Mayor and each Councilmember to staggered, four year terms.
 - b. No person shall serve more than two full terms on the City Council, as Mayor and/or Councilmember. After two years have elapsed from the end of their last term, they will be eligible to serve again.
 - ii. **Section 3. – Vacancies** – To comply with state law when the terms of office are longer than two years, the vacancies section of the Charter will be revised as follows:
 - a. A vacancy with less than 12 months remaining in the term of Mayor or Councilmember shall be filled by appointment of the remaining City Council and, if more than 12 months remain in the term for any office, the City Council shall order a special election.
 - b. Add a new provision establishing a resignation to run if any member of the City Council announces as candidate to be elected to a public office with more than 12 months and 30 days remaining in their term.
 - iii. **Section 5. – Elections** – Shall establish a term limit for members of the City Council to two full consecutive terms of office.

Council Composition, Qualifications, and Elections (Proposed Proposition C)

3. The Committee recommends the following Charter changes to Article V, Section 1. – Municipal Government, Section 4. – Qualifications, and Section 5. – Elections:

- i. **Section 1. – Municipal Government** – Increase the number of elected officials to a Mayor and six Councilmembers, all elected by a majority vote of the city, to bring government closer to the people and all seven members shall represent the city as a whole.
- ii. **Section 4. – Qualifications** – To establish the qualifications for members of the City Council, the following changes are recommended:
 - a. The Mayor and all Councilmember Places shall be elected by a majority vote of the city.
 - b. Councilmember Places shall be divided into three that can live anywhere in the city and three with residency requirements in a defined geographical area that will be established by City Council Ordinance based upon the 2020 Federal Census and consistent with state and federal laws regarding voter representation.
 - c. Establish a Districting Commission to review potential changes to the geographic areas based on the Federal Decennial Census and make recommendations for changes as needed beginning in 2031.
- iii. **Section 5. – Elections** – Update subsection (a) to recognize the addition of Councilmember Place Five and Place Six and to clarify that all Places shall be elected in May of odd years starting in May 2025 (with all seats up for election).

City Manager Powers and Duties (Proposed Proposition D)

4. The Committee recommends the following Charter changes to Article V, Section 21. – Powers and Duties of the City Manager:
 - i. Revised to clarify that the appointment of unclassified executive level employees shall be made in consultation with Council prior to an offer of employment. This would include positions such as an assistant or deputy city manager or as the director of any department.

Regular Review of the Charter (Proposed Policy 1.8)

5. The Committee recommends adding a policy to the Amarillo Governance and Ends Policies to establish regular reviews for Charter updates as follows:
 - i. Establish a committee to regularly review and submit recommendations to the City Council to ensure the Charter is continually updated as a good governance practice.

Communications Policy Update (Proposed Policy 3.8b)

6. In concert with the proposed revisions to Charter Article V, Section 21. – Powers and Duties of the City Manager, the Committee recommends adding a new subsection to the Governance and Ends Policies, Section 3.8b Ends Policy: Communications: Executive Limitations as follows:
 - i. To ensure smooth and efficient human resources functions, the City Manager shall consult with the City Council prior to extending an offer of employment to an unclassified executive-level employee.

Position of the City Attorney

7. The committee agreed that the City Attorney should continue to be appointed by and report to the City Manager. No changes are recommended.

Conclusion

The Committee's Charter amendment recommendations are presented to the City Council for consideration for placement on the November 5, 2024, general election ballot, or at a subsequent election as determined by the Council. The additional recommendations not requiring a Charter amendment are presented to the City Council for consideration for implementation at the appropriate time, and as

determined by the Council. The Committee members thank the City Council for involving them in this important initiative to improve representation, accessibility, and accountability to the citizens of Amarillo.

Introduction

Scope of Work

Following discussions by the City Council, it was determined to appoint Amarillo citizens to a Charter Review Committee and to retain a firm to provide technical support and expertise in the area of charter study. The Mayor and Councilmembers each selected two citizens of the Amarillo community to participate on the Committee and Baker Tilly, LLP's Public Sector Advisory Group was retained to support and guide the Committee throughout its deliberations. The Committee was charged with examining the below items discussed by the City Council on May 9, 2024, and making recommendations for Council's consideration for placing on the November 5, 2024, ballot.

1. Number of Councilmembers to represent the growing community.
2. The term length to appropriately govern the City.
3. Staggering terms to avoid a complete turnover of the City Council.
4. Changing the City Attorney position to an appointed position by the City Council.

The topics assigned to the Committee focus on substantive governance issues related to the City Council. The Committee's charge was to study and fully examine each topic and provide recommendations on whether to amend the City Charter in each instance or to recommend additional items for amendment, which included term limits, vacancies, recall provisions, geographic areas, and regular reviews of the Charter.

This report presents the findings and recommendations of the Committee and includes one section for each subject. The Committee is proposing amended Charter language on the number, length, and composition of the City Council, revisions to recall provisions, adding a resignation to run provision, and slight modifications to the City Manager's authority. Additionally, the Committee is recommending the Council consider adding a policy to the Amarillo Governance and Ends Policies to routinely review and update the Charter through a citizen's committee. Following considerable debate, the Committee does not recommend any changes to the City Attorney position as being hired by and reporting to the City Manager.

The report also includes an overview of topics raised during Committee meetings that were discussed by the Committee.

The Committee recommendations are listed in this report in priority order. This will assist the City Council as it considers the more pressing ballot measures to submit to voters as part of the upcoming November 5, 2024, general municipal election.

The following exhibits are included in the Appendix to this report:

- A. Redline versions of recommended charter language
- B. Clean copies of recommended charter language
- C. Proposed Ballot Questions
- D. Baker Tilly Report to the Charter Review Committee
- E. Committee agendas and materials

City Charters

The Texas Constitution authorizes the adoption of a city charter and provides that the provisions contained in such a charter have the force and effect of state law. Specifically, the "home rule" provision affirmatively grants charter cities supremacy over "municipal affairs" while the state of Texas retains authority over statewide matters. A city charter is often referred to as a city's constitution. The primary

advantage of a charter is that it affords greater authority, control, and flexibility over city governance issues than the provisions provided by state law for general law cities. Amongst other topics, a charter city can address elections, terms of office, compensation, and the municipality's governance structure.

Amarillo is one of many cities in Texas with its own charter, also known as a home-rule city. The Amarillo City Charter was originally adopted in November 1913 and has been amended nine times by Amarillo voters. Establishing or amending a city's charter requires a municipal election, and any proposed amendment must be approved by a majority of votes cast by registered voters within the city.

The most recent amendments to the Amarillo City Charter occurred on November 3, 2020, when Amarillo voters approved Charter Amendment Proposition C, which amended Article V, Section 12(a) to provide for the Mayor and Councilmembers to meet to qualify for office on the day of the election canvass and thereafter meet not less than 24 times per calendar year. It should also be noted that on the same November 2020 ballot, Proposition B to amend Article V, Section 2 of the Charter to provide for four-year staggered term of office failed by a margin of 6.7%.

The Texas Constitution restricts amendments to a city's charter for two years following the passage of a measure.¹ Thus, with the last amendment passed in 2020, the Amarillo City Charter can be submitted to the voters for amendment on November 5, 2024.



¹ Texas Constitution Article 11, Section 5 (a) Limiting Charter Amendments – no city charter shall be altered, amended, or repealed more often than every two years. Failed ballot measures do not count.

About the Charter Review Citizens Committee

Committee Members and Support Team

The City Council each selected two community members and one alternate to serve on the Charter Review Committee. The Committee members nominated by the Council and the two Councilmember representatives are shown in Table 1.

Table 1. Charter Review Committee Members

City Council Representatives			
Councilmember Tom Scherlen (non-voting)		Councilmember Les Simpson (non-voting)	
Committee Member	Nominated By	Committee Member	Nominated By
Freda Powell, Chair	Councilmember Simpson	Gary Pitner, Vice Chair	Councilmember Simpson
Kim Benson	Councilmember Scherlen	Toby Hudson	Councilmember Scherlen
Audrey Castillo	Councilmember Craft	Sandra McCartt	Councilmember Craft
Dean Crump	Councilmember Tipps	Rodney Hill	Councilmember Tipps
Michael Haning	Mayor Stanley	Donna Ward	Mayor Stanley

City Staff

City Secretary Stephanie Coggins provided primary staff support to the Committee, including posting the Committee's agendas, coordinating the meeting schedule and technical support, and creating and maintaining a dedicated Committee webpage to ensure all information was posted online and publicly accessible. The City Secretary and her staff also performed research and presented historical and contextual information as part of the Committee's deliberative process.

Interim City Manager Floyd Hartman was present at all but one Committee meeting in which Deputy City Manager Andrew Freeman sat in for him. Mr. Hartman assisted in assigning staff to support research and develop materials as needed. City Attorney Bryan McWilliams and/or Special Counsel Mick McKamie attended all meetings to provide legal advice, prepared and presented responses for information, and participated in Committee discussions, as necessary.

Baker Tilly LLP

The City of Amarillo engaged Baker Tilly LLP to advise the Committee and support City staff. The team included Al Zelinka, director, Dennis Hawkins, special advisor, and Mary Locey, consulting manager, all from Baker Tilly's Public Sector Advisory Group. Baker Tilly prepared the workplan and attended all Committee meetings. In addition, Baker Tilly wrote statistical and analytical reports, developed meeting agendas and materials to aide in the Committee's deliberations, developed this report detailing the Committee's findings and recommendations, as well as prepared the draft ordinance and Charter amendments for Council's consideration.

Committee Meetings and Objectives

At its May 9, 2024 meeting, the Amarillo City Council concurred that the Citizens Review Committee should review Charter amendments for expanding the size, establishing staggered terms, and extending terms of the City Council. It was also noted that the workload requirements along with providing fair representation to constituents are challenging for the five City Councilmembers. Further, a two-year term does not provide for good governance as the learning curve for a new Councilmember is high and it generally takes about one year to understand how the City operates to make informed decisions. With this information in mind, the Committee reviewed the three focus areas as well as other areas that aligned with the recommended amendments in Article V, Sections 1 through 5 of the Charter.

The Committee held its meetings over the course of five consecutive weeks each Thursday, convening May 30 and disbanding June 27, 2024. Each of the Committee meetings focused on the assigned topics which were framed with advantages and disadvantages of each as well as data from ten City-selected comparison cities (see Table 2); allowance for requests and responses for additional information and research; providing opportunities for public comment, and in-depth Committee deliberations.

The Committee considered the impetus behind assigned topics, studied the experiences of other cities, and sought out best practices in municipal governance. Additionally, the Committee strived to make recommendations that focus on providing the Amarillo community with fair and equitable representation by bringing government closer to citizens, and to ensure that the elected officials are accountable to the citizens.

Table 2. Comparative Data from Ten Texas Home Rule Cities

City	Population	Total Seats ¹	Council Districts ²	Term Length ³	Staggered Terms	Term Limits	Constituents per Elected
El Paso	683,577	9	8	4	Yes	10 years	75,953
Arlington	398,864	9	5	3	Yes	3 terms	44,318
Plano	291,296	8	4	4	Yes	2 terms	36,412
Lubbock	264,000	7	6	2/4	Yes	None	37,714
Laredo	263,640	9	8	4	Yes	2 terms	29,293
Amarillo	201,234	5	0	2	No	None	40,247
Brownsville	199,062	7	4	4	Yes	2 terms	28,437
Grand Prairie	197,590	9	6	3	Yes	Mayor 3 terms ⁴	21,954
Killeen	156,261	8	4	2	Yes	3 terms	19,533
Mesquite	150,184	7	6	2	No	4 terms	21,455
Waco	141,377	6	5	2	Yes	Mayor 3 terms ⁴	23,563

¹Total seats represent an elected mayor and councilmembers.

²The mayor is elected at-large for all cities and any remaining seats are elected at-large.

³Lubbock is the only city that has different terms for its mayor (two years) and councilmembers (4 years).

⁴Grand Prairie and Waco do not have term limits for Councilmembers.

At the initial meeting on May 30, the Committee self-selected Freda Powell as chair and Gary Pitner as vice chair. The Committee members continuously emphasized the importance of public participation and education of the proposed Charter amendments. To that end, the City posted all Committee meeting materials, including agendas, presentations, and research data, on its website (amarillo.gov/city-hall/city-initiatives/2024-charter-review) and the meetings were recorded and made available on the City's YouTube Channel (youtube.com/user/CityofAmarillo). Additionally, many local media outlets covered the fact that the City was initializing a Charter review process while *The Amarillo Pioneer* routinely posted stories online about the Committee's progress.

There has been misinformation throughout the community, among staff, and elected officials about the need to create single member districts if the term of office was increased and/or the number of Councilmembers increased. This became an important topic of discussion for the Committee and the City Attorney's Office was asked to conduct initial research into the matter. A memorandum was prepared and presented to the Committee (see Appendix D, June 6, 2024, Agenda, Memorandum). A summary is shown below.

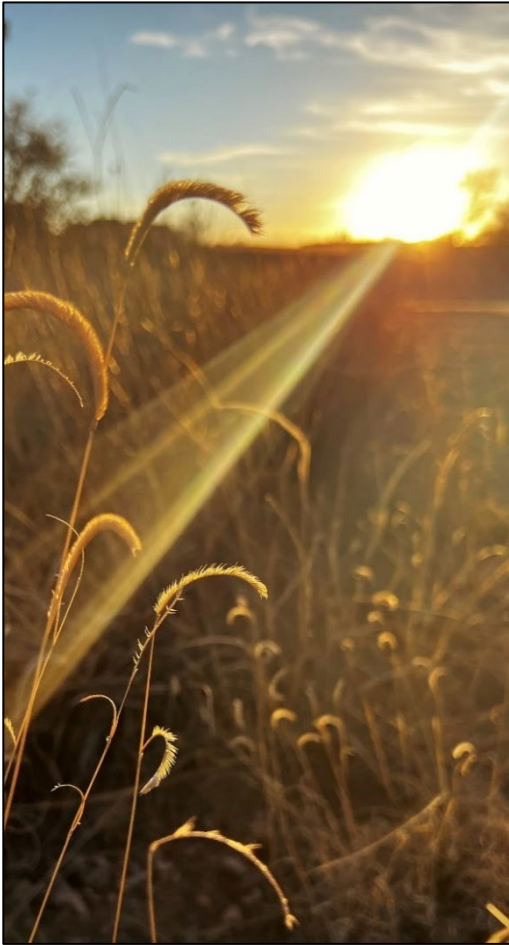
1. Section 5 of the Voting Rights Act required local governments to submit any change in voting practices to the U.S. Department of Justice for “preclearance” prior to implementation. That review was to determine if the change would result in a dilution of the electoral power or participation of minorities. That obligation was removed by the U.S. Supreme Court a few years ago. However, it remains fully effective and provides for the right to challenge election practice and procedures to prevent discriminatory practices.
2. Creating single-member districts changes the system by requiring a member to reside in a designated geographic area to be elected by the voters residing in that district. However, drawing the geographic areas that do not diminish the participation of minority group members as voters and as candidates and are statistically “safe” for a minority to win election achieves the objective to encourage minority candidacy and voter participation. This analysis also applies to hybrid systems, where in some Councilmembers are elected from geographic areas and some are elected at-large.

During deliberations, if members concluded that changing the Charter now might not be the best approach, they considered alternative approaches including delaying it until a later date and modifying the City’s Governance and Ends Policy. Overall, the Committee sought to recommend Charter amendments that address known issues, such as ensuring accessible and accountable representation to the growing community, in an impactful but reasonable manner.

In the end, the Committee is recommending four ballot measures shown in priority order as well as two recommendations for the Council’s consideration for additions to the Governance and Ends Policies, and one item in which no changes are recommended. Each item is detailed in the following sections of this report.

1. **Proposition A** shall revise the recall provisions to 30% of the votes cast in the last election, to allow 60 days to file a petition, and to limit a recall effort from occurring within six months of the end of the officer’s term.
2. **Proposition B** shall:
 - i. Establish staggered, four-year terms for the Mayor and Councilmembers.
 - ii. Establish term limits of two-full terms for the Mayor and/or Councilmembers.
 - iii. Update the vacancies provision in compliance with state laws to establish appointing authority if a vacancy occurs with less than 12 months remaining in the term or for the remaining City Council to call a special election should a vacancy occur with more than 12 months remaining in the term.
 - iv. Establishing a resign to run provision should the Mayor or any Councilmember announce as a candidate for election to a public office with more than 12 months and 30 days remaining in their current term.
 - v. Establish term limits for elected officials to serve no more than two full consecutive terms and to be eligible again for office after two years have passed since the end of their last term.
3. **Proposition C** shall:
 - i. Increase the number of the City Council offices from the Mayor plus four Councilmembers to the Mayor and six Councilmembers, each of whom shall be elected by a majority vote of all votes cast in an election
 - ii. Establish by City Council Ordinance three at-large Councilmember Places and three Councilmember Places with residency requirements and establish three geographic places (all seats elected by majority of votes cast in the city).
 - iii. Update the elections provisions to reflect six Councilmembers, all as being elected in May of odd number years beginning in May 2025 (when all seats will be up for election).

4. **Proposition D** shall clarify the City Manager's appointing authority to consult with City Council prior to offering employment to an unclassified employee in an executive position such as assistant or deputy city manager or as the director of any department.
5. **Recommendation for Regular Charter Review** shall establish a policy to form a citizen committee to regularly review and recommend updates to the Amarillo Charter.
6. **Recommendation for City Manager Communications** shall revise a policy to add City Manager consultation with City Council prior to an offer of employment to an unclassified executive-level position.
7. **No Recommended Changes** to the City Attorney position being appointed by and reporting to the City Manager.



Recall Criteria

Background

While the history of Amarillo has had few recall petitions submitted, the steps outlined in the current Charter Article II, Section 24. – Recall is difficult for citizens to implement. Currently, the Charter definition includes the following:

- Subsection (b): A petition demanding that the question of removing such officer or officers be submitted to the electors, shall be filed with the City Secretary such petition for the recall of any such elective officer or officers shall be signed by at least 30% of the registered voters within the city at least 1/5 of whom shall certify that at the election at which the officer or officers was or were elected, they voted for the election of such officer or officers proposed to recalled.
- Subsection (e): All papers comprising a recall, shall be returned and filed with the City Secretary, within 30 days after the filing of the required affidavit for the City Secretary, upon the return of such petition, shall at once submit the same to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action. If the official whose removal is sought does not resign within five days after such notice is given, the governing authority of the City shall thereupon order and fix a day for holding a recall election in accordance with applicable law as amended.
- Subsection (h): No recall petition shall be filed against any officer of the City within six months after his election, nor within six months after an election for such officer's recall.

The current Charter requires proponents of a recall to gather signatures of 30% of registered voters along with certification that 1/5 of petition signers attest that they voted for the officer being recalled at the election of the officer(s). After discussion about the recall process and recent voter turnout in municipal elections, the Committee found that the threshold of the number of signatures required to qualify a recall is nearly impossible to obtain. Additionally, the Committee believes that the 30 days allowed to gather signatures is impractical and, due to confidentiality of how citizens voted, there is no way to confirm if the voter did vote for the officer being recalled.

Committee Deliberations

To ensure accountability to the citizens, the Committee deliberated extensively on the recall provisions. There was consensus that, to provide an enhanced level of accountability of elected officials, the Charter should be changed to make it easier for citizens to prevail to initiate and qualify a recall petition.

By eliminating the 1/5 certification, which according to the City Secretary is impossible to confirm, and reducing the number of signatures required from 30% of total registered voters to 30% of votes cast in the last election for the officer(s) being recalled, the citizens of Amarillo will have the mechanisms in place to effectuate the recall of an elected official. Furthermore, allowing a longer timeframe of 60 days instead of 30 days to obtain the required number of signatures to qualify for filing a recall was seen by the Committee as being a fair length of time for citizens to meet the signature threshold.

The Committee also recommends adding limitations for when an officer can be recalled. These limitations will allow an officer to be seated and to start to govern for a six-month period before citizens can implement a recall effort. And, to avoid the unnecessary cost of a special election in advance of a regular election, the Committee recommends a restriction on filing a petition within six months of the end of the officer's term.

Recommended Charter Language

The Committee recommends amending Article II. Section 24 – Recall restoring the power to the citizens to hold the City Council accountable by reducing the number of signatures required and extending the length of time to gather signatures and shall read as follows (emphasis reflect proposed changes):

- (a) Any elective officer of the City shall be subject to recall and removal from office by the registered voters within the city, and the procedure to effect such removal shall be as follows:
- (b) A petition demanding that the question of removing such officer or officers be submitted to the electors, shall be filed with the City Secretary such petition for the recall of any such elective officer or officers shall be signed by at least *30% of the number of votes cast* within the city at the election in which the officer or officers was or were elected.
- (c) Petitions for signatures for such recall shall be procured only from the City Secretary, who shall keep a sufficient number of such blank petitions on file for distribution, and prior to the issuance of such petitions for signatures there shall be filed with such person an affidavit by one or more registered voters within the city, stating the name or names of the officer or officers sought to be removed. Such officer issuing such petition for removal to an elector shall enter in a record to be kept, the name of the elector to whom issued, the date of such issuance, and the number of such petitions issued to and shall certify on such petitions for signatures, the name of the elector to whom issued and the date of its issuance. No petition for signature shall be accepted and taken into consideration in determining the necessary percentage of voters for removal unless it bears such certificate and be filed as herein provided.
- (d) Each signer of a recall petition shall sign his *or her* name thereto in ink or indelible pencil and following the name, his *or her* place of residence by street and number. To each of said petitions there shall be attached an affidavit of the circulator thereof, stating the number of signers to such part of the petition and that each signature to same is genuine, was made in his *or her* presence and is that of the person whose name it purports to be.
- (e) All papers comprising a recall, shall be returned and filed with the City Secretary, within *60 days* after filing of the required affidavit for the City Secretary, upon the return of such petition, shall at once submit the same to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action. If the official whose removal is sought does not resign within five days after such notice is given, the governing authority of the City shall thereupon order and fix a day for holding a recall election in accordance with applicable law as amended.
- (f) The ballot at such recall election shall conform to the following requirements: With respect to each person whose removal is sought the question shall be submitted:

SHALL (NAME OF PERSON) BE REMOVED FROM THE OFFICE OF (NAMING THE OFFICE) BY RECALL?

Immediately following each of such questions there shall be printed on the ballots, in separate lines, in the order here set out the words:

FOR THE RECALL OF (NAMING THE PERSON)

AGAINST THE RECALL OF (NAMING THE PERSON)

- (g) Should a majority of the votes cast at such recall election be for the recall of the officer named on the ballot, he *or she* shall, regardless of any technical defects in the recall petition, be deemed removed from office, but should a majority of the votes cast at such recall election be against the recall of the officer named on the ballot, such officer shall continue in office for the remainder of his *or her* term, subject to recall as before.
- (h) No recall petition shall be filed against any officer of the City within six months after *they assume office or within six months of the end of the officer's term*, nor within six months after an election for such officer's recall.
- (i) In case the governing authority of the City shall fail or refuse to receive the recall petition, order such recall election, or discharge any other duties with reference to such recall, then the County Judge of Potter County, Texas, shall discharge any of such duties herein provided to be discharged by the governing authority of said City.

- (j) If, in such recall election, there shall, as a result of such election, remain one or more of such elective officers, who is not recalled, then such officer or officers not recalled shall discharge all of the duties incumbent upon the governing authority of said City until the vacancy or vacancies created at such recall elections are filled by an election for that purpose, as hereinafter provided for, but if in any proposed recall election it is proposed and submitted to recall all elective officer, then there shall be placed on said ballot under the question of recall, the names of candidates to fill the vacancies proposed to be created by such election, but the names of such officers proposed to be recalled shall not appear on the ballot as candidates.
- (k) If at any recall election it is not proposed and submitted to recall all of the elective officers, but only one or more, fewer than all, and such election shall result in favor of the recall of one or more of such officer, proposed to be recalled, then it shall be the duty of such officer or officers not recalled and constituting the governing authority of the City, in accordance with applicable state law and this Charter to meet, canvass the returns, declare the result of the election and order an election to fill such vacancy or vacancies; which election shall be held in accordance with applicable state law.

Proposed Proposition A

The Committee recommends as its first priority for ballot measure Proposition A to include the recommended Charter amendments for Article II. Section 24. – Recall, which shall modify the required signatures on a petition to 30% of voters in the election of said officer(s), increase the allotted length for filing a petition to 60 days, and limit the ability to petition for recall any officer that assumed office within the past six months or within six months of the officer(s) term remaining.

Council Terms, Vacancies, and Term Limits

Background

In order to make the Charter amendments palatable to voters, and so as to not conflict should one measure pass and another not pass, the Committee separated its proposed amendments for Article V, Sections 1 through 5 into two measures. The Committee's second priority is amendments to Section 2. – Term of Office, Section 3. – Vacancies, and Section 5. – Elections as detailed below.

The current terms in Charter Article V, Section 2. – Term of Office is for all elected officers to hold office for two years with all seats up for election at the same interval (non-staggering). This can result in a wholesale turnover of the City Council, which occurred in 2017 and nearly occurred in the last election cycle of May 2023 when all but one seat turned over. This is not a best practice approach for good governance as it is estimated that a year or more in office is necessary to understand government operations, budgeting, policies, and procedures and to make informed decisions for the good of the citizens. Currently, the Charter definition includes the following:

- The Mayor and each Councilmember shall serve for a term of two years and until a successor is elected and qualified; unless removed from office as herein provided.

With the proposed change to four-year terms the current language in Charter Article V, Section 3. – Vacancies regarding the process to fill vacancies must be revised. The current Charter conforms with state law for two-year terms of office, but longer terms require different procedures. State law requires a special election to be called if a vacancy occurs with more than 12 months remaining in the term of office. As it is currently written, the Charter provides for the following actions should a vacancy on the City Council occur:

- Subsection (a): Any vacancy in the office of the Mayor shall be filled by an appointment by the remaining Councilmembers from among their numbers.
- Subsection (b): Any vacancy in the office of a Councilmember shall be filled by an appointment by the Mayor and the remaining Councilmembers.
- Subsection (c): Provided that the person appointed to fill such vacancy shall hold office only during the unexpired term of office.
- To align with these proposed changes, the Committee also considered term limits as a way to provide the opportunity for more citizens to be elected to office. As such, there is currently no limit on how long a member of the City Council may continue to hold office.

Committee Deliberations

Section 2. Term of Office

The Committee noted that it is difficult to get people to run for City Council and to run takes hard work and money. Increasing the terms to four years may entice more people to invest the time and effort into running for office to serve for a longer period.

It was noted that other locally elected officials in Amarillo include school board members with four-year terms and community college board members who have six-year terms. The Committee found it reasonable for improved representation and good governance to have a City Council that serves the citizens for a four-year term.

When discussing the length of terms, the Committee was mindful of the Mayor's May 9 suggestion that the term for position of mayor to remain at two years. However, the Committee's consensus was that all officials should be held equal and be elected to the same four-year term of office. In reviewing data from the comparison group of cities, it was noted that only one city, Lubbock, has its mayor for a two-year term

while its councilmembers are elected to four-year terms. All other cities have the same terms of office for all elected officials.

Recommended Charter Language

The Committee recommends Article V. Section 2 – Term of Office be amended to increase the City Council to seven members by adding two Councilmembers, establish four-year staggered terms, establish term limits, and shall read as follows (emphasis reflects proposed changes):

- (a) The Mayor and each Councilmember shall serve for a term of *four years with those terms being staggered as provided by ordinance and conforming amendments as required by state law* and until a successor is elected and qualified; unless sooner removed from office as here in provided.

Section 3. Vacancies

With the proposal for the City Council term extending to four years, the vacancy provisions need to be amended to comply with state law. The Committee reviewed the proposed amendments to the Charter and approved it for submittal to the City Council. Additionally, the Committee agreed to the inclusion of the resign to run state law provision should an elected official announce to run for another publicly elected position.

Recommended Charter Language

The Committee recommends Article V. Section 3 – Vacancies be amended to be consistent with state law on the timelines, procedures for filling a vacancy on the City Council, to establish a resign to run provision, and shall read as follows (emphasis reflects proposed changes):

- (a) Any vacancy in the office of the Mayor *with less than 12 months remaining in the term* shall be filled by an appointment by the remaining Councilmembers from among their number. *The City Council, in the event of a vacancy in the office of Mayor with more than 12 months remaining in the term, shall order a special election in accordance with state law.*
- (b) Any vacancy in the office of a Councilmember *with less than 12 months remaining in the term* shall be filled by an appointment by the Mayor and the remaining Councilmembers. *The City Council, in the event of a vacancy in the office of a Councilmember with more than 12 months remaining in the term, shall order a special election in accordance with state law.*
- (c) Provided that the person appointed *or elected* to fill such vacancy shall hold office only during the unexpired term of office.
- (d) *If the Mayor or any Councilmember announce as a candidate to be elected to another public office with more than 12-months and 30-days remaining in their current term of office, it shall be considered that the office holder has immediately resigned from their current office consistent with state law and their office shall be deemed vacant. The City Council will then proceed to fill the vacant position under the procedures outlined herein.*

Section 5. Elections

While there has not been a history of many Amarillo City Council members remaining in office for an extended period, all but one comparison city has term limits for its elected officials. The Committee deliberated and weighed the value of establishing term limits to effectively turnover the members of the City Council to allow other citizens the opportunity to serve.

Recommended Charter Language

The Committee recommends amending Article V, Section 5. – Elections to include term limits for members of the City Council and shall read as follows (emphasis reflects new subsection):

- (e) *No person shall serve more than two full consecutive terms as a member of the City Council. A person who has served as a member of the City Council for two full consecutive terms shall not*

again be eligible for election to any elected position as a member of the City Council in the City of Amarillo City Council until at least two years has elapsed since the end of their last term of office.

Proposed Proposition B

The Committee recommends as its second priority for ballot measure Proposition B to include the recommended Charter amendments shown above for Article V. Section 2. – Term of Office, Section 3. – Vacancies, and Section 5. – Elections. These changes will increase City Council terms from two non-staggered years to staggered, four-years terms, update the filling of City Council vacancies to comply with state laws, establish a resign to run provision, and establish term limits for the members of the City Council to two-full terms with an opportunity to run for office again after two-years has passed.

Council Composition, Qualifications, and Elections

Background

Continuing the focus areas of the City Council's discussions from May 9, 2024, the Committee reviewed Article V, Section 1. – Municipal Government, Section 4 – Qualifications, and Section 5. – Elections to address increasing the number of Councilmembers and to determine if, per state law, district representation was required.

Currently, the Amarillo Charter Article V reflects the following language:

- Section 1. – Municipal Government: The municipal government of the City of Amarillo shall consist of the City Council, which shall be composed of five Councilmembers, one of whom shall be the Mayor of the City.
- Section 4. – Qualifications:
 - Subsection (a): The Mayor and each Councilmember shall be resident citizens of the City of Amarillo, have the qualifications of registered voters therein and shall have been a resident citizen of the City of Amarillo for a period of 12 months immediately preceding such election.
- Section 5. – Elections:
 - Subsection (b): The elective officers of the City shall consist of a Mayor and four Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three and Councilmember Place Four), each of whom shall be elected by a majority of the registered voters within the City, for the City at large.

Committee Deliberations

Section 1. – Municipal Government

The Committee acknowledged that there are voices in the community who express concerns about being underserved and underrepresented by having only five elected officials. With Amarillo's current population of 201,234 and the expectation to grow to 250,000 in the next few years, the elected official to constituent ratio is 1:40,247 and will become 1:50,000 respectfully. Of the ten comparison cities, the average ratio of elected official to constituent is 1:33,863.

The Committee recognized that, by adding two additional Councilmembers the ratio would become 1:28,748 for the current population and 1:35,714 when the city grows to 250,000. Increasing to seven elected officials closely aligns with the ten comparison cities.

The Committee quickly agreed that there is a lack of representation on the City Council for its members to be accessible and accountable to the citizens of Amarillo and recommends changing the composition of the City Council from five members to seven members.

Recommended Charter Language

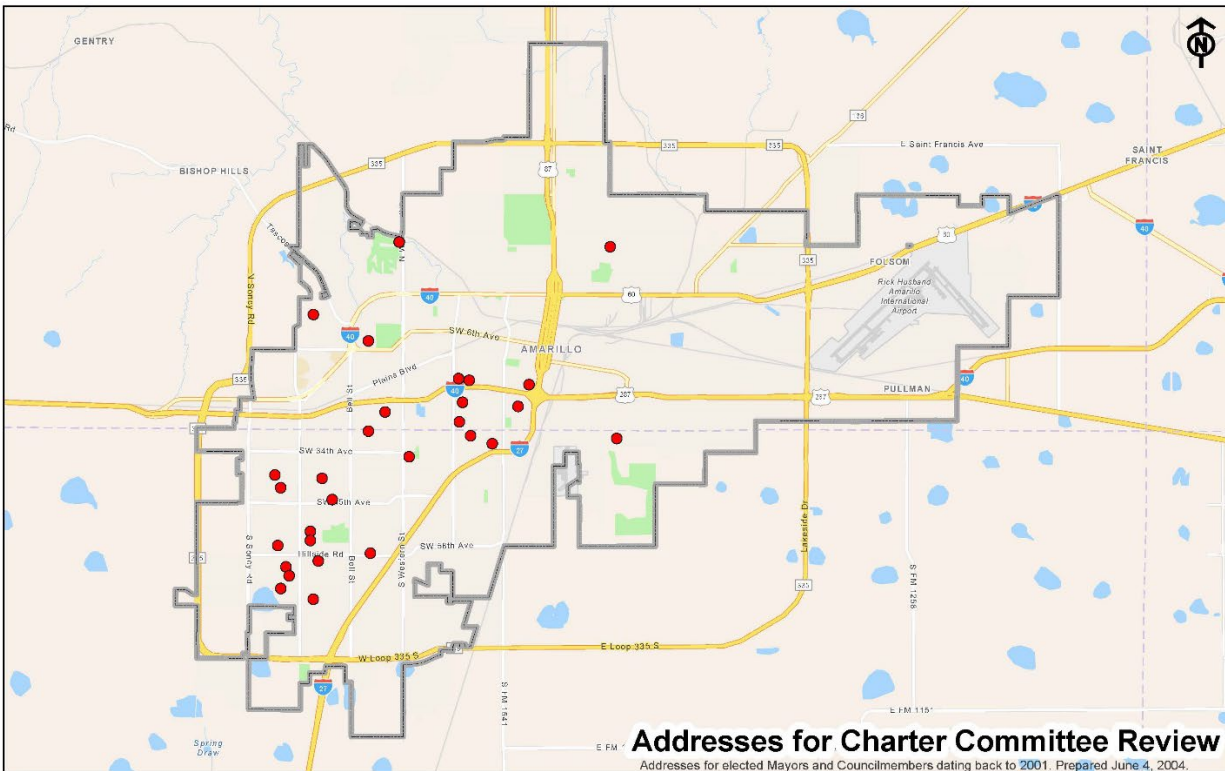
The Committee recommends Article V. Section 1 – Municipal Government be amended to increase the City Council to seven members by adding two Councilmembers and shall read as follows (emphasis reflect proposed changes):

The municipal government of the City of Amarillo shall consist of the City Council, which shall be composed of *a Mayor and six Councilmembers*.

Section 4. – Qualifications

Most of the Committee's deliberations focused on the qualifications for the City Council. With the understanding that some comparable cities had moved to single-member districts (only voters in a specified area could vote for that representative) or that some similar system could be established, the Committee engaged in vigorous discussion on alternate methods. As a part of its discussions, the Committee asked staff to prepare a map showing the residential locations of past elected officials to understand where the gaps are in representation.

Figure 1. Residential Locations of Amarillo Elected Officials (2001 to 2024)



Next, the Committee was presented with the current system and three hybrid options for consideration of how the Mayor and Councilmembers could be qualified for office. The options discussed are shown below.

- Current system – Mayor and Councilmembers elected on an at-large, citywide basis; all residents vote for Mayor and Councilmembers.
- Hybrid 1 – Mayor and some Councilmembers elected at-large (citywide) and some Councilmembers required to live in a specific geographic area with citywide voting on all seats.
- Hybrid 2 – Mayor and some Councilmembers elected at-large (citywide) and some Councilmembers required to live in a specific geographic area with voting on that seat limited only to voters living within that specific geographic area.
- Hybrid 3 – Mayor elected at-large (citywide) and all Councilmembers are elected to represent a single, specific geographic area (single member district). Each Councilmember is required to reside within the area they seek to represent and voting on that seat limited only to voters within that specific geographic area.

The Committee recommended Hybrid 1 based on the whole City Council being elected by citywide voters and being elected to represent the city at-large. This would allow all voters in Amarillo to vote in the

Staff prepared a total of four maps (see Appendix D, June 13, 2024, Agenda) for the Committee, two of which reflected three geographic areas and two that reflected four geographic areas. Upon review and discussion, the Committee agreed that the three geographic areas in Proposed Map D (See Figure 1) divided the city in three unique ways and provided the key elements the Committee suggested: Keeping neighborhoods together, being mindful of communities of interest, and respecting census blocks and voter precincts.

Figure 2. Committee Consensus on Proposed Representation of Geographic Areas



It is important to note that Proposed Map D is only a visual representation of a way to divide the city of Amarillo into three geographical areas. To best qualify as an official map to determine eligibility for a Councilmember Place, the City will need to hire a firm that specializes in preparing such maps to ensure the legal requirements for compliance with voter's rights are met. However, the final defined areas will be as close as possible to the Committee's recommendation.

With the establishment of geographic areas based on the 2020 Federal Census, the City will have to review and modify the geographic areas every ten years following the publication of the Federal decennial census results. As such, included in the proposed Charter amendment, the Committee recommends the City Council form a Districting Commission starting in 2031 to review the decennial census and present its recommendations regarding any necessary adjustments to the boundaries resulting from changes to the city's population.

Recommended Charter Language

The Committee recommends Article V. Section 4 – Qualifications be amended to add a new subsection (b) establishing three at-large Councilmember Places and three Councilmember Places with residency requirements and shall read as follows (emphasis reflects proposed changes):

- (a) The Mayor and each Councilmember shall be resident citizens of the City of Amarillo, have the qualifications of registered voters therein and shall have been a resident citizen of the City of Amarillo for a period of 12 months immediately preceding such election.
- (b) *The Mayor and Councilmembers Place one, Place Three, and Place Five, may live anywhere within the city of Amarillo.*
- (c) *Councilmembers Place Two, Place Four, and Place Six shall be required to reside within one of the three specified geographic Places (area) and shall have been a resident of that specific geographic area for a minimum of 12 months immediately preceding such election. Councilmembers Places Two, Four, and Six must reside within their geographic area for the entirety of their term of office and shall forfeit said office if they do not maintain their residency within that designated Council Area during their term. The Councilmembers Places Two, Four, and Six shall be elected by a majority of the registered voters within the city.*
- (d) *Establishing Geographic Places (Areas):*
 - i. *The City Council shall adopt an ordinance establishing the three (3) geographic Places (areas) for Place Two, Place Four, and Place Six to be represented by a resident of that area to serve on the City Council from that Place (area). The boundaries of these three geographic areas shall be based upon the 2020 Federal Census and be consistent with state and federal laws regarding voter representation.*
 - ii. *Beginning in 2031, and every ten years thereafter, following the Federal decennial census, the Mayor and City Council shall appoint a Districting Commission on or before March 15 immediately following the publication of the results of each decennial United States census. The Districting Commission shall be composed of two representatives, each appointed by the Mayor and each Councilmember. The Mayor and each at-large Councilmember from Places One, Three, and Five shall nominate two qualified voters from the city at-large to serve on the Districting Commission. Each Councilmember from Places Two, Four, and Six shall nominate two qualified voters from the geographic area in which they reside to serve on the Districting Commission. The members of the Districting Commission shall not serve the City in any other capacity, whether appointive or elective, nor shall they hold any other elective public office. The Districting Commission shall adopt guiding principles which ensure that the Commission's recommendations of the geographic area boundaries shall be made in a manner when complies with the constitutional principles and laws governing voting rights of the United States and Texas. The geographic areas shall be of substantially equal population.*

- iii. *No later than May 31 or as soon as practical thereafter of the year following the decennial census to qualify for the next election cycle, the Districting Commission shall make its recommendations to the City Council regarding any necessary adjustments of the boundaries of the geographic areas resulting from changes to the city's population and other appropriate demographic considerations. Upon receiving the Commission's recommendations, the City Council shall, no later than July 1 or as soon as practical thereafter of that year, review the population of each proposed geographic area, and adopt an Ordinance to modify the boundaries thereof as necessary to ensure substantial equality in the populations of the geographic areas.*
- iv. *The terms "geographic area," "Council Place," "Council District," "Council Area," or other term denoting a specific area of the city to be represented by a member of the City Council may be used interchangeably and are substantially equivalent. The term "at-large" or "citywide" may be used interchangeably and are substantially equivalent when referring to the Mayor or Councilmember of a Place not requiring residency in a specific area.*
- (e) The Mayor, Councilmembers and other officers and employees shall not be indebted to the City; shall not hold any other public office of emolument and shall not be interested in the profits or emolument of any contracts, job, work or service for the municipality, or interested in the sale to the City of any supplies, equipment, material or articles purchased.
- (f) Any officer or employee of the City who shall cease to possess any of the qualifications herein required shall forthwith forfeit office and any such contract in which any officer or employee is or may become interested may be declared void by the Council.
- (g) No officer or employee of the City (except policemen and firemen in uniform, or wearing a badge), shall accept any frank, free ticket, passes or service, or anything of value, directly or indirectly from any person, firm, or corporation, upon terms more favorable than are granted to the public.
- (h) Any violation of this section shall be a misdemeanor, and on conviction of such violation, such office or employment shall be forfeited.

Section 5. – Elections

The Committee confirmed the fact that all City Council seats would be up for election in May 2025 at the end of the current two-year term of office. With the proposal to establish staggered, four-year terms, a transitional period for some of the seats would be required. To simplify the understanding of voters on what could become a complicated ballot measure, the City Attorney offered the Committee an alternative. The City Council could establish an abbreviated election term by ordinance, which would identify the seats and terms starting with the election in May 2025.

Thus, the Committee agreed to include language in the proposed Charter amendment that recognizes all seats are to be elected in May 2025 with the Mayor and three Councilmembers elected to a four-year term and three Councilmembers to be elected to an abbreviated term of two years, until May 2027, at which time the seats would be open again for election to serve a four-year term, until May 2031. A sample of this election cycle is shown in Table 3.

Table 3. Sample Abbreviated Election Cycle

	May 2025	May 2027	May 2029	May 2031	May 2033
Mayor	X		X		X
Places 1, 3, 5	X	X		X	
Places 2, 4, 6	X		X		X

By establishing the abbreviated election cycle by City Council ordinance (to be done prior to the November 5, 2024 election), the only amendment necessary for this section of the Charter is to acknowledge the additional two Councilmember Places.

Recommended Charter Language

The Committee recommends amending Article V. Section 5 – Elections to reflect an increase to six Councilmembers, a slight language update, and shall read as follows (emphasis reflect proposed changes):

- (a) The elective officers of the City shall consist of a Mayor and *six* Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three, and Councilmember Place Four, *Councilmember Place Five, and Councilmember Place Six*), each of whom shall be elected by majority of the registered voters within the city.
- (b) *The Mayor and all Councilmembers, Places One, Two, Three, Four, Five, and Six, shall be elected in May of each odd-numbered year to terms established by ordinance beginning in May 2025.*
- (c) At the time of filing as a candidate for Mayor or City Councilmember, the person shall, in addition to meeting all other requirements and qualifications, either pay an application fee of one hundred dollars (\$100.00) to the City Secretary, or in lieu of such submit a petition signed by one hundred (100) registered voters of the City, verified by the City Secretary, in support of the person's candidacy.
- (d) Should any candidate fail to receive a majority of the votes at the regular election for the office for which he *or she* is a candidate, the Council shall immediately order a special election in accordance with applicable state law, at which special election the names only of the two candidates receiving the highest number of votes at the regular election, for the office for which they were candidates shall be printed on the ballot and submitted to the registered voters within the city for election, and the candidate receiving the majority of votes at such special election for the place of office for which he was a candidate, shall be declared duly elected.

Proposed Proposition C

The Committee recommends as its third priority for ballot measure Proposition C to include the recommended Charter amendments shown above for Article V. Section 1. – Municipal Government, Section 4. – Qualifications, and Section 5. – Elections. These changes to the Charter will increase the size of the City Council to seven (all of which will be elected by a majority of votes cast in the city), establish three at-large Councilmember Places and three Councilmember Places with residency requirements, and establish three geographic places within the city that comply with federal and state laws ensuring voter representation.

City Manager Powers and Duties

Background

As is with most City Council – City Manager forms of government, the duties of the City Manager are identified within the Charter to clearly establish the role of the City Manager as the chief executive of the City organization.

The City Manager is responsible for implementing the policies adopted by the City Council, preparing the City's budget for City Council adoption, hiring and firing all City staff, and overseeing the administrative duties of the City organization. The professional experience of the City Manager is to serve as a resource and chief advisor to the City Council, and to present the City Council with pros and cons of proposed projects or developing issues, with a long-term forecast of the options. The City Manager is non-partisan and generally prohibited from political involvement. The position is held to high ethical standards under the International City/County Management Association (ICMA) as well as the Texas City Management Association among others.

The current Charter Article V, Section 21. – Powers and Duties of the City Manager reads as follows:

- Subsection (b): Appoint all appointive officers or employees of the City with the advice and consent of the Council (such appointments to be made upon merit and fitness alone), and remove all officers and employees appointed by the Manager.

Committee Deliberations

The Committee's review of this section of the Charter focused on subsection (b) in that the City Manager "shall appoint all ... employees of the City with the advice and consent of the Council." The Committee noted that in the Council-Manager form of government, the City Manager has the authority to appoint all employees of the City unless otherwise established in the Charter or a policy. Thus, having consent from the City Council is not necessary and has the potential to become a burdensome human resources function. However, the Committee did find that in offering employment or a position at an executive level the City Manager should consult with the City Council in advance. Thus, the Committee proposes eliminating the words "advice and consent" and revising to "with consultation" and to clearly identify the positions requiring such consultation.

Recommended Charter Language

The Committee recommends amending Article V. Section 21 – Powers and Duties of the City Manager to clarify consulting with the City Council in advance of employment to an unclassified executive position and shall read as follows (emphasis reflect proposed changes):

- (a) The City Manager shall see that the Laws and Ordinances of the City are enforced.
- (b) Appoint all appointive officers or employees of the City *with consultation* with the Council *prior to an offer of employment being made to an unclassified employee in an executive position such as an assistant or deputy city manager or as the director of any department* (such appointments to be made upon merit and fitness alone), and remove all officers and employees appointed by the Manager.
- (c) Exercise control and supervision over all departments and offices that may be created by the Council, and all officers and employees appointed by the Manager;
- (d) Attend all meetings of the Council with a right to take part in the discussion, but having no vote;
- (e) Recommend, in writing, to the Council such measures as the Manager may deem necessary or expedient;
- (f) Keep the Council fully advised as to the financial condition and needs of the city; and,

- (g) Perform such other duties as may be prescribed by this Charter, or be required by Ordinance or resolution of the Council.

Proposed Proposition D

The Committee recommends as its fourth, and final, priority for ballot measure Proposition D to include the recommended Charter amendments shown above for Article V. Section 21. – Powers and Duties of the City Manager defining that prior to an offer for an executive position the City Manager will consult with the City Council.

Regular Review of the Charter

Background

As noted earlier, the Amarillo Charter has been amended nine times since its adoption in 1913. The City of Amarillo has implemented Charter reviews and updates as issues arise that need to be addressed. Proposing Charter amendments in a reactive manner is not a best practice for local government.

Currently, there is no provision within the Charter or the City's Governance and Ends Policies for the regular review of the Charter. This important document which serves as the City's constitution provides the details associated with City government operations, functions, and as a guide for decision making.

Committee Deliberations

Much has changed in Amarillo in the last 111 years, yet only nine changes have been made to the City's Charter in that time. The Committee noted archaic language, items that conflict with state and/or federal laws and were made aware of necessary changes that the Offices of the City Manager and City Attorney have been documenting.

With the short amount of time provided to the Committee to conduct a thorough review of the Charter and the understanding that too many ballot measures can quickly overwhelm voters, the Committee recommends that the City Council include a policy in the City's Governance and Ends Policies to establish a citizen committee and a regular review of the Charter.

Committee Recommendation

The Committee recommends updating the Governance and Ends Policies, Policy 1 – Governance Process by including a new Section 1.8. Charter Review Committee and Process.

Proposed Policy

1. Section 1.8. Charter Review Committee and Process
 - (a) The City Council shall establish a Charter Review Committee every four years for the purpose of a regular review of the City Charter and to make recommendations to the City Council, as necessary. The Charter Review Committee shall convene every four years in even numbered years beginning in 2026, or at other times as convened by the City Council. The review shall include potential issues referred to the Committee by the City Council, including review of the Charter necessitated by changes in federal and state law, or for any other reason as directed by the City Council.
 - (b) The Charter Review Committee shall be composed of 14 Amarillo citizens appointed by the Mayor and City Council. The Mayor and each Councilmember elected on a citywide, at-large basis shall appoint two persons to the Commission who may live in any area of the city; each Councilmember elected to represent a specific geographic place shall appoint two persons to the Commission who must reside in the geographic area represented by that Councilmember. The term of office for each appointee shall be four years. The Commission shall elect its own Chairperson and Vice-Chairperson and may adopt its rules and procedures if they do not conflict with any City ordinance or policy and are consistent with state and federal law. The members of the Charter Review Committee shall not serve the City in any other capacity, whether appointive or elective, nor shall they hold any other elective public office.

Communications Policy Update

Background

The City's Governance and Ends Policies has a provision regarding communications as a City Council key performance area with the intent to promote internal and external communication through the City Manager (Policy 3 – Ends Policies, Section 3.8). Further, it identifies that the Council “strives to ensure the City is run on an open and transparent platform” and highlights the fact that the City Manager will keep the Council informed of “operational, financial, legal, or political risk.”

Committee Deliberations

As the Committee discussed amendments to Article V, Section 21 – Powers and Duties of the City Manager, it became apparent that the City's Governance and Ends Policies should align with the revised provision and further clarify the City Manager's communications regarding personnel changes. In concert with a potential change to the City Charter regarding the appointing authority of the City Manager, or as an alternative should the City Council determine not to forward the ballot measure or should the ballot measure not pass, the Committee recommends that the City Council consider a revision to the Governance and Ends Policies, or other City policy(ies), to clarify the need to communicate the intent to hire executive level employees.

Committee Recommendation

This proposed policy acknowledges that the City Council hires and supervises the City Manager. The proposed Charter language would apply to a limited number of appointments made by the City Manager by ensuring consultation with the City Council prior to the extension of an offer of employment to any unclassified staff position of an assistant or deputy city manager or department director. By including the same provision in the Amarillo Governance and Ends Policies, Section 3.8b Communications: Executive Limitations, it will improve the human resources function for the employment of the City's executive level positions.

Proposed Policy

3.8b Ends Policy: Communications: Executive Limitations

1. As Council strives to ensure the City is run on an open and transparent platform with employees and citizens, the City Manager shall not permit Council to be uninformed or unsupported in its work on issues, including but not limited to significant operational, financial, legal, or political risk.
2. *To ensure the smooth and efficient operation of the human resources function, the City Manager shall consult with the Mayor and City Council prior to extending an offer of employment to any prospective employee being hired for an unclassified executive-level position such as an assistant city manager, deputy city manager, city attorney, or and department director.*

Position of the City Attorney

Background

The role of the City Attorney is to handle legal matters related to operating a local municipal government organization and is a crucial role in ensuring the efficient operation of a city and addressing legal issues that arise during its administration.

Further, the City Attorney will defend the City of Amarillo, its elected officials, its employees, and its municipal code and policies as an organization and to provide legal analysis and consultation as needed in regard to the City for the elected body of the City Council as well as City employees in the charge of their duties. The City Attorney's role is not to provide legal counsel to an individual (either elected official or employee) but to the organization as needed to clarify the legal standing of issues that come before them.

Currently, the City Attorney is hired by and reports to the City Manager and serves as a department head overseeing the City's legal team and legal firms contracted by the City Attorney's Office. The City Council charged the Committee with reviewing the potential to amend the Charter to have the City Attorney position become appointed by and reporting to the City Council.

Regardless of appointment or reporting structure, the duties of the City Attorney remain unchanged. The City Attorney's client is the City of Amarillo.

Committee Deliberations

The Committee engaged in a healthy discussion regarding the role of the City Attorney and providing legal defense and consultation for the City of Amarillo. The Committee noted that the City Attorney is required to be multi-faceted in the execution of duties by being knowledgeable of state law and changes that may impact the organization, understanding human resources and risk management issues, government contract provisions, open meetings and open records laws and regulations, prepare resolutions and ordinances, and much more.

The Committee agreed that the City Attorney does not provide legal counsel to an individual of the organization. The City Attorney's role is to protect and defend the City organization and to inform the City Council and City staff of changing laws and to provide advice or opinions on matters that come before them in their duties or work. It was also noted that the City Attorney's Office spends most of its time on matters involving City staff and operations.

Considering the role of the City Attorney does not change based upon being appointed by the City Council or hired by the City Manager, the Committee determined no change was necessary.

Committee Recommendation

The Committee recommends no changes to the City Manager's hiring authority for the City Attorney position, with the City Attorney reporting to the City Manager.

Conclusion

The Charter Review Committee presents for City Council consideration four ballot measures for the November 5, 2024, general election and recommendations for policy changes to ensure proper representation, good governance practices, accountability to the citizens and accessibility by the citizens of Amarillo. The recommendations are as follows:

1. Proposition A: Recall Criteria
2. Proposition B: Council Terms, Vacancies, and Term Limits
3. Proposition C: Council Composition, Qualifications, and Elections
4. Proposition D: City Manager Powers and Duties
5. Governance and Ends Policies: New Section 1.8: Regular Review of the Charter
6. Governance and Ends Policies: New Section 3.8b: City Manager Communications
7. No changes to the position of the City Attorney.

Attachment A – Redline Charter Language

Proposed Proposition A

Proposed Change – Mayor and City Council Recall Provisions

This Section of Article II be amended so that hereafter the same shall be and read as follows:

Article II, Section 24. – Recall

- (a) Any elective officer of the City shall be subject to recall and removal from office by the registered voters within the City, and the procedure to effect such removal shall be as follows:
- (b) A petition demanding that the question of removing such officer or officers be submitted to the electors, shall be filed with the City Secretary such petition for the recall of any such elective officer or officers shall be signed by at least thirty percent (30%) of the number of ~~registered voters~~ **votes cast** within the city ~~at least one-fifth (1/5) of whom shall certify that~~ at the election ~~at in~~ in which the officer or officers was or were elected. ~~they voted for the election of such officer or officers proposed to recalled.~~
- (c) Petitions for signatures for such recall shall be procured only from the City Secretary, who shall keep a sufficient number of such blank petitions on file for distribution, and prior to the issuance of such petitions for signatures there shall be filed with such person an affidavit by one or more registered voters within the city, stating the name or names of the officer or officers sought to be removed. Such officer issuing such petition for removal to an elector shall enter in a record to be kept, the name of the elector to whom issued, the date of such issuance and the number of such petitions issued and shall certify on such petitions for signatures, the name of the elector to whom issued and the date of its issuance. No petition for signatures shall be accepted and taken into consideration in determining the necessary percentage of voters for removal unless it bears such certificate and be filed as herein provided.
- (d) Each signer of a recall petition shall sign his ~~or her~~ name thereto in ink or indelible pencil and following the name, his ~~or her~~ place of residence by street and number. To each of said petitions there shall be attached an affidavit of the circulator thereof, stating the number of signers to such part of the petition and that each signature to same is genuine, was made in his ~~or her~~ presence and is that of the person whose name it purports to be.
- (e) All papers comprising a recall, shall be returned and filed with the City Secretary, within ~~thirty (30)~~ **sixty (60)** days after the filing of the required affidavit for the City Secretary, upon the return of such petition, shall at once submit the same to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action. If the official whose removal is sought does not resign within five (5) days after such notice is given, the governing authority of the City shall thereupon order and fix a day for holding a recall election in accordance with applicable law as amended.
- (f) The ballot at such recall election shall conform to the following requirements: With respect to each person whose removal is sought the question shall be submitted:

SHALL (NAME OF PERSON) BE REMOVED FROM THE OFFICE OF (NAMING THE OFFICE) BY RECALL?

Immediately following each of such questions there shall be printed on the ballots, in separate lines, in the order here set out the words:

FOR THE RECALL OF (NAMING THE PERSON)

AGAINST THE RECALL OF (NAMING THE PERSON)

- (g) Should a majority of the votes cast at such recall election be for the recall of the officer named on the ballot, he ~~or she~~ shall, regardless of any technical defects in the recall petitions, be deemed removed from office, but should a majority of the votes cast at such recall election be against the recall of the officer named on the ballot, such officer shall continue in office for the remainder of his term, subject to recall as before.
- (h) No recall petition shall be filed against any officer of the City within six (6) months after ~~his election they assume office~~ or ~~within six (6) months of the end of the officer's term~~, nor within six (6) months after an election for such officer's recall.
- (i) In case the governing authority of the City shall fail or refuse to receive the recall petition, order such recall election, or discharge any other duties with reference to such recall, then the County Judge of Potter County, Texas, shall discharge any of such duties herein provided to be discharged by the governing authority of said City.
- (j) If, in such recall election, there shall, as a result of such election, remain one or more of such elective officers, who is not recalled, then such officer or officers not recalled shall discharge all of the duties incumbent upon the governing authority of said City until the vacancy or vacancies created at such recall elections are filled by an election for that purpose, as hereinafter provided for, but if in any proposed recall election it is proposed and submitted to recall all elective officers, then there shall be placed on said ballot under the question of recall, the names of candidates to fill the vacancies proposed to be created by such election, but the names of such officers proposed to be recalled shall not appear on the ballot as candidates.
- (k) If at any recall election it is not proposed and submitted to recall all of the elective officers, but only one or more, fewer than all, and such election shall result in favor of the recall of one or more of such officers, proposed to be recalled, then it shall be the duty of such officer or officers not recalled and constituting the governing authority of the City, in accordance with applicable state law and this Charter to meet, canvass the returns, declare the result of the election and order an election to fill such vacancy or vacancies; which election shall be held in accordance with applicable state law.

(Char. 11-18-13, Art. 2, § 24; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Proposed Proposition B

Proposed Change – Mayor and City Council Term of Office and Vacancies

This Section of Article V be amended so that hereafter the same shall be and read as follows:

Article V, Section 2. – Term of Office and Section 3. – Vacancies

Section 2. – Term of Office

The Mayor and each Councilmember shall serve for a term of ~~two (2)~~ four (4) years with those terms being staggered as provided by ordinance and conforming amendments as required by state law and until a successor is elected and qualified; unless sooner removed from office as herein provided.

(Char. 11-18-13, Art. 5, § 2; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Section 3. – Vacancies

- (a) Any vacancy in the office of the Mayor with less than twelve (12) months remaining in the term shall be filled by an appointment by the remaining Councilmembers from among their number. The Council, in the event of a vacancy in the office of the Mayor with more than twelve (12) months remaining in the term, shall order a special election in accordance with state law.
- (b) Any vacancy in the office of a Councilmember with less than twelve (12) months remaining in the term shall be filled by an appointment by the Mayor and the remaining Councilmembers. The Council, in the event of a vacancy in the office of a Councilmember with more than twelve (12) months remaining in the term, shall order a special election in accordance with state law.
- (c) Provided that the person appointed or elected to fill such vacancy shall hold office only during the unexpired term of office.
- (d) If the Mayor or any Councilmember announce as a candidate to be elected to a another public office with more than twelve months (12-months) and thirty days (30-days) remaining in their current term of office, it shall be considered that the officeholder has immediately resigned from their current office consistent with state law and their office shall be deemed vacant. The City Council will then proceed to fill the vacant position under the procedures outlined herein.

(Char. 11-18-13, Art. 5, § 3; Ord. No. 1717, § 1, 8-19-1947; Election 9-23-1947; Ord. No. 2019, § 1, 12-7-1954; Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Section 5. – Elections

- (e) No person shall serve more than two (2) full consecutive terms as a member of the City Council. A person who has served as a member of the City Council for two (2) full consecutive terms shall not again be eligible for election to any elected position as a member of the City Council in the City of Amarillo until at least two (2) years has elapsed since the end of their last term of office.
- (f) (Char. 11-18-13, Art. 5, § 5; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Proposed Proposition C

Proposed Change – Mayor and City Council Composition, Qualifications, and Elections

This Section of Article V be amended so that hereafter the same shall be and read as follows:

Article V, Section 1. – Municipal Government, Section 4. – Qualifications, and Section 5. – Elections

Section 1. – Municipal Government

The municipal government of the City of Amarillo shall consist of the City Council, which shall be composed of ~~five (5) Councilmembers, one of whom shall be the Mayor of the City~~ a Mayor and six Councilmembers.

(Char. 11-18-13, Art. 5, § 1; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Section 4. – Qualifications

- (a) The Mayor and each Councilmember shall be resident citizens of the City of Amarillo, have the qualifications of registered voters therein and shall have been a resident citizen of the City of Amarillo for a period of twelve (12) months immediately preceding such election.
- (b) ~~The Mayor and Councilmembers Place One, Place Three, and Place Five, may live anywhere within the city of Amarillo.~~
- (c) ~~Councilmembers Place Two, Place Four, and Place Six shall be required to reside within one (1) of the three (3) specified geographic Places (area) and shall have been a resident of that specific geographic Place (area) for a minimum of twelve (12) months immediately preceding such election. Councilmembers Places Two, Four, and Six must reside within their geographic area for the entirety of their term of office and shall forfeit said office if they do not maintain their residency within that designated Council Area during their term. The Councilmembers Places Two, Four, and Six shall be elected by a majority of the registered voters within the city.~~
- (d) ~~Establishing Geographic Places (Areas):~~
 - i. ~~The City Council shall adopt an ordinance establishing the three (3) geographic Places (areas) for Place Two, Place Four, and Place Six to be represented by a resident of that area to serve on the City Council from that Place (area). The boundaries of these three (3) geographic areas shall be based upon the 2020 Federal Census and be consistent with state and federal laws regarding voter representation.~~
 - ii. ~~Beginning in 2031, and every ten (10) years thereafter, following the Federal decennial census, the Mayor and City Council shall appoint a Districting Commission on or before March 15 immediately following the publication of the results of each decennial United States census. The Districting Commission shall be composed of two (2) representatives, each appointed by the Mayor and each Councilmember. The Mayor and each at-large Councilmember from Places One, Three, and Five shall nominate two (2) qualified voters from the city at-large to serve on the Districting Commission. Each Councilmember from Places Two, Four, and Six shall nominate two (2) qualified voters from the geographic area in which they reside to serve on the Districting Commission. The members of the Districting Commission shall not serve the City in any other capacity, whether appointive or elective, nor shall they hold any other elective public office. The Districting Commission shall adopt guiding principles which ensure that the Commission's recommendations of the geographic area boundaries shall be made in a manner when complies with the constitutional principles and laws governing voting rights of the United States and Texas. The geographic areas shall be of substantially equal population.~~

- iii. No later than May 31 or as soon as practical thereafter of the year following the decennial census to qualify for the next election cycle, the Districting Commission shall make its recommendations to the City Council regarding any necessary adjustments of the boundaries of the geographic areas resulting from changes to the city's population and other appropriate demographic considerations. Upon receiving the Commission's recommendations, the City Council shall, no later than July 1 or as soon as practical thereafter of that year, review the population of each proposed geographic area, and adopt an Ordinance to modify the boundaries thereof as necessary to ensure substantial equality in the populations of the geographic areas.
 - iv. The terms "geographic area," "Council Place," "Council District," "Council Area," or other term denoting a specific area of the city to be represented by a member of the City Council may be used interchangeably and are substantially equivalent. The term "at-large" or "citywide" may be used interchangeably and are substantially equivalent when referring to the Mayor or Councilmember of a Place not requiring residency in a specific area.
 - (e) The Mayor, Councilmembers and other officers and employees shall not be indebted to the City; shall not hold any other public office of emolument and shall not be interested in the profits or emolument of any contracts, job, work or service for the municipality, or interested in the sale to the City of any supplies, equipment, material or articles purchased.
 - (f) Any officer or employee of the City who shall cease to possess any of the qualifications herein required shall forthwith forfeit office and any such contract in which any officer or employee is or may become interested may be declared void by the Council.
 - (g) No officer or employee of the City (except policemen and firemen in uniform, or wearing an badge), shall accept any frank, free ticket, passes or service, or anything of value, directly or indirectly from any person, firm or corporation, upon terms more favorable than are granted to the public.
 - (h) Any violation of this section shall be a misdemeanor, and on conviction of such violation, such office or employment shall be forfeited.
- (Char. 11-18-13, Art. 5, § 4; Ord. No. 5000, 7-1-1980, Election 8-9-1980; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Section 5. – Elections

- (a) The elective officers of the City shall consist of a Mayor and ~~four (4)~~ **six (6)** Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three and Councilmember Place Four, **Councilmember Place Five, and Councilmember Place Six**), each of whom shall be elected by a majority of the registered voters within the city, for the City at large.
- (b) **The Mayor and all Councilmembers, Places One, Two, Three, Four, Five, and Six, shall be elected in May of each odd-numbered year to terms established by ordinance beginning in May 2025.**
- (c) At the time of filing as a candidate for Mayor or City Councilmember, the person shall, in addition to meeting all other requirements and qualifications, either pay an application fee of one hundred dollars (\$100.00) to the City Secretary, or in lieu of such submit a petition signed by one hundred (100) registered voters of the City, verified by the City Secretary, in support of the person's candidacy.

- (d) Should any candidate fail to receive a majority of the votes at the regular election for the office for which he **or she** is a candidate, the Council shall immediately order a special election in accordance with applicable state law, at which special election the names only of the two candidates receiving the highest number of votes at the regular election, for the office for which they were candidates shall be printed on the ballot and submitted to the registered voters within the city for election, and the candidate receiving the majority of votes at such special election for the place of office for which he was a candidate, shall be declared duly elected.

(Char. 11-18-13, Art. 5, § 5; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Proposed Proposition D

Proposed Change –Powers and Duties of the City Manager

This Section of Article V be amended so that hereafter the same shall be and read as follows:

Article V, Section 21. – Powers and Duties of the City Manager

- (a) The City Manager shall see that the Laws and Ordinances of the City are enforced;
- (b) Appoint all appointive officers or employees of the City with ~~the advice and consent of the~~ consultation with Council prior to an offer of employment being made to any unclassified employee in an executive position such as an assistant or deputy city manager or as the director of any department (such appointments to be made upon merit and fitness alone), and remove all officers and employees appointed by the Manager;
- (c) Exercise control and supervision over all departments and offices that may be created by the Council, and all officers and employees appointed by the Manager;
- (d) Attend all meetings of the Council with a right to take part in the discussion, but having no vote;
- (e) Recommend, in writing, to the Council such measures as the Manager may deem necessary or expedient;
- (f) Keep the Council fully advised as to the financial condition and needs of the city; and,
- (g) Perform such other duties as may be prescribed by this Charter, or be required by Ordinance or resolution of the Council.

(Char. 11-18-13, Art. 5, § 21; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Attachment B – Clean Charter Language

Proposed Proposition A

Proposed Change – Mayor and City Council Recall Provisions

This Section of Article II be amended so that hereafter the same shall be and read as follows:

Article II, Section 24. – Recall

- (a) Any elective officer of the City shall be subject to recall and removal from office by the registered voters within the City, and the procedure to effect such removal shall be as follows:
- (b) A petition demanding that the question of removing such officer or officers be submitted to the electors, shall be filed with the City Secretary such petition for the recall of any such elective officer or officers shall be signed by at least thirty percent (30%) of the number of votes cast within the city at the election in which the officer or officers was or were elected.
- (c) Petitions for signatures for such recall shall be procured only from the City Secretary, who shall keep a sufficient number of such blank petitions on file for distribution, and prior to the issuance of such petitions for signatures there shall be filed with such person an affidavit by one or more registered voters within the city, stating the name or names of the officer or officers sought to be removed. Such officer issuing such petition for removal to an elector shall enter in a record to be kept, the name of the elector to whom issued, the date of such issuance and the number of such petitions issued and shall certify on such petitions for signatures, the name of the elector to whom issued and the date of its issuance. No petition for signatures shall be accepted and taken into consideration in determining the necessary percentage of voters for removal unless it bears such certificate and be filed as herein provided.
- (d) Each signer of a recall petition shall sign his or her name thereto in ink or indelible pencil and following the name, his or her place of residence by street and number. To each of said petitions there shall be attached an affidavit of the circulator thereof, stating the number of signers to such part of the petition and that each signature to same is genuine, was made in his or her presence and is that of the person whose name it purports to be.
- (e) All papers comprising a recall, shall be returned and filed with the City Secretary, sixty (60) days after the filing of the required affidavit for the City Secretary, upon the return of such petition, shall at once submit the same to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action. If the official whose removal is sought does not resign within five (5) days after such notice is given, the governing authority of the City shall thereupon order and fix a day for holding a recall election in accordance with applicable law as amended.
- (f) The ballot at such recall election shall conform to the following requirements: With respect to each person whose removal is sought the question shall be submitted:

SHALL (NAME OF PERSON) BE REMOVED FROM THE OFFICE OF (NAMING THE OFFICE) BY RECALL?

Immediately following each of such questions there shall be printed on the ballots, in separate lines, in the order here set out the words:

FOR THE RECALL OF (NAMING THE PERSON)

AGAINST THE RECALL OF (NAMING THE PERSON)

- (g) Should a majority of the votes cast at such recall election be for the recall of the officer named on the ballot, he or she shall, regardless of any technical defects in the recall petitions, be deemed removed from office, but should a majority of the votes cast at such recall election be against the recall of the officer named on the ballot, such officer shall continue in office for the remainder of his term, subject to recall as before.
- (h) No recall petition shall be filed against any officer of the City within six (6) months after they assume office or within six (6) months of the end of the officer's term, nor within six (6) months after an election for such officer's recall.
- (i) In case the governing authority of the City shall fail or refuse to receive the recall petition, order such recall election, or discharge any other duties with reference to such recall, then the County Judge of Potter County, Texas, shall discharge any of such duties herein provided to be discharged by the governing authority of said City.
- (j) If, in such recall election, there shall, as a result of such election, remain one or more of such elective officers, who is not recalled, then such officer or officers not recalled shall discharge all of the duties incumbent upon the governing authority of said City until the vacancy or vacancies created at such recall elections are filled by an election for that purpose, as hereinafter provided for, but if in any proposed recall election it is proposed and submitted to recall all elective officers, then there shall be placed on said ballot under the question of recall, the names of candidates to fill the vacancies proposed to be created by such election, but the names of such officers proposed to be recalled shall not appear on the ballot as candidates.
- (k) If at any recall election it is not proposed and submitted to recall all of the elective officers, but only one or more, fewer than all, and such election shall result in favor of the recall of one or more of such officers, proposed to be recalled, then it shall be the duty of such officer or officers not recalled and constituting the governing authority of the City, in accordance with applicable state law and this Charter to meet, canvass the returns, declare the result of the election and order an election to fill such vacancy or vacancies; which election shall be held in accordance with applicable state law.

(Char. 11-18-13, Art. 2, § 24; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Proposed Proposition B

Proposed Change – Mayor and City Council Term of Office and Vacancies

This Section of Article V be amended so that hereafter the same shall be and read as follows:

Article V, Section 2. – Term of Office and Section 3. – Vacancies

Section 2. – Term of Office

The Mayor and each Councilmember shall serve for a term of four (4) years with those terms being staggered as provided by ordinance and conforming amendments as required by state law and until a successor is elected and qualified; unless sooner removed from office as herein provided.

(Char. 11-18-13, Art. 5, § 2; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Section 3. – Vacancies

- (a) Any vacancy in the office of the Mayor with less than twelve (12) months remaining in the term shall be filled by an appointment by the remaining Councilmembers from among their number. The Council, in the event of a vacancy in the office of the Mayor with more than twelve (12) months remaining in the term, shall order a special election in accordance with State law.
- (b) Any vacancy in the office of a Councilmember with less than twelve (12) months remaining in the term shall be filled by an appointment by the Mayor and the remaining Councilmembers. The Council, in the event of a vacancy in the office of a Councilmember with more than twelve (12) months remaining in the term, shall order a special election in accordance with State law.
- (c) Provided that the person appointed or elected to fill such vacancy shall hold office only during the unexpired term of office.
- (d) If the Mayor or any Councilmember announce as a candidate to be elected to another public office with more than twelve months (12-months) and thirty days (30-days) remaining in their current term of office, it shall be considered that the officeholder has immediately resigned from their current office consistent with State law and their office shall be deemed vacant. The City Council will then proceed to fill the vacant position under the procedures outlined herein.

(Char. 11-18-13, Art. 5, § 3; Ord. No. 1717, § 1, 8-19-1947; Election 9-23-1947; Ord. No. 2019, § 1, 12-7-1954; Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Section 5. – Elections

- (e) No person shall serve more than two (2) full consecutive terms as a member of the City Council. A person who has served as a member of the City Council for two (2) full consecutive terms shall not again be eligible for election to any elected position as a member of the City Council in the City of Amarillo until at least two (2) years has elapsed since the end of their last term of office.

(Char. 11-18-13, Art. 5, § 5; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Proposed Proposition C

Proposed Change – Mayor and City Council Composition, Qualifications, and Elections

This Section of Article V be amended so that hereafter the same shall be and read as follows:

Article V, Section 1. – Municipal Government, Section 4. – Qualifications, and Section 5. – Elections

Section 1. – Municipal Government

The municipal government of the City of Amarillo shall consist of the City Council, which shall be composed of a Mayor and six Councilmembers.

(Char. 11-18-13, Art. 5, § 1; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Section 4. – Qualifications

- (a) The Mayor and each Councilmember shall be resident citizens of the City of Amarillo, have the qualifications of registered voters therein and shall have been a resident citizen of the City of Amarillo for a period of twelve (12) months immediately preceding such election.
- (b) The Mayor and Councilmembers Place One, Place Three, and Place Five, may live anywhere within the city of Amarillo.
- (c) Councilmembers Place Two, Place Four, and Place Six shall be required to reside within one (1) of the three (3) specified geographic Places (area) and shall have been a resident of that specific geographic Place (area) for a minimum of twelve (12) months immediately preceding such election. Councilmembers Places Two, Four, and Six must reside within their geographic area for the entirety of their term of office and shall forfeit said office if they do not maintain their residency within that designated Council Area during their term. The Councilmembers Places Two, Four, and Six shall be elected by a majority of the registered voters within the city.
- (d) Establishing Geographic Places (Areas):
 - i. The City Council shall adopt an ordinance establishing the three (3) geographic Places (areas) for Place Two, Place Four, and Place Six to be represented by a resident of that area to serve on the City Council from that Place (area). The boundaries of these three (3) geographic areas shall be based upon the 2020 Federal Census and be consistent with state and federal laws regarding voter representation.
 - ii. Beginning in 2031, and every ten (10) years thereafter, following the Federal decennial census, the Mayor and City Council shall appoint a Districting Commission on or before March 15 immediately following the publication of the results of each decennial United States census. The Districting Commission shall be composed of two (2) representatives, each appointed by the Mayor and each Councilmember. The Mayor and each at-large Councilmember from Places One, Three, and Five shall nominate two (2) qualified voters from the city at-large to serve on the Districting Commission. Each Councilmember from Places Two, Four, and Six shall nominate two (2) qualified voters from the geographic area in which they reside to serve on the Districting Commission. The members of the Districting Commission shall not serve the City in any other capacity, whether appointive or elective, nor shall they hold any other elective public office. The Districting Commission shall adopt guiding principles which ensure that the Commission's recommendations of the geographic area boundaries shall be made in a manner that complies with the constitutional principles and laws governing voting rights of the United States and Texas. The geographic areas shall be of substantially equal population.

- iii. No later than May 31 or as soon as practical thereafter of the year following the decennial census to qualify for the next election cycle, the Districting Commission shall make its recommendations to the City Council regarding any necessary adjustments of the boundaries of the geographic areas resulting from changes to the city's population and other appropriate demographic considerations. Upon receiving the Commission's recommendations, the City Council shall, no later than July 1 as soon as practical thereafter of that year, review the population of each proposed geographic area, and adopt an Ordinance to modify the boundaries thereof as necessary to ensure substantial equality in the populations of the geographic areas.
 - iv. The terms "geographic area," "Council Place," "Council District," "Council Area," or other term denoting a specific area of the city to be represented by a member of the City Council may be used interchangeably and are substantially equivalent. The term "at-large" or "citywide" may be used interchangeably and are substantially equivalent when referring to the Mayor or Councilmember of a Place not requiring residency in a specific area.
 - (e) The Mayor, Councilmembers and other officers and employees shall not be indebted to the City; shall not hold any other public office of emolument and shall not be interested in the profits or emolument of any contracts, job, work or service for the municipality, or interested in the sale to the City of any supplies, equipment, material or articles purchased.
 - (f) Any officer or employee of the City who shall cease to possess any of the qualifications herein required shall forthwith forfeit office and any such contract in which any officer or employee is or may become interested may be declared void by the Council.
 - (g) No officer or employee of the City (except policemen and firemen in uniform, or wearing an badge), shall accept any frank, free ticket, passes or service, or anything of value, directly or indirectly from any person, firm or corporation, upon terms more favorable than are granted to the public.
 - (h) Any violation of this section shall be a misdemeanor, and on conviction of such violation, such office or employment shall be forfeited.
- (Char. 11-18-13, Art. 5, § 4; Ord. No. 5000, 7-1-1980, Election 8-9-1980; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Section 5. – Elections

- (a) The elective officers of the City shall consist of a Mayor and six (6) Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three and Councilmember Place Four, Councilmember Place Five, and Councilmember Place Six), each of whom shall be elected by a majority of the registered voters within the city, for the City at large.
- (b) The Mayor and all Councilmembers, Places One, Two, Three, Four, Five, and Six, shall be elected in May of each odd-numbered year to terms established by ordinance beginning in May 2025.
- (c) At the time of filing as a candidate for Mayor or City Councilmember, the person shall, in addition to meeting all other requirements and qualifications, either pay an application fee of one hundred dollars (\$100.00) to the City Secretary, or in lieu of such submit a petition signed by one hundred (100) registered voters of the City, verified by the City Secretary, in support of the person's candidacy.

- (d) Should any candidate fail to receive a majority of the votes at the regular election for the office for which he or she is a candidate, the Council shall immediately order a special election in accordance with applicable state law, at which special election the names only of the two candidates receiving the highest number of votes at the regular election, for the office for which they were candidates shall be printed on the ballot and submitted to the registered voters within the city for election, and the candidate receiving the majority of votes at such special election for the place of office for which he was a candidate, shall be declared duly elected.

(Char. 11-18-13, Art. 5, § 5; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Proposed Proposition D

Proposed Change –Powers and Duties of the City Manager

This Section of Article V be amended so that hereafter the same shall be and read as follows:

Article V, Section 21. – Powers and Duties of the City Manager

- (a) The City Manager shall see that the Laws and Ordinances of the City are enforced;
- (b) Appoint all appointive officers or employees of the City with consultation with Council prior to an offer of employment being made to any unclassified employee in an executive position such as an assistant or deputy city manager or as the director of any department (such appointments to be made upon merit and fitness alone), and remove all officers and employees appointed by the Manager;
- (c) Exercise control and supervision over all departments and offices that may be created by the Council, and all officers and employees appointed by the Manager;
- (d) Attend all meetings of the Council with a right to take part in the discussion, but having no vote;
- (e) Recommend, in writing, to the Council such measures as the Manager may deem necessary or expedient;
- (f) Keep the Council fully advised as to the financial condition and needs of the city; and,
- (g) Perform such other duties as may be prescribed by this Charter, or be required by Ordinance or resolution of the Council.

(Char. 11-18-13, Art. 5, § 21; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

Attachment C – Proposed Ballot Language

Proposition A – Recall of an elected official.

Vote For or Against

To Amend Article II, Section 24 of the Amarillo City Charter to change recall provisions to reduce the number of signatures required to qualify the recall of a City official for the ballot from 30% of registered voters with 1/5 certifying that they voted for the official in the last election to 30% of the number of votes cast in the last election at which the official(s) were elected and increase the time limit to submit recall petitions to the City Secretary from 30-days to 60-days.

Proposition B – Change of Mayor and City Council terms, procedures to fill vacancies, and establishing term limits.

Vote For or Against

To Amend Article V, Sections 2, 3, and 5 of the Amarillo City Charter to change the terms of the Mayor and Councilmembers from two-years term to staggered four-years terms; to revise the process to fill any vacancies in accordance with state law; and to establish term limits such that no person shall serve more than two consecutive full terms as a member of the City Council; and allowing a person to again serve as member of the City Council after two years have elapsed since the end of their last term of office.

Proposition C – Increase the size and change the qualifications of the City Council, establish three geographic areas with residency requirements for three Councilmember Places, and that the election of the Mayor and all Councilmembers will be held at the next regularly schedule City election in May 2025.

Vote For or Against

To Amend Article V, Sections 1, 4, and 5 of the Amarillo City Charter to increase the size of the City Council to include the Mayor and six Councilmembers with all members being elected by citywide majority vote; establish changes to the qualifications of the Mayor and Councilmembers such that the Mayor and three Councilmembers shall be elected on an at-large basis and that three Councilmembers shall be elected subject to residency in one of three geographic places (areas) as established by Ordinance; and that an election shall be held for the Mayor and all six Councilmember Places in May 2025 with the terms established by ordinance.

Proposition D – Clarification of the City Manager's appointing authority for executive employees.

Vote For or Against

To Amend Article V, Section 21 of the Amarillo City Charter to require the City Manager to consult with the City Council prior to an employment offer being made to an unclassified employee in an executive position such as assistant or deputy city manager or head of any department.

Attachment D – Report to Charter Review Committee



Amarillo Charter Review

Report to the Amarillo Charter Committee

Revised June 2, 2024



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Background

This report is an overview of the proposed Charter changes discussed by the Amarillo Mayor and City Council on May 9, 2024. Baker Tilly's input is based on our charter experience in other jurisdictions. Though we will share with the Committee what we believe will work from an overall governance standpoint, we must rely on the Committee and City staff to provide context about Amarillo as a community and the way the current government structure is working. Baker Tilly will also rely on the city attorney to provide legal advice.

The May 9 discussion was led by Mayor Stanley who expressed a strong preference for three-year terms for the mayor and council or, if four-year terms, two-year terms for the mayor. All members present (Councilmember Tibbs absent) supported staggered terms as that would prevent a complete turnover of the city council. There was also a preference for expanding the city council from five to seven members. The workload for a city the size of Amarillo is demanding especially for citizen-politicians who are not full-time. Finally, council members discussed a preference for hiring the city attorney who would report to the council rather than the city manager.

Baker Tilly's research methodology included surveying other comparable cities with Amarillo and presenting the advantages and disadvantages as a starting point for discussion. We work for the City of Amarillo (City) and you as Committee members. Feel free to ask for a change in direction or additional research at any time.

Texas and Amarillo Elections

Below is an overview of some important information about elections in the State of Texas and the City of Amarillo.

Texas Constitution Article 11, Section 5 (a) Limiting Charter Amendments

It will be critical to consider Article 11, Section 5 (a) stating no city charter shall be altered, amended, or repealed more often than every two years. Failed ballot measures do not count.

Texas State Election Cycles

Election cycles are a crucial factor when considering charter changes, especially term lengths. Federal and state elections occur in the Spring and November of even years. Those elections, which are conducted by the counties, become the foundation for two-year election cycles in Texas. The City of Amarillo also has a two-year election cycle for the mayor and council but in odd, rather than even years.

Method of Electing the Council

Council members in cities with two-year terms may be elected by a plurality of votes cast; however, the Texas Constitution stipulates that in cities with terms longer than two years, or a population exceeding 5,000, members of the governing body must be elected by a majority vote.

Amarillo Election Cycles

The City conducts municipal elections in May of odd years. Because Amarillo must elect by majority, it can be forced to conduct runoffs. The runoff election is standalone and costly.

Charter Article V Section 8 – Election Day

The regular municipal elections of the City of Amarillo shall be held on the date allowed by state law that occurs on or nearest to May 1 in each odd numbered year. If state law provides two election dates which are equally near May 1, the council shall select one.

Charter Article V Section 5 (c) – Elections

Should any candidate fail to receive a majority of the votes at the regular election for the office for which he [or she] is a candidate, the council shall immediately order a special election in accordance with applicable state law, at which special election the names only of the two candidates receiving the highest number of votes at the regular election, for the office for which they were candidates shall be printed on the ballot and submitted to the registered voters within the city for election, and the candidate receiving the majority of votes at such special election for the place of office for which he [or she] was a candidate, shall be declared duly elected.

Comparison City Data

City Secretary, Stephanie Coggins, selected Baker Tilly and Ms. Coggins also researched, collected, and assembled the data for Table 1, which profiles the cities and their elections.

Table 1. Comparative Data from Ten Texas Home Rule Cities

City	Population	Total Seats	Council Districts	Represents: Entire City	Term Length	Staggered Terms
El Paso	683,577	Mayor + 8	8	Mayor	4	Yes
Arlington	398,864	Mayor + 8	5	Mayor + 3	3	Yes
Plano	291,296	Mayor + 7	4	Mayor + 3	4	Yes
Lubbock	264,000	Mayor + 6	6	Mayor	2 + 4	Yes
Laredo	263,640	Mayor + 8	8	Mayor	4	Yes
Amarillo	201,234	Mayor + 4	0	Mayor + 4	2	No
Brownsville	199,062	Mayor + 6	4	Mayor + 2	4	Yes
Grand Prairie	197,590	Mayor + 8	6	Mayor + 2	3	Yes
Killeen	156,261	Mayor + 7	4	Mayor + 3	2	Yes
Mesquite	150,184	Mayor + 6	6	Mayor	2	No
Waco	141,377	Mayor + 5	5	Mayor	2	Yes

Observations

- All comparison cities have some single-member districts.
- Mesquite and Amarillo have two-year terms that are not staggered.
- Waco and Killeen have two-year terms that are staggered. They have an election every May.
- Plano has two-year terms for the mayor and four-year terms for the council.
- Some council members represent a district but must be elected at large.
- One-half of the comparison cities have four-year terms.
- Every city on the list except Waco and Amarillo has at least seven council members.
- Five of the comparison cities have four-year staggered terms.
- Three of the comparison cities have two-year terms.
- Two of the comparison cities have three-year terms.

Recommended Charter Amendments

In brief, the proposed changes discussed by the mayor and council on May 9 were staggered terms, extended terms, expanding the size of the city council, and enabling the council to select and direct the city attorney. These issues are presented in that order.

Terms of Office

The Amarillo City Charter includes the following language about terms:

Charter Article V Section 2 – Term of Office

The mayor and each councilmember shall serve for a term of two (2) years until a successor is elected and qualified; unless sooner removed from office as herein provided.

On May 9, 2024, all councilmembers present appeared to favor alternating terms in which the mayor and one or two councilmembers are elected one year, and the others stand for election another year. Alternating election cycles for councilmembers are standard among cities, except for the few cities like Amarillo that have non-staggered, two-year terms.

Two-year Staggered Terms

Staggering two-year terms would require the City of Amarillo to conduct an election every year. Not only would this double the cost of elections, but voters might also lose interest in city elections due to their frequency. Of the comparison cities, only two (Waco and Killeen) have two-year terms for its members that are staggered on odd and even years. Table 2 below lists advantages and disadvantages of two-year staggered terms.

Table 2. *Advantages and Disadvantages of Two-year Staggered Terms*

Two-year Staggered Terms	
Advantages	Disadvantages
Prevents the wholesale turnover of the entire council	Those running during the even-year (presidential or gubernatorial) election cycle may find it exceedingly difficult to be noticed
Staggered terms may increase stability	Staggered two-year terms would double the cost of elections

Four-Year Terms

Of the comparison cities, six (or 60%) have four-year terms. Table 3 below has information on the advantages and disadvantages of four-year terms for Amarillo and its mayor and council elections.

Table 3. *Advantages and Disadvantages of Four-year Terms*

Four-Year Terms	
Advantages	Disadvantages
Council members will have more time to focus on duties because they will not be campaigning every other year	Voters may feel they have lost the ability to quickly replace a council member who is not performing

Four-Year Terms	
Advantages	Disadvantages
Longer terms equal longer focus and more willingness to take on multiyear projects	A person interviewed by the Globe stated it would be hard to find people who would make a four-year commitment
With longer terms, council members may be more likely to make unpopular but necessary decisions	A longer term means more possibility of a vacancy on the council. (The City's Charter has a process for filling vacancies by appointment)
Can reduce the cost of elections for the city and the candidate	
Elected officials have more time between elections to get to know constituents	
Provides more time to learn about governing a city the size of Amarillo.	
Less turnover adds to stability, an essential for well-run organizations	

*One way to address this might be to liberalize recall procedures.

Four-year Staggered Terms

According to the *Texas Handbook for Mayors and Councils*, more than 90% of home-rule charters provide continuity of the governing body by staggering council terms, thus preventing wholesale changeovers on the council at any one election.

From Baker Tilly's point of view and experience, four-year staggered terms are the most workable for city operations. This combination brings together the best of all options and offers several advantages over other models. However, Amarillo voters in 2020 did not agree. Four-year staggered terms were placed on the ballot as Proposition B (see below language). The measure failed 48% to 52%.

Proposition B

To amend Article V, Section 2 of the Amarillo City Charter to provide for a four-year term of office for mayor and each councilmember, with those terms being staggered as provided by ordinance.

Some voters may have mistakenly believed the measure was a means for the mayor and council to lengthen their terms. However, the four-year terms would not apply to the exiting council unless they won re-election. If the four-year staggered terms were adopted in November 2024, three (or two) members of the council would stand for a four-year term in May 2025. The other two (or three) would be elected to a two-year term. The second group (and their opponents) would be on the May 2027 ballot for a four-year term; thus, part of the council would be elected every two years. The advantages and disadvantages of four-year staggered terms are presented in Table 4 below.

Table 4. Advantages and Disadvantages of Four-Year Staggered Terms

Four-Year Staggered Terms	
Advantages	Disadvantages
All advantages of four-year terms	All disadvantages of four-year terms

Four-Year Staggered Terms	
Advantages	Disadvantages
No opportunity for a complete turnover of council	Harder for the public to keep track of whom is on which election cycle
Experienced officials are always on the dais and can guide new members in protocol and decision making	Due to the failure of Proposition B, proponents (other than the City) would need to educate voters about the enactment of four-year terms
While one-half of the council is running for office, the other half is focused on city business	

Three-Year Staggered Terms

Based on the City Council's May 9 meeting, Mayor Stanley supports staggered terms. He also suggested extending from two- to three-year terms. He believes this change would be more acceptable to the voters than leaping to four-year terms. Of the comparison cities, only Grand Prairie has three-year terms. They also have a nine-member city council with six members representing districts and the mayor and two of the council elected at-large.

In 2008, Eveline Moulder surveyed cities in the United States to determine the percentage spread on terms for mayors. Her data, presented through the International City Manager's Association (ICMA), show that three-year terms are rare, used by only 6% of the representative sample, 35% have two-year terms and 45% have four-year terms.

Table 5. ICMA Information on Length of Mayor's Term of Office

Length of Mayor's Term	Percentage of Cities
One year	14%
Two years	35%
Three years	6%
Four years	45%
Other	<1%

Source: International City Manager's Association (ICMA)

Baker Tilly believes that three-year terms are rarely used because they do not synchronize with traditional two-year election cycles. There is either a presidential or a gubernatorial primary every even year followed by a general election. The City of Amarillo holds elections in odd years; but with three-year terms, some members of the council would stand for election during a gubernatorial or presidential primary. We think this could accelerate turnover.

Three-year terms, as they are off-cycle, can lead to confusion and voter fatigue from going to the polls for a city election every year, sometimes twice per year. Three-year terms are harder for candidates as well. When city elections coincide with presidential or gubernatorial elections, the campaigns of the governor or president can overshadow local campaigns.

Table 6 below provides some advantages and disadvantages of three-year staggered terms.

Table 6. *Advantages and Disadvantages of Three-Year Staggered Terms*

Three-Year Staggered Terms	
Advantages	Disadvantages
Longer than two-year terms thus adding stability to city operations	Confusing to voters who do not typically vote for a city candidate every year
Three-year terms allow for staggering	Throws off election cycles
Might be more palatable to voters because existing terms would not be “doubled”	Candidates running in even years compete with federal and state candidates
Even-year elections would produce a higher turnout because the ballot for council seats would be consolidated with state and federal elections	The City would have an election (maybe two) every year, possibly doubling the cost of elections
	Council members may find themselves in a near-constant state of campaigning, as they must focus on reelection efforts shortly after taking office. This can divert time and attention away from governing and addressing community needs
	Shorter terms may result in a less experienced council compared to those serving longer terms - this could impact their effectiveness in navigating complex issues and making informed decisions
	Three-year terms may not provide enough time to implement and see through long-term projects and policies. Continuity in governance may be disrupted as council members cycle in and out more frequently

Expanding Council from Five to Seven

On May 9, 2024, the Amarillo City Council spoke of meeting the demands of the office with only five people to share the workload. The mayor and council are paid volunteers who must take care of their personal lives as well as commit time to govern the City. Residents may become dissatisfied that their elected officials are not always available for them.

The more the workload expands, the more difficult it will become to motivate people to run for office. Of the mayor and four council members elected in 2021, only Cole Stanley ran in 2023. According to the *Texas Handbook for Mayors and Councils*, the size of the governing body is determined by that city’s charter.

In Table 7 below, the population of each comparison city was divided by the number of officials (mayor plus council) to find an average number of constituents per elected official. We are aware that there are single-member districts in most of these cities, but as we did not have the breakout per district, we added the mayor plus the number of councilmembers to achieve the divisor.

Table 7. Average Number of Constituents Per Elected Official

City	Population	Elected Officials	Constituents per Representative
El Paso	683,577	Mayor + 8	75,953
Arlington	398,864	Mayor + 8	44,318
Plano	291,296	Mayor + 7	36,412
Lubbock	264,000	Mayor + 6	37,714
Laredo	263,640	Mayor + 8	29,293
Amarillo	201,234	Mayor + 4	40,247
Brownsville	199,062	Mayor + 6	28,437
Grand Prairie	197,590	Mayor + 8	21,954
Killeen	156,261	Mayor + 7	19,533
Mesquite	150,184	Mayor + 6	21,455
Waco	141,377	Mayor + 5	23,563

The results show that eight of the ten comparison cities have fewer constituents per elected official than Amarillo. The ten-city average is 33,863, which is lower than Amarillo's current representation of 40,247 by 6,384. It is important to note that Amarillo's population is expected to reach 250,000 in the next couple of years, raising the ratio to 50,000 should the council remain at five elected officials.

Table 8 below shows some advantages and disadvantages of expanding the number of elected officials to seven.

Table 8. Advantages and Disadvantages of Expanding the Council to Seven Members

Expand to Seven Member Council	
Advantages	Disadvantages
A larger council would reduce the council-to-constituent ratio and increase responsiveness to constituents	Due to the Voting Rights Act, expanding to seven council members might force the City into single-member representation (district elections)
Would be easier to deal with any vacancies on the council	The City would need to make physical changes to the dais and city hall
Constituents, staff, and the mayor and council would have the ability to talk to an additional council member without violating the Open Meetings Act	Demands from two additional council members could increase staff workload

Given the projected growth of Amarillo to 250,000, and a desire from some voters to create districts, the introduction of single-member districts might be inevitable. However, that is less likely to occur with a small council. If the tradeoff between risking single-member districts, or staying at five, the Committee might consider an alternative.

Hiring Staff in Lieu of Expanding to Seven Members

An alternative for reducing the workload without putting Amarillo at risk of creating single-member districts might be to add “council assistants” who could help address constituent needs and free up time for the council members. The assistants could write correspondence, schedule meetings, process expense reimbursements, and take messages.

On the flip side, someone would need to manage the assistants. Do they primarily report to the mayor or are they divided: one for the mayor, one for council members in Places 1 and 2, and a third for council members three and four? This structure might require a Charter change because, as in most other cities, the city manager is responsible for hiring and managing staff.

A better alternative could be to have the assistants report to the city manager or another official such as the city secretary. Although hired by the city manager the assistants would work for the mayor and council with the singular goal of lessening their administrative workload.

City Attorney

Should the city attorney report to the mayor and council or the city manager?

The city manager takes direction from and represents the interests of the council as a whole. The city attorney represents the interests of the City as a whole. Because the city attorney’s client is the City — with the city council having ultimate authority to act on the City’s behalf — it follows that the city council holds the privilege; thus, many city attorneys report to the elected body.

On major policy issues subject to council approval, the city attorney takes direction from a majority of council members. Contrary direction from staff, an individual council member, or less than a majority, cannot be followed. With councils often being split on major policy issues, the city attorney, like the city manager, must take special care to provide the same balanced advice to “all sides” without going through an intermediary.

Additionally, the city attorney may be required to decide where authority resides between the city council and the city manager and staff. In all cases, it is best practice for the city attorney to provide advice “up the chain” to the ultimate decisionmakers concerned with each matter. For that reason, whether the city attorney reports to the city council or the city manager, he or she must maintain an excellent professional relationship with both. Some cities address this on their organization chart by showing a straight line from the council to the city attorney, and a dotted line from the city manager to the city attorney.

Below, in Table 9, are some additional advantages and disadvantages concerning the reporting relationship of the city attorney to the city council.

Table 9. Advantages and Disadvantages of the City Attorney Reporting to the City Council

City Attorney Reporting to the Council	
Advantages	Disadvantages
Ultimately, the city council represents the city, which is the client - therefore, it makes sense for the city attorney to report to those who speak for the client	A city attorney who reports to the city manager might have more job security than a city attorney who reports to the council, especially a council that can be replaced every two years
Some cities use the city attorney as an outside neutral source to investigate complaints like discrimination or harassment from a city manager	It may be better to have the city attorney report to the city manager, who would have more institutional knowledge than the council

Conclusion

Baker Tilly has presented this information to assist the Amarillo Charter Committee in its deliberations. With additional time, we would talk to city clerks and city secretaries about their experiences conducting elections and what they would change related to terms of office. We would also contact the comparison cities to learn the reporting relationships of the city attorney.

As noted, we are available to research additional information per your request; however, it can take up to two weeks to bring the research together and make the data presentable.

Attachment E – Committee Agendas

May 13, 2024

Agenda – Thursday, May 30, 2024, at 5:30 p.m.
Citizen’s Charter Study Committee
City Hall Council Chamber (Third Floor) – 601 S. Buchanan

1. Introduce Baker Tilly as facilitators and explain how Baker Tilly will support the committee
 Al Zelinka -- Shauna Clark -- Mary Locey -- Dennis Hawkins
2. Public Comment
3. Committee Members – Self-introductions - Elect Chair and Vice Chair

Name	Nominated by	Name	Nominated by
Donna Ward	Stanley	Toby Hudson	Scherlen
Michael Haning	Stanley	Rodney Hill	Tipps
Gary Pitner	Simpson	Dean Crump	Tipps
Freda Powell	Simpson	Sandra McCartt	Craft
Kim Benson	Scherlen	Audrey Castillo	Craft

4. Scope of Work (items discussed by the Mayor and Council on May 9, 2024)
 - A. Staggered terms
 - B. Three-year terms
 - C. Four-year terms
 - D. Mayor: Two-year terms
 - E. Expand to Seven Member Council
 - F. City Attorney Reporting Structure
 - G. Staff List of Minor Changes
5. Explanation of Texas codes limiting frequency of charter amendments
6. Goals and Objectives:
 - A. Consider all items recommended by Mayor and Council
 - B. Select amendments to recommend to the Mayor and Council
 - C. List proposed amendments in priority order
 - D. Consider possibility of voter fatigue
 - E. Consider Article 5, Section 5(a) of state constitution limiting charter amendments
 - F. Complete work no later than June 27, 2024
 - G. Return to the City Council for their July 9, 2024, meeting
7. Meeting schedule: June 6, 13, 20, 27 at 5:30 p.m. Council: July 9, 2024
8. Adjournment – Next meeting: June 6

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Amarillo Charter Review

May 30 Citizen Committee Meeting

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1

Introductions

Baker Tilly Team	
Al Zelinka	Shauna Clark, Project Manager
Dennis Hawkins	Mary Locey

City Council Representatives and Committee Members	
Councilmember Scherlen	Councilmember Simpson
Kim Benson	Toby Hudson
Audrey Castillo	Sandra McCartt
Dean Crump	Gary Pitner
Michael Haning	Freda Powell
Rodney Hill	Donna Ward



2

Elect Chair and Vice Chair

Committee Members	
Kim Benson	Toby Hudson
Audrey Castillo	Sandra McCartt
Dean Crump	Gary Pitner
Michael Haning	Freda Powell
Rodney Hill	Donna Ward



3

May 30 Agenda Review

- Ground rules
- Elect committee chair and vice chair
- Review scope of work
- Explanation of Texas election codes
- Committee goals and objectives
- Meeting and project schedule



4

Ground Rules



Listen to understand each other's point of view



Seek consensus



Assume good intent



Speak up if we need a course correction



Stay focused

5

Scope of Work

- Items proposed by City Council:
 - Staggered terms
 - Three-year terms
 - Four-year terms
 - Mayor: Two-year terms
 - Expand to seven-member council
 - Council appointed City Attorney



6

Texas Code on Charter Amendments

- Overview of Texas code limiting frequency of charter amendments
 - Article 5, Section 5(a)

7

Goals and Objectives

- Consider all items recommended by Mayor and Council
- Select amendments to recommend to the Mayor and Council
- List proposed amendments in priority order
- Consider possibility of voter fatigue
- Consider Article 5, Section 5(a) of state constitution limiting charter amendments
- Complete committee work by July 27
- Return with committee recommendations to the City Council for its July 9 meeting

8

AMARILLO CHARTER REVIEW COMMITTEE

Meeting and Project Schedule

• Charter Review Committee

- Every Thursday
- 5:30 p.m.
- In person or via Teams
- Dates:
 - June 6
 - June 13
 - June 20
 - June 27



• City Council Action

- July 9: Review committee recommendations
- July 23: First reading of ordinance
- August 13: Second reading of ordinance

• Ballot Initiative

- August 19: Deadline per Texas Election Code
- November 5: Election

9

Questions?

10



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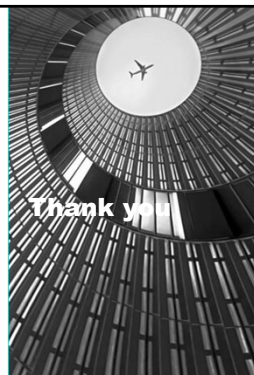
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Mary Locey
CONSULTING MANAGER
mary.locey@bakertilly.com

Next meeting June 6



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11

MEMORANDUM

To: Floyd Hartman, Interim City Manager
From: Bryan Mc Williams, City Attorney
Date: May 29, 2024
Subject: Select charter amendments

You have requested the identification of a few changes needed in light of changes in state law, in the event the City Council were to consider a short ballot of amendments.

1. Annexation procedures: Recent changes to Texas annexation statutes have greatly limited a City's ability to involuntarily annex property. Therefore, shorten the annexation clause by deleting the clause "**with or without the consent of the territory and inhabitants annexed for full or limited purposes**" and reference state law as amended instead.

2. Notice Methods (various): The charter was written in a day when folks got their news from newspapers. Today, State law still requires many notices to be published in a newspaper, but that trend lessens some with each session! Amending the charter to allow electronic posting will posture the City to fully benefit from changes in state law. Therefore, add a provision allowing electronic notices: *"Every notice required by or given pursuant to this charter or any city ordinance may be posted electronically on the City's internet website as an alternative to publication in a newspaper, unless newspaper publication is otherwise required by law."*

3. Align Conflict of Interest (COI) Provisions with State Law: State law imposes rudimentary ethical obligations on local officials by statutes that address COI, personal financial disclosures, abuse of office, etc and allows for certain safe harbors. Recommend that COI clauses be amended to align with state law, and leave the door open to a local ethics ordinance that could be flexible in future years as social norms and economics change: *"A member of the governing body shall not participate in any discussion, decision, or vote on any matter in which that member has a conflict of interest proscribed by applicable state law or city ordinance."*

4. Eminent domain: Shorten eminent domain clauses in Section 9 and 19 of Article II by acknowledging the City has such authority and remove lists or unnecessary references related to certain public works improvements.

5. Art. VI, Sec. 1, Civil Service, needs more amending to fully harmonize it with Chapter 143, particularly as to the length of board member term (charter says 2 years, statute says 3 years).

6. Art. V, Sec. 29: Under today's state law, cities may choose the most advantageous purchasing method for a particular project, from among several options, such as: bids, competitive proposals, intergovernmental coop purchase, etc. Revise clause to allow for all purchasing methods provided for in state law.

June 6, 2024

Agenda – Thursday, June 6, 2024, at 5:30 p.m.
Citizen’s Charter Study Committee
City Hall Council Chamber (Third Floor) – 601 S. Buchanan (in-person)
[Teams](#) (virtual)

City Council Representatives			
Councilmember Tom Scherlen		Councilmember Les Simpson	
Name	Nominated by	Name	Nominated by
Chair Freda Powell	Simpson	Vice Chair Gary Pitner	Simpson
Donna Ward	Stanley	Rodney Hill	Tipps
Michael Hanning	Stanley	Dean Crump	Tipps
Toby Hudson	Scherlen	Sandra McCartt	Craft
Kim Benson	Scherlen	Audrey Castillo	Craft

1. Welcome and introductions
2. Agenda Review
3. Public Comment
4. Overview of Voting Rights Act
 - a. Review and discuss GIS map of prior Councilmember residences
5. Review and discuss the number of Mayor and Councilmembers, the length of terms, and election methods:
 - a. 2, 3, 4-year terms
 - b. Number of Councilmembers
 - c. Election methods:
 - i. Mayor elected at-large, citywide voting
 - ii. Council elected on a citywide basis, all residents vote for at-large members
 - iii. Council elected on a citywide, at-large basis, but requiring some Councilmembers to reside in specific geographic areas
 - iv. Councilmembers elected to represent a specific geographic, single member districts
 - v. Hybrid, some Councilmembers elected at-large (citywide) and some by specific geographic districts with voting on those seats limited to residents of that specific geographic area
6. Wrap up
7. Adjournment – Next meeting June 13, 2024

Future proposed agenda topics:

- Review of state law changes that require Charter amendments
- Council appointees: City Manager, Municipal Judge, City Attorney, City Secretary
- Election calendar: May vs. November cycle; odd vs. even years

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Amarillo Charter Review

June 6 Citizens Committee Meeting

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1

Welcome and Introductions

City Council Representatives and Committee Members

Councilmember Scherlen	Councilmember Simpson
Chair Freda Powell	Vice Chair Gary Pitner
Kim Benson	Rodney Hill
Audrey Castillo	Toby Hudson
Dean Crump	Sandra McCartt
Michael Haning	Donna Ward

Baker Tilly Team

Dennis Hawkins, project lead	Mary Locey
Al Zelinka	Shauna Clark



2

June 6 Agenda Review

- Public comments
- Overview of Voting Rights Act
- Review and discuss
 - the number of Mayor and Councilmembers,
 - the length of terms, and
 - election methods
- Wrap up and next steps



3

Overview of Voting Rights Act

- Section 2 challenges
- Single-member District or Ward method
- One-man one-vote
- Cumulative Voting

4

Review and Discuss – Length of Terms

Amarillo Charter Article V Section 2 – Term of Office

“The mayor and each councilmember shall serve for a term of two (2) years until a successor is elected and qualified; unless sooner removed from office as herein provided.”

Review and consider other terms:

- Two-year staggered
- Three-year staggered
- Four-year
- Four-year staggered

ICMA Data*	
Mayor's Term	Percentage of Cities
One year	14%
Two years	35%
Three years	6%
Four years	45%
Other	<1%

*Source: International City Manager's Association (ICMA)

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Length of Terms – Two-Year Staggered

Two-year Staggered Terms	
Advantages	Disadvantages
Prevents the wholesale turnover of the entire council	Those running during the even-year (presidential or gubernatorial) election cycle may find it exceedingly difficult to be noticed
Staggered terms may increase stability to City operations	Staggered two-year terms would double the cost of elections

Correction to the committee report, page 3, two-year staggered terms section:

- Remove:** There was no city among the ten comparison cities that had two-year staggered terms.
- Replace:** Of the comparison cities, only two (Waco and Killeen) have two-year terms for its members that are staggered on odd and even years.

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Length of Terms – Two-Year Staggered

Comparison Cities	
Killeen (Mayor + 7)	Waco (Mayor + 5)
Four councilmembers represent single member districts 1, 2, 3, and 4 elected in odd-numbered years for a two-year term by registered voters residing in each district.	The mayor represents the city at large AND is elected in even-numbered years for a two-year term.
Mayor and three councilmembers represent the city at large elected in even-numbered years for a two-year term by plurality vote of the city at large.	Two councilmembers from single member districts, District 1 and 3, elected in even-numbered years for a two-year term.
	Three councilmembers from single member districts, Districts 2, 4, and 5, elected in odd-numbered years for a two-year term.

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Length of Terms – Three-Year Staggered

Three-year Staggered Terms	
Advantages	Disadvantages
- Longer than two-year terms thus adding stability to City operations - Allows for staggering - Might be more palatable to voters - Even-year elections would produce a higher turnout, consolidated with state and federal elections	- Confusing to voters who do not typically vote for a city candidate every year - Throws off election cycles - Candidates running in even years compete with federal and state candidates - City would have an election (maybe two) every year, doubling the cost of elections - Councilmembers may be in a constant state of campaigning, diverts time/attention away from governing - Shorter terms may result in a less experienced council - May not provide enough time to implement and see through long-term projects and policies

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Length of Terms – Three-Year Staggered

Comparison Cities	
Arlington (Mayor + 8)	Grand Prairie (Mayor + 8)
Five councilmembers represent single member districts 1, 2, 3, 4, and 5 by registered voters residing in each district.	Six councilmembers represent Districts 1, 2, 3, 4, 5, and 6 by registered voters residing in each district.
The mayor and three councilmembers from Districts 6, 7, and 8 represent the city at large.	The mayor and two councilmembers represent the city at large.

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Length of Terms – Four-Year Non-Staggered

Four-year Non-staggered Terms	
Advantages	Disadvantages
- Councilmembers have more time to focus on governing - More willingness to take on multiyear projects - More likely to make unpopular but necessary decisions - Reduce City election expenses - Have more time to get to know constituents - More time to learn about governing - Less turnover adds stability for a well-run organization	- Voters may feel they have lost the ability to replace a non-performing councilmember - May be hard to find people to make a four-year commitment - May lead to vacancy on the council (Charter has a process for filling vacancies by appointment)

Note: Of the ten comparison cities, five (or 50%) have four-year terms, all of which are staggered.

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Length of Terms – Four-Year Staggered

Four-year Staggered Terms	
Advantages	Disadvantages
- All advantages of four-year terms - Reduces opportunity for a complete turnover Experienced officials are always on the dais, can provide guidance for new members - While one half of the council is running for office, the other half remains focused on City business	- All disadvantages of four-year terms - Harder for the public to keep track of whom is on which election cycle - Due to the failure of Proposition B, proponents (other than the City) would need to educate voters about the enactment of four-year terms

Proposition B (measure failed 48% to 52% in 2020)

To amend Article V, Section 2 of the Amarillo City Charter to provide for a four-year term of office for mayor and each councilmember, with those terms being staggered as provided by ordinance.

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Length of Terms – Four-Year Staggered

Comparison Cities (1 of 2)	
El Paso (Mayor + 8)	Piano (Mayor + 7)
Eight councilmembers represent districts by registered voters residing in each district. Mayor represents the city at large.	Four councilmembers elected at large but must live in a specific geographic area. The mayor and three councilmembers elected at large.
Laredo (Mayor + 8)	Brownsville (Mayor + 6)
Eight councilmembers elected by district. Mayor represents the city at large.	Four councilmembers represent districts 1, 2, 3, and 4 elected by voters residing in each district. Mayor and two councilmembers representing Districts 5 and 6 elected at large.
Lubbock (Mayor + 6)	
Mayor represents the city at large.	Six councilmembers elected by district.

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Length of Terms – Mayor Only

Lubbock (Mayor +6)	
Mayor	Councilmembers
Elected at large for a two-year term	Six councilmembers represent Districts 1, 2, 3, 4, 5, and 6, elected by registered voters residing in each district.

Note: Of the ten comparison cities, only Lubbock had different term lengths for its mayor and councilmembers, all of which are staggered.

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Term Limits

Term Limits	
Advantages	Disadvantages
- Seven of the nine comparable cities have enacted term limits - Reduces advantages of incumbency - Encourages fresh perspectives - May provide balance between new and experienced officeholders - May reduce risk of corruption or complacency	- More turnover, disrupt continuity with constant learning curve - May prematurely remove experienced, effective officials Limits institutional knowledge, experience, and expertise on Council – less effective governance - Potential greater influence by special interests

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Review and Discuss – Term Limits

Comparison Cities	Term Length	Term Limits
El Paso	4-years	Mayor and councilmembers, three elected terms, max nine years
Arlington	3-years	Mayor and councilmembers, two full consecutive terms
Plano	4-years	Two consecutive terms, person who served two council terms may run for mayor; one year gap before eligible to run again
Lubbock	Mayor 2-years Council 4-years	No term limits
Laredo	4-years	Mayor and councilmembers, two terms
Amarillo	2-years	No term limits
Brownsville	4-years	Mayor and councilmembers, two terms
Grand Prairie	3-years	
Killeen	2-years	Mayor and Councilmembers, three successive terms, except if running for a different office than currently held
Mesquite	2-years	Mayor and councilmembers, four consecutive terms, two-year break in service
Waco	2-years	Mayor, three term limit, councilmembers no term limits

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Discussion About Length of Terms

- Questions and clarification
- Other considerations for length of terms and term limits
- Straw voting
 - Two-year staggered
 - Three-year staggered
 - Four year
 - Four-year staggered
 - Different term for Mayor
 - Other term lengths
 - Term limits

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Review and Discuss – Number of Members

- Reasons for increasing Councilmembers as mentioned on May 9:
 - Heavy workload for volunteer elected officials
 - Constituents vocal of lack of representation
- Average ratio of local elected official to resident 1:40,000
- Proposed growth of Amarillo is expected to reach 250,000
 - If remain at five elected officials, ratio will be 1:50,000

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Review and Discuss – Number of Members

Comparison Cities	Population	Elected Officials	Constituents per Representative
El Paso	683,577	Mayor + 8	75,953
Arlington	398,864	Mayor + 8	44,318
Plano	291,296	Mayor + 7	36,412
Lubbock	264,000	Mayor + 6	37,714
Laredo	263,640	Mayor + 8	29,293
Amarillo	201,234	Mayor + 4	40,247
Brownsville	199,062	Mayor + 6	28,437
Grand Prairie	197,590	Mayor + 8	21,954
Killeen	156,261	Mayor + 7	19,533
Mesquite	150,184	Mayor + 6	21,455
Waco	141,377	Mayor + 5	23,563

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Review and Discuss – Number of Members

Expand to Seven Member Council	
Advantages	Disadvantages
A larger council would reduce the council-to-constituent ratio and increase responsiveness to constituents	Due to the Voting Rights Act, expanding to seven council members might force the City into single-member representation (district elections)
Would be easier to deal with any vacancies on the council	The City would need to make physical changes to the dais and city hall
Constituents, staff, and the mayor and council would have the ability to talk to an additional council member without violating the Open Meetings Act	Demands from two additional council members could increase staff workload

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Review and Discuss – Number of Members

Alternative to increasing councilmembers, hire staff

- Support workload
- Schedule meetings
- Process expense reimbursements
- Respond and take messages

Reporting structure for hired staff

- Report to mayor, support mayor and council
- Report to City Manager or City Secretary, support mayor and council

Other considerations?

20

20

Discussion About Number of Members

- Questions and clarification
- Other considerations for number of members
- Straw voting
 - Increase the number of councilmembers
 - Hire staff

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Review and Discuss – Election Methods

Options

- Mayor elected at-large, citywide voting
- Council elected on a citywide basis; all residents vote for at-large members
- Council elected on a citywide, at-large basis, but requiring some Councilmembers to reside in specific special geographic, single-member districts
- Hybrid, some councilmembers elected at-large (citywide) and some by specific geographic districts, voting limited to residents of that area
- Mayor elected at-large, citywide voting. Each Council member elected by a specific geographic district, only voters in that area vote for their representative.

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Review and Discuss – Election Cycles

Comparison Cities	2024	2025	2026	2027
El Paso	Mayor, Districts 2, 3, 4, 7		Districts 1, 5, 6, 8	
Arlington			Mayor, Districts 3, 4, 5, 8	Districts 1, 2, 6, 7
Plano		Mayor (Place 6), Places 2, 4, 8		Places 1, 3, 5, 7
Lubbock	Mayor, Districts 2, 4, 6		Mayor, Districts 1, 3, 5	
Laredo	Districts 4, 5, 7, 8		Mayor, Districts 1, 2, 3, 6	
Amarillo		All seats		All seats
Brownsville		Districts 3, 4		Mayor, Districts 1, 2
Grand Prairie	Districts 5, 6, 8	Mayor, Districts 2, 4	Districts 1, 3, 7	Districts 5, 6, 8
Killeen	Mayor, three at large	Districts 1, 2, 3, 4	Mayor, three at large	Districts 1, 2, 3, 4
Mesquite		All seats		All seats
Waco	Mayor, Districts 1, 3	Districts 2, 4, 5	Mayor, Districts 1, 3	Districts 2, 4, 5

23

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Discussion About Election Cycles

- Questions and clarification
- Other considerations
- Straw voting
 - Mayor election cycle
 - Council election cycle

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Review and Discuss

25

25

Review and Discuss

26

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AMARILLO CHARTER REVIEW COMMITTEE

Meeting and Project Schedule

• Charter Review Committee

- Every Thursday
- 5:30 p.m.
- In person or via Teams
- Dates:
 - June 13
 - June 20
 - June 27



• City Council Action

- July 9: Review committee recommendations
- July 23: First reading of ordinance
- August 13: Second reading of ordinance

• Ballot Initiative

- August 19: Deadline per Texas Election Code
- November 5: Election

27

27

Questions?

28



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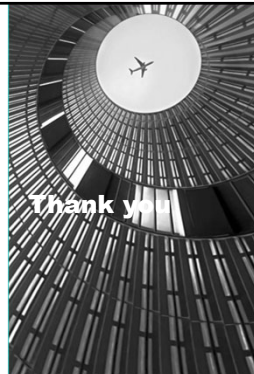
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Next meeting, June 13



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29



MEMORANDUM

To: Charter Review Committee
Floyd Hartman, Interim City Manager
Bryan McWilliams, City Attorney

From: Mick McKamie, Special Counsel

Date: June 6, 2024

Subject: Charter Amendments – Voting Rights Act Basics

The Voting Rights Act of 1965 seeks to address discriminatory election and voting practices and applies to all voting systems and processes throughout the country. You have requested some information about how the Act may impact changes to the number of members and method of selection of the Amarillo City Council. This is a basic look at some ways the Voting Rights Act applies.

1. Section 2 challenges: Section 5 of the Voting Rights Act required Texas and local governments in Texas to submit any change in voting practices to the U. S. Department of Justice for “preclearance” prior implementation. That review was to determine if the change would result in a dilution of the electoral power or participation of minorities. That obligation was removed by the U.S. S. Ct. A few years ago.

However, Section 2 of the Act remains fully effective, and provides for the right to challenge election practice and procedures on the same basis – to prevent discriminatory practices. A Section 2 challenge can be brought in Federal court by any affected group or persons, or by a public interest organization such as Maldef or NAACP.

2. Single-member District or Ward method: currently, members of the City Council are elected at-large, by vote of all registered voters in the City. A change to a system which requires a member to reside in a designated geographic district and to be elected by the voters that reside in that district can implicate voting rights issues. In particular, the boundaries of the districts should be drawn in such a way that the participation of minority group members as voters and as candidates not be diminished. If there is a feasible way to create one or more single-member districts that are considered statistically “safe” for a minority to win election, such a district or districts should be given preference. The objective is to encourage minority candidacy and voter participation. If single-member districts are deliberately created to avoid that result, a Section 2 challenge would have merit.

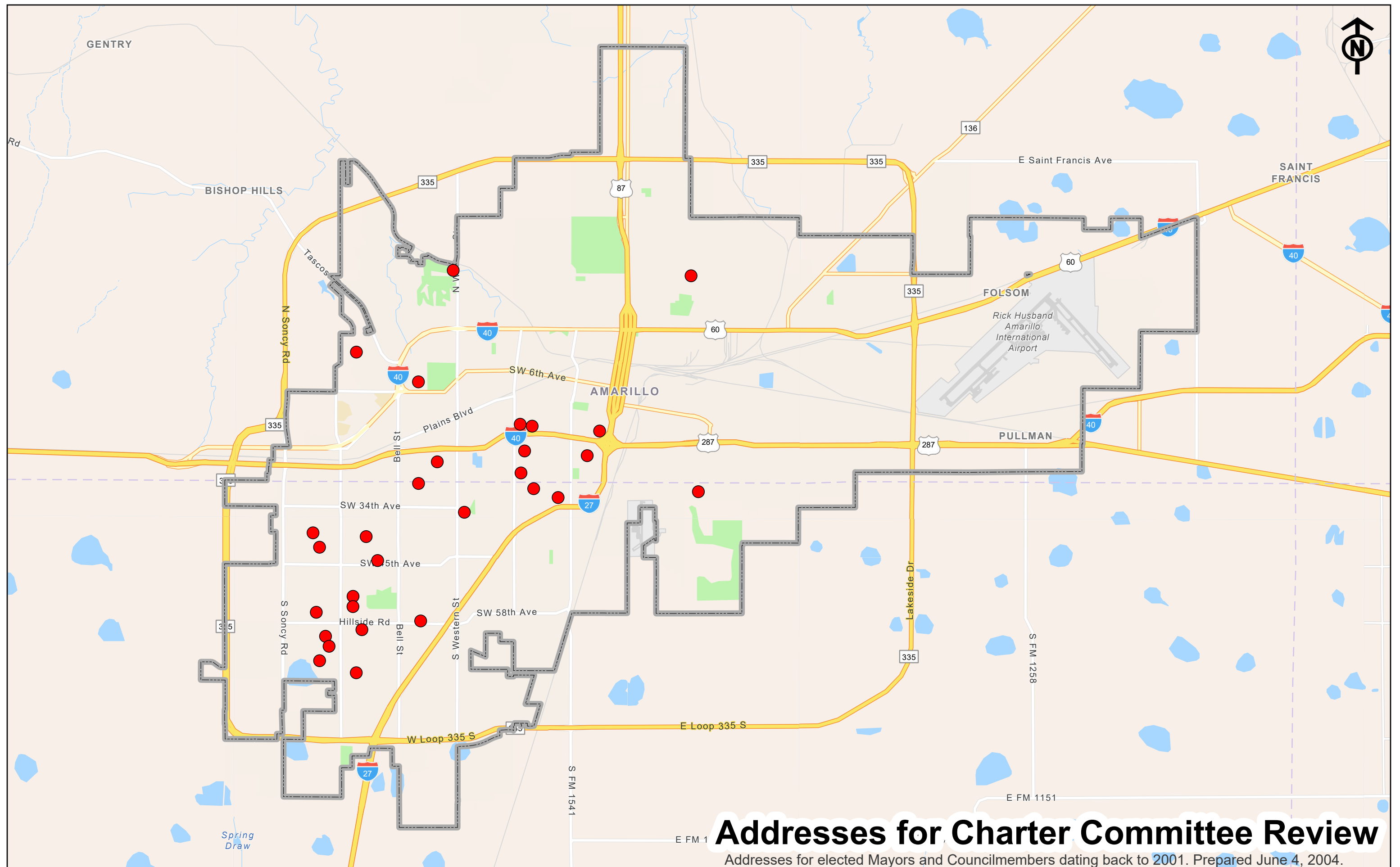
This analysis also applies to hybrid systems, wherein some Councilmembers are elected from single-member districts, and some are elected at-large.

Over a decade ago, the demographics of Amarillo were examined, and it was determined that in order to create a safe district for a minority candidate, the number of Council seats would have to increase to a total of 11 or 13. Voting rights demographics are usually based upon statistical analysis of recent U.S. Census block data, conducted by experts in that limited field of study.

3. One-man one-vote: Also required by the Voting Rights Act is an examination of the total voting age population of each Single-member district in a ward or hybrid system. The variance in population of voting-age persons in the largest district should not exceed 10% more than the voting-age population of the smallest district. That protects each voters voting power, including members of minority groups.

4. Cumulative Voting. Cumulative Voting plans, wherein each voter can cast as many votes as there are vacancies on the City Council, and cast them in any combination for one or more candidates, was thought to be more favorable for minority candidate and voter participation. Some Texas jurisdictions adopted such systems over the last 25 years. However, studies have shown that cumulative voting does not materially impact minority voter participation, nor success at the polls. Therefore, it is not currently favored by minority-interest groups and is unlikely to be sought by complainants in a Section 2 court challenge.

Please feel free to provide us questions on this issue as we proceed in the study of the Charter.



June 13, 2024

Agenda – Thursday, June 13, 2024, at 5:30 p.m.
Citizen’s Charter Study Committee
City Hall Council Chamber (Third Floor) – 601 S. Buchanan (in-person)
Teams (virtual)

City Council Representatives			
Councilmember Tom Scherlen		Councilmember Les Simpson	
Name	Nominated by	Name	Nominated by
Chair Freda Powell	Simpson	Vice Chair Gary Pitner	Simpson
Donna Ward	Stanley	Rodney Hill	Tipps
Michael Haning	Stanley	Dean Crump	Tipps
Toby Hudson	Scherlen	Sandra McCartt	Craft
Kim Benson	Scherlen	Audrey Castillo	Craft

1. Call to order
2. Review and adopt Agenda
3. Public comment
4. Discuss and confirm Committee consensus focus areas from June 6 meeting:
 - a. Number of councilmembers – seven (one mayor, six councilmembers)
 - b. Terms of office – four-year staggered
5. Discuss and determine preferred alternate City Council composition and election method:
 - a. Current system – Mayor and Councilmembers elected on an at-large, citywide basis; all residents vote for Mayor and Councilmembers.
 - b. Hybrid 1 – Mayor and some Councilmembers elected at-large (citywide) and some Councilmembers required to live in a specific geographic district with citywide voting on all seats.
 - c. Hybrid 2 – Mayor and some Councilmembers elected at-large (citywide) and some Councilmembers required to live in a specific geographic district with voting on that seat limited only to voters living within that specific geographic district.
 - d. Hybrid 3 – Mayor elected at-large (citywide) and all Councilmembers are elected to represent a single, specific geographic district (single member district). Each Councilmember is required to reside within the area they seek to represent and voting on that seat limited only to voters within that specific geographic district.
6. Discuss and determine preferred election calendar – May vs. November; odd vs. even years
7. Discuss and determine preferred Charter provisions regarding Mayor and Council recall requirements
8. Discussion and determine preferred potential change of Council appointees – Manager, Attorney, Secretary, etc.
9. Committee Bike Rack Items - Future agenda topics:
 - a. Update Charter to remove/replace archaic language and provisions
 - b. Establish regular Charter review cycle
 - c. Change/update Charter to be consistent with state law, particularly regarding annexation, purchasing, etc.
10. Comments from the Committee
11. Review and wrap up
12. Adjournment – Next meeting June 20, 2024, 5:30 p.m.

Amarillo Citizen’s Charter Review Committee

Committee information including agendas, presentations, workshop materials, and meeting recordings can be found on the City’s website <https://www.amarillo.gov/city-hall/city-initiatives/2024-charter-review>. For questions or to submit comments, contact City Secretary Stephanie Coggins, stephanie.coggins@amarillo.gov

bakertilly

Amarillo Charter Review

June 13 Citizen's Committee Meeting

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1

Call to Order

City Council Representatives and Committee Members

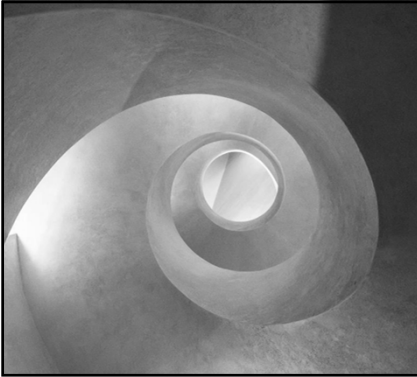
Councilmember Scherlen	Councilmember Simpson
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Kim Benson	Rodney Hill
Audrey Castillo	Toby Hudson
Dean Crump	Sandra McCartt
Michael Haning	Donna Ward

Baker Tilly Team

Dennis Hawkins, project lead	Mary Locey
Al Zelinka	Shauna Clark



2



Public Comment



3

Review and Adopt June 13 Agenda

- Discuss and confirm Committee consensus from June 6
- Discuss and determine preferred alternate City Council composition and election method
- Discuss and determine preferred election calendar
- Discuss and determine preferred Charter provisions regarding Mayor and Council recall requirements
- Discuss and determine any change to allow the City Council appointing authority for other City officials
- Committee bike rack items – future agenda topics
- Comments from the Committee
- Review and wrap up



4

Discuss and Confirm Committee Consensus

On June 6, received Committee consensus on:

- Increase seats from five to **seven elected officials**
 - Mayor and six Councilmembers
- Update terms of office from two-year non staggered to **four-year staggered**



5

Review and Discuss – Council Composition

	Composition	Election Method
Current System	A. Mayor and Councilmembers	A. Elected at-large, citywide basis; all residents vote for Mayor and Councilmembers
Hybrid 1	A. Mayor and some Councilmembers	A. Some elected at-large (citywide) and some Councilmembers required to live in a specific geographic district with citywide voting on all seats.
Hybrid 2	A. Mayor and some Councilmembers B. Some Councilmembers	A. Elected at-large (citywide) B. Required to live in a specific geographic district with voting on that seat limited only to voters living within that district
Hybrid 3	A. Mayor B. All Councilmembers	A. Elected at-large (citywide) B. Elected to represent a single, specific geographic district. Each member required to reside within the area they seek to represent; voting on that seat limited only to voters living with that district

6

Review and Discuss – Election Calendar

	Advantages	Disadvantages
May, Alternating Odd Years¹	- Electorate familiar with this election calendar for Council seats - Maintain focus on local elections	Traditionally lower voter participation in May elections
November, Alternating Even Years¹	- Provides manageable transition to four-year terms on alternate calendar (even years) - County run elections; City contracts with County - Potential for higher voter participation due to general election calendar with state and national elections (even years)	- Competes with state and national elections (even years) - Potential voter fatigue and ballot drop off; City elections are at the end of larger, more complex ballot with state and national issues

¹May 2025: All seats on ballot. Election cycle transitions for odd and even years reflected on the next two slides.

7

Review and Discuss – Election Calendar/Cycle

Cycle	May 2025	May 2027	May 2029	May 2031
Hybrid 1	A. Places 1, 3, 5, Citywide vote, Serve until 2027 ¹ B. Mayor, Places 2, 4, 6 Citywide vote, Serve until 2029	Places 1, 3, 5 Citywide vote, Serve until 2031	Mayor Places 2, 4, 6 Citywide vote, Serve until 2033	Places 1, 3, 5 Citywide vote Serve until 2035
Hybrid 2	A. Places 1, 3, Citywide vote Serve until 2027 ¹ B. Mayor, Places 2, 4, Citywide vote Serve until 2029 C. Places 5, 6 Residency, District vote Serve until 2027 ¹ , 2029	A. Places 1, 3 Citywide vote Serve until 2031 B. Place 5 Residency District vote Serve until 2031	A. Mayor, Places 2, 4 Citywide vote Serve until 2033 B. Place 6 Residency District vote Serve until 2033	A. Places 1, 3 Citywide vote Serve until 2035 B. Place 5 Residency District vote Serve until 2035
Hybrid 3	A. Mayor, Citywide vote Serve until 2029 B. Places 1, 3, 5 Residency, District vote Serve until 2027 ¹ C. Places 2, 4, 6 Residency, District vote Serve until 2029	Places 1, 3, 5 Residency, District vote Serve until 2031	A. Mayor Citywide vote Serve until 2033 B. Places 2, 4, 6 Residency District vote Serve until 2033	Places 1, 3, 5 Residency, District vote Serve until 2035

¹Councilmembers elected for a two-year term (2025 to 2027), then elected to serve a four-year term thereafter.

8

Review and Discuss – Election Calendar/Cycle

Cycle	May 2025	November 2026	November 2028	November 2030
Hybrid 1	A. Places 1, 3, 5, Citywide vote, Serve until 2026 ¹ B. Mayor, Places 2, 4, 6 Citywide vote, Serve until 2028	Places 1, 3, 5 Citywide vote, Serve until 2030	Mayor Places 2, 4, 6 Citywide vote, Serve until 2032	Places 1, 3, 5 Citywide vote Serve until 2034
Hybrid 2	A. Places 1, 3, Citywide vote Serve until 2026 ¹ B. Mayor, Places 2, 4, Citywide vote Serve until 2028 C. Places 5, 6 Residency, District vote Serve until 2026 ¹ , 2028	A. Places 1, 3 Citywide vote Serve until 2030 B. Place 5 Residency District vote Serve until 2030	A. Mayor, Places 2, 4 Citywide vote Serve until 2032 B. Place 6 Residency District vote Serve until 2032	A. Places 1, 3 Citywide vote Serve until 2034 B. Place 5 Residency District vote Serve until 2034
Hybrid 3	A. Mayor, Citywide vote Serve until 2029 B. Places 1, 3, 5 Residency, District vote Serve until 2027 ¹ C. Places 2, 4, 6 Residency, District vote Serve until 2029	Places 1, 3, 5 Residency, District vote Serve until 2030	A. Mayor Citywide vote Serve until 2032 B. Places 2, 4, 6 Residency District vote Serve until 2032	Places 1, 3, 5 Residency, District vote Serve until 2034

¹Councilmembers elected for a one-and-a-half-year term (May 2025 to November 2026), then elected to a four-year term thereafter.

²Councilmembers elected for a three-year term (2025 to 2028), then, elected to a four-year term thereafter.

9

Review and Discuss – Election Cycles

Comparison Cities	Term Length	2024	2025	2026	2027
El Paso	4-years staggered	Mayor, Districts 2, 3, 4, 7		Districts 1, 5, 6, 8	
Arlington	3-years staggered			Mayor, Districts 3, 4, 5, 8	Districts 1, 2, 6, 7
Plano	4-years staggered		Mayor (Place 6), Places 2, 4, 8		Places 1, 3, 5, 7
Lubbock	Mayor 2-years, Council 4-years, all staggered	Mayor, Districts 2, 4, 6		Mayor, Districts 1, 3, 5	
Laredo	4-years staggered	Districts 4, 5, 7, 8		Mayor, Districts 1, 2, 3, 6	
Amarillo	2-years		All seats		All seats
Brownsville	4-years staggered		Districts 3, 4		Mayor, Districts 1, 2
Grand Prairie	3-years staggered	Districts 5, 6, 8	Mayor, Districts 2, 4	Districts 1, 3, 7	Districts 5, 6, 8
Killeen	2-years staggered	Mayor, three at large	Districts 1, 2, 3, 4	Mayor, three at large	Districts 1, 2, 3, 4
Mesquite	2-years		All seats		All seats
Waco	2-years staggered	Mayor, Districts 1, 3	Districts 2, 4, 5	Mayor, Districts 1, 3	Districts 2, 4, 5

10

Discussion – Composition and Calendar

- Questions and clarification
- Straw voting
 - Council Composition:
 - Current system (all at-large, citywide voting)
 - Hybrid 1 (Mayor and some at-large, some districts with a residency requirement, all citywide voting)
 - Hybrid 2 (Mayor and some at-large citywide voting, some with a residency requirement with district voting)
 - Hybrid 3 (Mayor at-large citywide voting, all resident requirement with district voting)
 - Election Calendar:
 - May or November
 - Odd or even years

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Review and Discuss – Recall Requirements

- Any **elective officer(s)** (a), not within six months after election (h).
- Petition obtained from (c) and filed with city secretary **within 30 days** (e) signed by at least **30% of registered voters** whom **1/5 certify they voted** for the officer(s) proposed to be recalled (b).
- Upon return of petition, **at once** submit to governing authority and **notify officer(s)** of recall action (e).
- Within **five days**, if official(s) **does not resign**, a **recall election** shall be called (e).
- If majority voters **pass recall**, the officer(s) are **removed from office** (g).
- If a majority **fails to pass recall**, the officer(s) **continue to serve subject to recall** (g).
- For **initiative or referenda**, **5% of registered voter's signatures** are required to qualify for the ballot.

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Review and Discuss – Recall Requirements

Comparison Cities	Recall Percent and Requirements	Timeline ¹
El Paso	20% of the total number of votes cast in the election of the officer being recalled	60 days
Arlington	N/A	N/A
Plano	30% of the number of votes at the last regular municipal election, but no less than 150 petitioners	N/A
Lubbock	30% of qualified voters of the district determined by the number of votes in the last regular municipal election	30 days
Laredo	10% of registered voters in City or District election of officer being recalled	6 months
Amarillo	30% of registered voters, 1/5 certify they voted for the officer being recalled	30 days
Brownsville	10% of the voters registered to vote for a successor to the challenged officer	6 months
Grand Prairie	15% of the registered voters entitled to vote for that Place, or 40% of those who voted for that Council Place in the last municipal election, whichever is greater	30 days
Killeen	50% of total number of voters in the last municipal election for that seat	30 days
Mesquite	40% of qualified voters at the last regular municipal election	30 Days
Waco	30% of qualified voters of the City or District, as applicable	N/A

¹Timeline from obtaining to filing the petition form.

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Review and Discuss – Recall Requirements

- Of the ten comparison cities:
 - One has **no recall provision**
 - Four require **20% or less** registered voter signatures
 - Five require **30% or more** registered voter signatures

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Review and Discuss – Recall Requirements

Advantages	Disadvantages
- Reducing the signature threshold of the percent of registered voter's signatures may make it more practical to recall an elected official; more accountability for office holders. - Changing the signature threshold of the percent of registered voter signatures and number of days for signature gathering to be more in alignment as for referendum and initiative petitions promotes more equity across all issues.	Current requirements make it almost impossible for a petition seeking to recall an elected official to succeed.

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Discussion – Recall Requirements

- Questions and clarification
- Straw voting
 - Signature requirements for elected official
 - Number of days to return petition
 - Signature requirements for initiatives or referenda

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Review and Discuss – Appointing Authority

- The current City Charter reserves to the Mayor and City Council the appointing authority of the City Manager, all other employees are hired, supervised, and evaluated under the City Manager's authority.
- Comparison cities:
 - Some designate the City Council as the appointing authority for all key leadership positions – City Manager, City Attorney, City Secretary, etc.
 - In seven cities, the City Council has appointing authority for the City Attorney.
 - Two provide hiring of the City Attorney by the City Manager, subject to City Council confirmation.
 - One city reserves City Attorney hiring authority to the City Manager.

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Review and Discuss – Appointing Authority

Comparison Cities	City Manager	City Attorney	City Secretary	Municipal Judge
El Paso	Council	Council	City Manager	
Arlington	Council	Council	City Manager	Council
Plano	Council	Council	City Manager	
Lubbock	Council	Council	Council	Council
Laredo	Council	City Manager, subject to Council confirmation	City Manager, subject to Council confirmation	Elected by city at-large
Amarillo	Council	City Manager	City Manager	
Brownsville	Council	Council	City Manager	
Grand Prairie	Council	City Manager, with advice/consent of Council	City Manager	City Manager, with advice/consent of Council
Killeen	Council	City Manager	City Manager	Council
Mesquite	Council	Council	Council	Council
Waco	Council	Council	Council	Council

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Review and Discuss – Appointing Authority

Advantages	Disadvantages
- City Council appointments of the City Attorney emphasizes that the City is the client and that the privilege is held by the Council. - Some cities use the City Attorney as an outside neutral source to investigate complaints like discrimination or harassment from a City Manager. - Enabling the City Council, rather than the City Manager, as the appointing authority for certain City officials eliminates potential conflicts regarding whose authority should be followed.	- A City Attorney who reports to the City Manager might have more job security than a City Attorney who reports to the Council, especially a Council that can be replaced every two years. - Having the City Council as the appointing authority may introduce more politics in the offices of the City Attorney. - It may be better to have the City Attorney report to the City Manager, who may have more institutional knowledge than the City Council. - Council appointment of some key officials may increase the potential for conflict among the City's professional leadership due to differing objectives.

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Discussion – Appointing Authority

- Questions and clarification
- Straw voting
 - Council appointment of City Attorney
 - Council appointment of City Secretary

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Committee Bike Rack Items/Future Agenda Topics

- Update Charter to remove/replace archaic language and provisions
- Establish regular Charter review cycle
- Change/update Charter to be consistent with state law, particularly regarding annexation, purchasing, etc.

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Committee Comments



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AMARILLO CHARTER REVIEW COMMITTEE

Meeting and Project Schedule

- Charter Review Committee**
 - Every Thursday
 - 5:30 p.m.
 - In person or via Teams
 - Dates:
 - June 20
 - June 27
- City Council Action**
 - July 9:** Review committee recommendations
 - July 23:** First reading of ordinance
 - August 13:** Second reading of ordinance
- Ballot Initiative**
 - August 19:** Deadline per Texas Election Code
 - November 5:** Election



23

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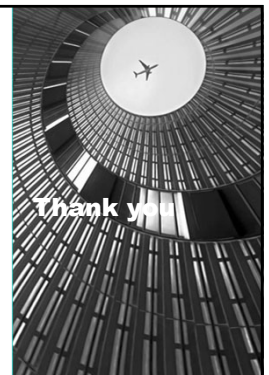
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Next meeting, June 20



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City of Amarillo – Charter Review Committee
Comparative Analysis of Council Appointed City Officials
June 13, 2024

Appointed Officials							
City	City Manager	City Attorney	City Secretary	Municipal Judge	City Auditor	City Health Officer	City Treasurer
El Paso	Council	Council	City Manager				
Arlington	Council	Council	City Manager	Council	Council	Council	
Plano	Council	Council	City Manager	Council			
Lubbock	Council	Council	Council	Council			Council
Laredo	Council	City Manager, subject to Council confirmation	City Manager, subject to Council confirmation	Elected by city at-large	Council		
Amarillo	Council	City Manager	City Manager	Council			
Brownsville	Council	Council					
Grand Prairie	Council	City Manager, with advice and consent of the Council	City Manager	City Manager, with advice and consent of the Council			
Killeen	Council	City Manager	City Manager	Council	Council Appointed or designated CPA		
Mesquite	Council	Council	Council	Council	Council designated CPA		City Manager
Waco	Council	Council	Council	Council	Council	Council	

**Citizen's Charter Study Committee
Proposed Election Cycles**

Odd Year Election Cycles					
	2025 (All Seats)	2027	2029	2031	2033
Hybrid 1	A. Places 1, 3, 5 Citywide vote, Serve until 2027 ¹ B. Mayor, Places 2, 4, 6 Citywide vote, Serve until 2029	Places 1, 3, 5 Citywide vote, Serve until 2031	Mayor Places 2, 4, 6 Citywide vote, Serve until 2033	Places 1, 3, 5 Citywide vote Serve until 2035	Mayor Places 2, 4, 6 Citywide vote, Serve until 2037
Hybrid 2	A. Places 1, 3 Citywide vote Serve until 2027 ¹ B. Mayor, Places 2, 4 Citywide vote Serve until 2029 C. Places 5, 6 Residency, District vote Serve until 2027 ¹ , 2029	A. Places 1, 3 Citywide vote Serve until 2031 B. Place 5 Residency District vote Serve until 2031	A. Mayor, Places 2, 4 Citywide vote Serve until 2033 B. Place 6 Residency District vote Serve until 2033	A. Places 1, 3 Citywide vote Serve until 2035 B. Place 5 Residency District vote Serve until 2035	A. Mayor, Places 2, 4 Citywide vote Serve until 2037 B. Place 6 Residency District vote Serve until 2037
Hybrid 3	A. Mayor , Citywide vote Serve until 2029 B. Places 1, 3, 5 Residency, District vote Serve until 2027 ¹ C. Places 2, 4, 6 Residency, District vote Serve until 2029	Places 1, 3, 5 Residency District vote Serve until 2031	A. Mayor Citywide vote Serve until 2033 B. Places 2, 4, 6 Residency District vote Serve until 2033	Places 1, 3, 5 Residency District vote Serve until 2035	A. Mayor Citywide vote Serve until 2037 B. Places 2, 4, 6 Residency District vote Serve until 2037

¹Councilmembers elected for a two-year term (2025 to 2027), then elected to serve a four-year term thereafter.

**Citizen's Charter Study Committee
Proposed Election Cycles**

Even Year Election Cycles						
	May 2025 (All Seats)	November 2026	November 2028	November 2030	November 2032	November 2034
Hybrid 1	A. Places 1, 3, 5 Citywide vote, Serve until 2026 ¹ B. Mayor, Places 2, 4, 6 Citywide vote, Serve until 2028 ²	Places 1, 3, 5 Citywide vote, Serve until 2030	Mayor Places 2, 4, 6 Citywide vote Serve until 2032	Places 1, 3, 5 Citywide vote, Serve until 2034	Mayor Places 2, 4, 6 Citywide vote, Serve until 2036	Places 1, 3, 5 Citywide vote Serve until 2038
Hybrid 2	A. Places 1, 3 Citywide vote Serve until 2026 ¹ B. Mayor, Places 2, 4 Citywide vote Serve until 2028 ² C. Places 5, 6 Residency District vote Serve until 2026 ¹ , 2028 ²	A. Places 1, 3 Citywide vote Serve until 2030 B. Place 5 Residency District vote Serve until 2030	A. Mayor Places 2, 4 Citywide vote Serve until 2032 B. Place 6 Residency District vote Serve until 2032	A. Places 1, 3 Citywide vote Serve until 2034 B. Place 5 Residency District vote Serve until 2034	A. Mayor Places 2, 4 Citywide vote Serve until 2036 B. Place 6 Residency District vote Serve until 2036	A. Places 1, 3 Citywide vote Serve until 2038 B. Place 5 Residency District vote Serve until 2038
Hybrid 3	A. Mayor , Citywide vote Serve until 2028 ² B. Places 1, 3, 5 Residency District vote Serve until 2026 ¹ C. Places 2, 4, 6 Residency District vote Serve until 2028 ²	Places 1, 3, 5 Residency District vote Serve until 2030	A. Mayor Citywide vote Serve until 2032 B. Places 2, 4, 6 Residency District vote Serve until 2032	Places 1, 3, 5 Residency District vote Serve until 2034	A. Mayor Citywide vote Serve until 2036 B. Places 2, 4, 6 Residency District vote Serve until 2036	Places 1, 3, 5 Residency District vote Serve until 2038

¹Councilmembers elected for a one-and-a-half-year term (2025 to 2026), then, elected to a four-year term thereafter.

²Councilmembers elected for a three-year term (2025 to 2028), then, elected to a four-year term thereafter.

ORDINANCE NO. 7866

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ORDERING A SPECIAL ELECTION ON NOVEMBER 3, 2020 TO VOTE ON PROPOSED AMENDMENTS TO THE AMARILLO CITY CHARTER, AS MORE FULLY SET OUT HEREIN; PROVIDING FOR A JOINT ELECTION WITH POTTER COUNTY, RANDALL COUNTY, AND THE CITY OF AMARILLO OR OTHER ENTITY; APPROVING INTERLOCAL AGREEMENT FOR EACH COUNTY TO CONDUCT THE CITY ELECTION IN PRECINCTS OF EACH COUNTY THAT ARE WITHIN THE CITY LIMITS; ESTABLISHING POLLING PLACES AND PROVIDING GENERALLY FOR THE CONDUCT OF SAID ELECTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Amarillo City Charter (hereafter, "Charter" or "City Charter") was adopted by voters in 1913 when the population of Amarillo was 9,957 (per the 1910 census); and,

WHEREAS, since that time, the Charter has been updated rarely, yet there have been numerous changes in federal and state law requirements, public policy, societal behavior, expectations of government, and the needs of a city with a population approaching a quarter-million; and,

WHEREAS, in 2013, Amarillo voters approved numerous amendments updating the charter, and desiring to continue that modernization effort, the City Council has appointed a citizen committee to review the charter and recommend changes; and,

WHEREAS, the City Council finds it is desirable and in the best public interest for voters to now consider certain amendments to the Charter, in accordance with the several propositions described herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

PART I. ORDER CALLING SPECIAL ELECTION.

SECTION 1.0. Pursuant to applicable provisions of the Texas Election Code and Texas Local Government Code, Chapter 9, that a Special Election is hereby called and ordered for the City of Amarillo to be held on the next uniform election date specified by the Texas Election Code, being November 3, 2020, to vote on the following propositions to amend the City of Amarillo Home Rule Charter, each of which shall be separate proposition for each subject matter, on a single ballot, for the reasons and purposes stated below for each proposition, with the ballot text for each proposition to appear and read as shown below.

Further, the proposition for issuance of bond debt to finance certain civic center improvements described in a separate Resolution, for a Special Election also called on November 3, 2020, shall be Proposition No. 1 on the City ballot, with these charter amendment propositions following and numbered as shown.

PART II. CHARTER AMENDMENTS.

SECTION 2.0 The following propositions to amend the City of Amarillo Home Rule Charter, as it currently exists as amended shall be proposed to voters, for the reasons and purposes stated below for each proposition, with the ballot text for each proposition to appear and read as shown below.

City Council, Terms of Office, Art. V, Sec. 2

WHEREAS, The *Citizens Charter Review Committee* has determined that a two-year term of office with the potential for loss of all council knowledge of issues in a single election is a modern disservice to the community. A councilmember spends the first year learning governmental organization, programs, laws, and procedures. Currently this leaves only a single year of informed service, and then that term of office is over. This fact is compounded by the possibility that an entirely new Counsel and Mayor can be elected in one election cycle, due to the lack of staggered terms. Accordingly, the *Citizens Charter Review Committee* recommends a longer term of office to make better use of the skills and knowledge acquired by the Mayor and Councilmembers and that staggered terms be implemented to assure a smooth and informed transition of governmental leadership, rather than removal of all incumbents and knowledge in a single election. NOW, THEREFORE, BE IT ORDAINED THAT, this proposition shall amend Article V, Section 2 of the City Charter to provide for a staggered, 4-year term of office for Mayor and Councilmembers, and Sections 3 and 8 as required to comply with State election law due to longer terms of office, to read as follows:

“SECTION 2. - TERM OF OFFICE

The Mayor and each Councilmember shall serve for a term of ~~two (2)~~ four (4) years with said terms being staggered as provided by ordinance and until a successor is elected and qualified; unless sooner removed from office as herein provided.”

“SECTION 3. - VACANCIES

(a.) Any vacancy in the office of the Mayor or Councilmember shall be filled as authorized by state law. ~~by an appointment by the remaining Councilmembers from among their number.~~

(b) Any vacancy in the office of a Councilmember for an unexpired term of 12 months or less shall be filled by an appointment by the Mayor and the remaining Councilmembers.

(c) Any vacancy in the office of the Mayor for an unexpired term of 12 months or less shall be filled by an appointment by the remaining Councilmembers. ~~Provided that the person appointed to fill such vacancy shall hold office only during the unexpired term of office.~~

(d) The person elected or appointed to fill such vacancy shall hold office only during the unexpired term of office.

“SECTION 8. - ELECTION DAY

The regular municipal elections of the City of Amarillo shall be held on the date allowed by state law that occurs on or nearest to May 1 in an each odd numbered year. If state law provides two election dates which are equally near May 1, the Council shall select one.”

Ballot Text Shall State:

PROPOSITION B

To amend Article V, Section 2 of the Amarillo City Charter to provide for a 4-year term of office for Mayor and each City Councilmember with those terms being staggered as provided by ordinance and conforming amendments as required by state law.

_____ FOR
_____ AGAINST

City Council Meeting Frequency, Art. V, Sec.12(a)

WHEREAS, the current charter requires weekly City Council meetings, yet modern experience is that, in some weeks or months, there is not enough public business to justify a weekly meeting. At other times, a quorum of council members is unavailable, rendering a weekly meeting a legal impossibility. In other seasons, pressing business can require multiple meetings within a single week. Aside from the variable workload, modern societal practices of taking holidays and personal time off by council and senior staff further are different than in 1913, and can be incompatible with a weekly meeting obligation. The *Citizen Charter Review Committee* determined it is desirable for the charter to assure regular meetings while allowing reasonable flexibility for the frequency of those meetings. That *Committee* recommends setting a required total number of meetings per year will assure regular meetings while providing flexibility to not meet in some weeks. [Note: Should the stated number of meetings be exhausted prior to the end of a year, then State law allows the Council to conduct an unlimited number of special meetings as may be needed or convenient to discharge public business.] NOW, THEREFORE, BE IT ORDAINED THAT, this proposition shall repeal and restate Art. V, Section 12(a) of the City Charter to now read as follows (and other subsections unchanged):

“(a) On the day that the election results of the Council have been declared, the Councilmembers shall meet to qualify and assume the duties of their offices. Thereafter, the Councilmembers shall meet at such times as prescribed by Ordinance or Resolution, but they shall meet not less than twenty-four times per calendar year.”

Ballot Text Shall State:

PROPOSITION C

To amend Article V, Section 12(a) of the Amarillo City Charter to provide for the Mayor and Councilmembers to meet to qualify for office on the day of the election canvass and thereafter meet not less than twenty-four times per calendar year.

_____ FOR
_____ AGAINST

PART III. ELECTION ADMINISTRATION AND OTHER MATTERS

SECTION 3.0. That the City Secretary is authorized to modify the ballot format as may be necessary to accommodate electronic or other form of balloting.

SECTION 3.1 That a joint election shall be conducted with Potter County, Randall County, the City of Amarillo, and any other entity that may order an election within those counties, pursuant to the terms and conditions of the attached intergovernmental cooperation agreement with Potter County (Exhibit 1) and intergovernmental cooperation agreement with Randall County (Exhibit 2), each of which is incorporated herein by this reference, and the City Manager is authorized to execute and perform said agreements and to agree to reasonable changes that may be requested or imposed by the counties as reflected in amended Exhibits.

SECTION 3.2. That the City Secretary is expressly authorized to: obtain election supplies; pay election officials; contract for some or all election duties and services from Potter and Randall counties (including conduct of a joint election), in accordance with the adopted budget, applicable law, and the attached agreements.

SECTION 3.3. The election shall be held in each of the election precincts of each participating entity as specified in the attached agreement.

SECTION 3.4. Electronic voting system is authorized and shall be used for voting and counting in the election, subject to the attached agreements and any contingency plan (of each county conducting a part of the City election) for problems with the electronic voting system.

SECTION 3.5. Early voting shall be conducted:

- A. In the Potter County portion of the City as specified in the attached Exhibit 1.
- B. In the Randall County portion of the City as specified in the attached Exhibit 2.
- C. Ballots shall be used for early voting by mail, and electronic or other ballot forms shall be used for casting early votes by personal appearance. The City Secretary is authorized to appoint an Early Voting Ballot Board to count and sort early votes, and other personnel for other duties, all as may be necessary or convenient in the conduct of the election or the City portion of a joint election with the other entities.

SECTION 3.6. That voting results of the City election from Potter and Randall County precincts shall, respectively, be completed at each County's counting station (to-wit: Potter County, at 900 S. Polk, Suite 320, Amarillo; and Randall County, at 501 16th Street, Ste 304, Canyon) and, the results promptly provided to the City Secretary or her designee.

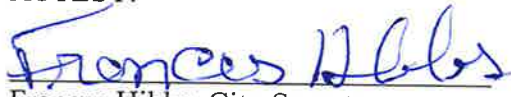
SECTION 3.7. In the event of a conflict between the terms of this ordinance and the interlocal cooperation agreement for election services, the terms of the interlocal agreement shall prevail.

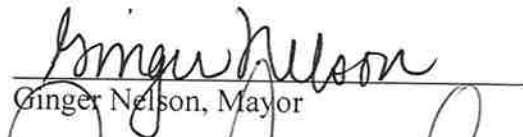
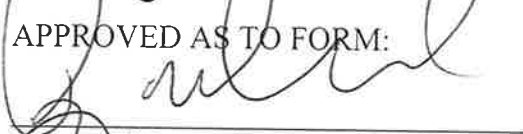
SECTION 3.8. Effective Date. This ordinance calling the election and stating the ballot is effective upon passage. However the effective date for each Proposition that may be approved

by voters shall be as set by City Council, no sooner than 30 days after the canvass of the election, so as to allow time for republication of the amended charter and amending any affected ordinances or policies of the City, to assure an orderly implementation of any approved changes.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 28th day of July, 2020; and PASSED on Second and Final Reading the 11th day of August 2020.

ATTEST:


Frances Hibbs, City Secretary


Ginger Nelson, Mayor

APPROVED AS TO FORM:
Bryan S. McWilliams, City Attorney

ATTACHMENTS:

Exhibit 1, Interlocal Agreement with Potter County
Exhibit 2, Interlocal Agreement with Randall County

EXHIBIT 1
POTTER COUNTY – CITY ELECTION AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF POTTER §

CONTRACT FOR ELECTION SERVICES
AND JOINT ELECTION AGREEMENT

THIS CONTRACT made by and between Potter County, a body corporate and politic under the laws of the State of Texas, hereinafter referred to as “County,” and the City of Amarillo, hereinafter referred to as “Entity,” pursuant to Texas Election Code Sections 31.092(a) for an election to be held on November 3, 2020, and to be administered by Melynn Huntley, Elections Officer, hereinafter referred to as “Elections Administrator”.

Said Entity is holding a Special Election, at their expense on November 3, 2020.

The County owns an electronic voting system, which has been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122 as amended, and is compliant with the accessibility requirements set forth by Texas Election Code Section 61.012. The Entity desires to use the County’s electronic voting system and to compensate the County for such use.

NOW, THEREFORE, in consideration of the mutual covenants, agreements, and benefits to the parties, **IT IS AGREED** as follows:

I. ADMINISTRATION

The parties agree to hold a “Joint Election” in accordance with Chapter 271 of the Texas Election Code and this agreement. The Elections Administrator of Potter County shall coordinate, supervise, and handle all aspects of administering the Election as provided in this Contract. The Entity agrees to pay Potter County for equipment, supplies, services, staff overtime directly incurred as a result of the election, and administrative costs as provided in this Contract. The Elections Administrator shall serve as the administrator for the Election; however, the Entity shall remain responsible for the decisions and actions of its officers necessary for the lawful conduct of its election. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of the Entity.

It is understood that other Political Subdivisions may wish to participate in the use of the County’s electronic voting system and polling places, and it is agreed that Potter County and the Elections Administrator may enter into other contracts for election services for those purposes on terms and conditions generally similar to those set forth in this contract. The Entity agrees that other Political Subdivisions that may have territory

located partially or wholly within the boundaries of the Entity, and in such case all parties sharing common territory shall enter into a Joint Election Agreement and share a joint ballot on the county's electronic voting system at the applicable polling places. In such cases, costs shall be divided proportionately among the participants (Exhibit "C").

At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating parties shall share a mutual ballot in those precincts where jurisdictions overlap. However, in no instance shall a voter be permitted to receive a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap.

II. LEGAL DOCUMENTS

The Entity shall be responsible for the preparation, adoption, and publication of all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code and/or the Entity's governing body, charter, or ordinances.

Preparation of the necessary materials for notices and the official ballot shall be the responsibility of the Entity, including translation to languages other than English. The Entity shall provide a copy of their election order and notice to the Elections Administrator.

Each Political Subdivision shall prepare a submission to the United States Department of Justice for preclearance of any Special Election or election procedure changes, pursuant to the Voting Rights Act of 1965, as amended.

III. VOTING LOCATIONS

The Elections Administrator shall arrange for the use of all Election Day voting locations. Voting locations will be, whenever possible, the usual voting locations for Potter County. In the event a voting location is not available, the Elections Administrator will arrange for use of an alternate location with the approval of the Entity.

If polling places are different from the polling place(s) used by the Entity in its most recent election, the County agrees to post a notice no later than the day before the election, at the entrance to any previous polling places in the jurisdiction stating that the polling location has changed and stating the Entity's polling place names and addresses in effect for election. Election Day locations are listed on Exhibit "A".

In the November 3, 2020 election, Potter County will utilize county-wide voting. As such, there will be 16 polling locations. Registered voters will be able to vote on Election Day at any of the polling locations.

IV. ELECTION JUDGES, CLERKS, AND OTHER ELECTION PERSONNEL

The Elections Administrator is required to use election judges, alternate judges and clerks that have been approved by the county political parties. The Elections Administrator shall provide to the Entity a list of presiding judges and alternate judges for its election who shall be approved by the Entity as required by law. The Elections Administrator will recruit at least one polling place official who is bilingual (fluent in both English and Spanish) for each polling location.

The Elections Administrator shall notify all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to insure that all election judges appointed for the Election are eligible to serve.

The Elections Administrator shall arrange for the training and compensation of all election judges and clerks. The Elections Administrator shall arrange for the date, time, and place for the presiding election judges to pick up their election supplies. Each presiding election judge will be sent a letter from the Elections Administrator notifying him/her of their appointment, the time and location of training and distribution of election supplies, and the number of election clerks that the presiding judge may appoint. Election workers will be compensated for the two-hour training class.

Each election judge and election clerk will receive compensation at a rate of \$12.00 per hour as established by Potter County pursuant to Texas Election Code Section 32.091. Election judges and clerks will be entitled to receive pay at a rate of time-and-a-half per hour for all hours worked over 40 in a week. The election judge and alternant judge will share an additional sum of \$25.00 for returning the supplies and equipment to the central counting station after the polls close.

It is agreed by all parties that at all times and for all purposes hereunder, all election judges, clerks, and all other personnel involved in this election are temporary employees of the County.

V. PREPARATION OF SUPPLIES AND VOTING EQUIPMENT

The Elections Administrator shall arrange for all election supplies and voting equipment including, but not limited to official ballots, sample ballots, voter registration lists, and all forms, signs and other materials used by the election judges at the voting locations. The Elections Administrator shall provide the necessary voter registration information, instructions, and other information needed for the election. If special maps are needed for a particular Entity, the Election Administrator will order the maps and pass that charge on to that particular Entity.

The Entity shall furnish the Elections Administrator a list of candidates and/or propositions showing the order and the exact manner in which the candidate names and/or proposition(s) are to appear on the official ballot (including titles and text in each language in which the authority's ballot is to be printed). All ballot information for the ballot will be provided in both English and Spanish. This list shall be delivered to the Elections Administrator as soon as possible after ballot positions have been determined by each of the participating authorities. Each participating authority shall be responsible for proofreading and approving the ballot insofar as it pertains to that authority's candidates and/or propositions.

VI. EARLY VOTING

The Entity agrees to appoint the Elections Administrator as the Early Voting Clerk. The Entity also agrees to appoint the Elections Administrator's permanent county employees as deputy early voting clerks. The Entity further agrees that the Elections Administrator may appoint other deputy early voting clerks to assist in the conduct of early voting as necessary, and that these additional deputy early voting clerks shall be compensated at an hourly rate set by Potter County pursuant to Section 83.052 of the Texas Election Code. Early Voting by personal appearance will be held at the locations, dates, and times listed in Exhibit "B." Any qualified voter of the Election may vote early by personal appearance at any one of the early voting locations.

As Early Voting Clerk, the Elections Administrator shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. Any requests for early voting ballots to be voted by mail received by the Entity shall be forwarded immediately by fax or courier to the Elections Administrator for processing.

The Elections Administrator shall, upon request, provide the Entity a copy of the early voting report on a daily basis and a cumulative final early voting report following the election.

VII. EARLY VOTING BALLOT BOARD

Potter County Election Board shall appoint a Signature Verification Committee (SVC) and Early Voting Ballot Board (EVBB) to process early voting results from the Election. The County Election Board shall appoint up to nine additional members to constitute the EVBB. Five people will be appointed to the Signature Verification Committee. The Elections Administrator shall determine the number of members required to efficiently process the early voting ballots.

VIII. CENTRAL COUNTING STATION AND ELECTION RETURNS

The Elections Administrator shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this Contract.

The participating authorities hereby, in accordance with Section 127.002, 127.003, and 127.005 of the Texas Election Code, appoint the following central counting station officials:

1. Counting Station Manager
2. Tabulation Supervisor
3. Assistant Tabulation Supervisor
4. Presiding Judge
5. Alternate Judge

The Elections Administrator will prepare the unofficial canvass reports after all precincts have been counted, and will deliver a copy of the unofficial results to the Entity as soon as possible after all returns have been tabulated. All participating authorities shall be responsible for the official canvass of their respective elections.

IX. ELECTION EXPENSES AND ALLOCATION OF COSTS

The participating authorities agree to share the costs of administering the Joint Election. Allocation of costs, unless specifically stated otherwise, is mutually agreed to be shared according to a formula, which is based on the cost per polling place. Costs for polling places shared by Entity and other Political Subdivisions shall be divided proportionately among the participants utilizing that polling place. Exhibit "C" shows the formula for determining cost share per Entity and Political Subdivision.

It is agreed that a rental rate of \$250 per Verity unit will be charged for the County's voting equipment used on Election Day and/or Early Voting and shall be divided proportionately among the participants utilizing each polling location. Exhibit "D" shows an estimate of expenses for the Joint Election and cost estimate by Entity.

X. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION

The Entity may withdraw from this Contract should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code, or should it be later ruled that the election is not needed. The Entity is fully liable for any expenses incurred by Potter County on behalf of the Entity. Any monies deposited with the county by the withdrawing authority shall be refunded, minus the aforementioned expenses.

XI. RECORDS OF THE ELECTION

The Elections Administrator is hereby appointed joint general custodian of the voted ballots and all records of the Election as authorized by Section 271.010 of the Texas Election.

Access to the election records shall be available to each participating authority as well as to the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the offices of the Elections Administrator or at an alternate facility used for storage of county records. The Elections Administrator shall ensure that the records are maintained in an orderly manner so that the records are clearly identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of each participating authority to bring to the attention of the Elections Administrator any notice of pending election contest, investigation, litigation or open records request which may be filed with the participating authority.

XII. RECOUNTS

A recount may be obtained as provided by Title 13 of the Texas Election Code. The Entity agrees that any recount shall take place at the offices of the Elections Administrator, and that the Elections Administrator shall serve as Recount Supervisor and the Entity's official or employee who performs the duties of a secretary under the Texas Election Code shall serve as Recount Coordinator.

The Elections Administrator agrees to provide advisory services to the Entity as necessary to conduct a proper recount.

XIII. MISCELLANEOUS PROVISIONS

1. The Elections Administrator shall file copies of this document with the Potter County Treasurer and the Potter County Auditor in accordance with Section 31.099 of the Texas Election Code.
2. In the event that an election contest is initiated under Title 14 of the Texas Election Code in relation the Entity's election, the Entity shall choose and provide, at its own expense, competent legal counsel for Potter County, the Potter County Elections Administrator, and such other Potter County officials,

employees, or election personnel as may be included as parties or participants in that election contest.

3. Nothing in this contract prevents any party from taking appropriate legal action against any other party and/or other election personnel for a breach of this contract or a violation of the Texas Election Code.
4. The parties agree that under the Constitution and laws of the State of Texas, neither Potter County nor the Entity can enter into an agreement whereby either party agrees to indemnify or hold harmless another party; therefore, all references of any kind, if any, to indemnifying or holding or saving harmless for any reason are hereby deleted.
5. This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Potter County, Texas.
6. In the event of one of more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
7. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
8. The waiver by any party of a breach of any provision of this Contract shall not operate as or be construed as a waiver of any subsequent breach.
9. Any amendments of this Contract shall be of no effect unless in writing and signed by all parties hereto.

IN TESTIMONY HEREOF, this Contract, its multiple originals all of equal force, has been executed on behalf of the parties hereto as follows, to-wit:

1. It has on this 29th day of July, 2020, been executed on behalf of Potter County by the Elections Administrator pursuant to the Texas Election Code so authorizing; and

POTTER COUNTY, TEXAS

By: 
Melynn Huntley
Elections Administrator

2. It has on this 28 day of July, 2020, been executed on behalf of the Entity by its Presiding Officer or authorized representative, pursuant to an action of the Entity so authorizing.

CITY OF AMARILLO:

By: 

EXHIBIT A – ELECTION DAY POLLING LOCATIONS

Amarillo Auto Supply and Off Road 3601 E. Amarillo Blvd.	Kids, Inc. 2201 SE 27 th
Casey Carpet One 3500 I-40 West Frontage Road	Lighthouse Baptist Church 5631 Pavillard
Chaparral Hills Church 4000 W. Cherry	Pride Home Center 3503 NE 24 th
Don Harrington Discovery Center 1200 Streit Drive	Second Baptist Church 419 N. Buchanan
The Church at Bushland 1800 FM 2381, Bushland	Trinity Baptist Church 1601 I-40 West
Grace Community Church 4111 Plains Blvd.	United Citizens Forum 901 N. Hayden
Highland Park ISD Admin. Bldg. 15300 E. Amarillo Blvd.	Valle de Oro Fire Station 23801 FM 1061, Valle de Oro
Hillside Christian Church, NW 600 Tascosa Road	Wesley Community Center 1615 S. Roberts

EXHIBIT C - SAMPLE COST BY ENTITY

The jurisdictions of participating entities are located in following voting precincts:

Potter County – 24 total precincts
121, 122, 123, 124, 125, 126, 221, 222, 223, 224, 225, 321, 322, 323, 324, 325, 326, 327,
421, 422, 424, 425, 426, 427

City of Amarillo – 22 total precincts
121, 122, 123, 124, 125, 126, 221, 222, 223, 224, 225, 323, 324, 325, 326, 327, 421, 422,
424, 425, 426, 427

Potentially other entities could affect the share of expenses

There are total of 46 “entity precincts” represented by the participating entities. (24 + 22)

In allocating appropriate expenses to participating entities, the total costs will be based on the percent of the total “entity precincts” with which the participating entity has jurisdiction.

Therefore, the total costs will be divided as follows:

Potter County	24 precincts	52% of total cost of election
City of Amarillo	22 precincts	48% of total cost of election*

*Costs not to exceed \$45,000. Due to the high costs incurred with a Presidential Election, Potter County agrees to cap the expense to the City of Amarillo at \$45,000.

EXHIBIT D - COST ESTIMATE FOR ELECTION

Description	Amount*
Ballot Layout, Audio, Coding	.00
Ballots	2000.00
Field Techs/Site Support/Phone Bank	1500.00
Early Voting Ballot Board/Signature Verification Committee	2600.00
Early Voting Personnel	34600.00
Election Day Personnel	23500.00
Central Counting Station Personnel	1600.00
Election Office overtime	5500.00
Election Day deliveries	300.00
Truck Rental	1000.00
Security, EV, ED & CCS	3300.00
ABBM Kits/Postage (2500 kits @ \$1.50 each)	3750.00
Ballot on Demand (Military) and Sample Ballots Online	600.00
Election Kits	640.00
Verity Lease fee (200 units @ \$250 each)	50000.00
Public Notice of Test, AGN	400.00
Notice of Election, AGN	1400.00
Subtotal	144,090.00
City of Amarillo – 48%	69,163.20
10% Administrative Fee	6,916.32
Estimated Total	76,079.52

*Amounts are estimates only. Estimate also assumes Early Voting locations and hours.

Potter County agrees to cap the cost of the election to the City of Amarillo at \$45,000.

EXHIBIT B - POLLING HOURS AND LOCATIONS FOR EARLY VOTING

MAIN EARLY VOTING:

Santa Fe Building, Ticket office
900 S. Polk
Maximum # of Judges and Clerks: 11

Hours for voting at Santa Fe Building:
Mon – Fri., Oct. 19-23 8:00 a.m. – 5:00 p.m.
Sat., Oct. 24 7:00 a.m. – 7:00 p.m.
Sun., Oct. 25 12:00 p.m. – 5:00 p.m.
Mon. – Fri., Oct. 26 – 30 7:00 a.m. – 7:00 p.m.

BRANCH EARLY VOTING:

Precinct 1:
Casey Carpet One
3500 I-40 W Frontage Rd.
Maximum # of Judges and Clerks: 6

Precinct 3:
~~The Craig~~
~~5500 SW 9th Ave~~
Maximum # of Judges and Clerks: 6

Precinct 2:
~~United Amigos~~
~~3300 E I-40~~
Maximum # of Judges and Clerks: 5

Precinct 4:
Cornerstone Outreach
1111 N. Buchanan
Maximum # of Judges and Clerks: 5

Hours for Branch Locations Early Voting:
Mon – Fri., Oct. 19-23 8:00 a.m. – 5:00 p.m.
Sat., Oct. 29 12:00 p.m. – 5:00 p.m.
Sun., Oct. 30 12:00 p.m. – 5:00 p.m.
Mon. – Fri., Oct. 31-Nov. 4 8:00 a.m. – 5:00 p.m.

POTTER COUNTY EARLY VOTING LOCATIONS
GENERAL ELECTION – _____, 20____

EXHIBIT 2
RANDALL COUNTY – CITY ELECTION AGREEMENT

**JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT
BETWEEN
CITY OF AMARILLO
AND RANDALL COUNTY**

WHEREAS, Randall County ("County") and the City of Amarillo ("City") noted in the signature block ("Participating Entities"), have each called an election;

WHEREAS, the Participating Entities desire to conduct these elections jointly, pursuant to Chapter 271, Texas Election Code, on November 3, 2020;

WHEREAS, the City is located partially in Randall County, and it is in the best interest of the voters of the City that are registered in Randall County to conduct an efficient election by entering into an Election Services Agreement with Randall County.

NOW, THEREFORE, the Entities adopt this Agreement to conduct a joint election:

1. SCOPE

The Participating Entities will hold elections on November 3, 2020 ("Election Day") jointly for the voters in Randall County and the City.

2. BALLOT LANGUAGE

Each of the Participating Entities will provide the appropriate ballot language in both English and Spanish for the propositions to be voted on by the qualified voters of that Participating Entity. The County will provide a final proof of ballot language, as it is to appear on the ballot, for final proof approval. The ballots shall be printed in a timely fashion in order to be available for Early Voting by mail and voting devices programmed for Early Voting by personal appearance.

3. RESPONSIBILITIES OF RANDALL COUNTY

Randall County shall be responsible for performing the duties and performing the services associated with an election for those resident voters of Randall County, including but not limited to the following:

- (a) Recommend and confirm all early voting polling place locations. Days and hours for early voting on weekdays and weekends will be those days and hours provided by the County, and in accordance with State law.
- (b) Agree to receive and process requests for Early Voting by Mail.
- (c) Contact the owners or custodians of county-designated polling places and arrange for their use in the Election.
- (d) Procure and distribute all necessary election kits and supplies.

- (e) Procure all necessary voting machines and equipment, transport machines and equipment to and from the polling places, and prepare the voting machines and equipment for use at the polling places.
- (f) Notify the election judges of the date, time, and place of the election school and arrange for a facility for holding the school.
- (g) Arrange for the use of a central counting station and for the tabulating personnel and equipment needed at the counting station and assist in the preparation of programs and the test materials for the tabulation of the ballots to be used with electronic voting equipment.
- (h) Publish the legal notice of the date, time, and place of the test of the electronic tabulating equipment and conduct such test.
- (i) Serve as the Joint Custodian of Records ("Joint Custodian") for the sole purpose of preserving all voted ballots securely in a locked room in the locked ballot boxes and securing of electronic votes for the period for preservation required by the Election Code.
- (j) Provide its Elections Division staff and offices to administer the Joint Election under the direction of the Randall County Elections Administrator.

4. CANVASS OF RESULTS

Each entity will be responsible for the canvass of the returns regarding its ballot items.

5. LOCATION OF COMMON POLLING PLACES

Exhibit "A" to this Agreement is a list of the Countywide-Super Precinct Election Day polling places. These polling places will be used for the common Election Day polling place(s) in this election. Exhibit "B" to this Agreement is a list of early voting polling places. The final designation of polling places within Randall County rests with the County. Accordingly, the County must immediately notify the District if it does not designate the polling places set forth in the attached Exhibits.

6. ALLOCATION OF ELECTION EXPENSES

- (a) The County shall initially pay the expenses, and subsequently invoice each Participating Entity for its share of the expenses. Joint election expenses include, but are not limited to, expenses for equipment rental, facilities, personnel, supplies, and training actually incurred by the County for establishing and operating all early voting and Election Day activities at the polling place in the joint election territory as well as activities related to the tabulation of votes. Upon receipt of an invoice from the County election expenses, the Entity shall pay the total amount of the invoice within thirty (30) days of receipt of said invoice.
- (b) The expense of any early voting polling places that are established at the request of an Entity(ies) other than those which are mutually agreed upon by all the Entities shall be borne by the requesting Entity.
- (c) An Entity may cancel an election, but will be financially responsible for any expenses that were accrued, by the County, up to the time of cancellation.
- (d) In the event of a recount, the expense of the recount shall be borne by the Entity(ies) involved in such recount.
- (e) Election workers will be paid at the rate of \$12.00 per hour.

Randall County Election Day
Vote Centers
November 3, 2020

The Cowboy Church
8827 S. Washington
Amarillo, TX 79118

Arden Road Baptist
6701 Arden Road
Amarillo, TX 79109

Comanche Trail Church of Christ
2700 E. 34th
Amarillo, TX 79103

Central Baptist Church
1601 SW 58th
Amarillo, TX 79110

Randall County Justice Center
2309 Russell Long Blvd
Canyon, TX 79015

Oasis Southwest Baptist Church
8201 Canyon Drive
Amarillo, TX 79110

Southwest Church of Christ
4515 Cornell
Amarillo, TX 79109

Randall County Annex
4320 S. Western
Amarillo, TX 79110

Redeemer Christian Church
3701 S. Soney
Amarillo, TX 79121

The Summit
2008 12th Avenue
Canyon, TX 79015

Region 16 Education Center
5800 Bell Street
Amarillo, TX 79109

Coulter Road Baptist Church
4108 S. Coulter
Amarillo, TX 79109

Randall County Fire Department # 2
9451 FM 2186
Amarillo, TX 79119

7. LEGAL NOTICES

(a) Each Entity shall be individually responsible for the preparation of election orders, resolutions, notices, and other pertinent documents for adoption or execution by its own respective governing board, and for the posting or publication of election notices and all expenses related thereto. The Notice will be Bilingual and will be published or posted in both English and Spanish. The preceding sentences do not prevent the Entities or any combination of them from issuing a joint notice of election and sharing the cost of same.

(b) Each Entity shall individually submit a request for preclearance from the United States Department of Justice, if required.

8. AUTHORITY TO CONFORM TO ELECTION LAW

The Entities authorize the County's Elections Administrator and the District's Superintendent to vary the terms of this Agreement as may be necessary to conform to applicable law or to comport with proper election procedures without the need for further action by the governing body of any Participating Entity.

9. EFFECTIVE DATE

This Agreement takes effect upon the complete execution of this Agreement by the Participating Entities.

RANDALL COUNTY, TEXAS

By: 

Shannon Lackey
Elections Administrator

Date: 7-15-20

Attest: _____

CITY OF AMARILLO

By: 

Date: 07/28/2020

Attest: 

**Early Voting Dates and Times for Randall County at
The Election for the
City of Amarillo**
_____, 20____

Early Voting Locations
General Election
Election Day November 3, 2020

Dates and time will be determined at a later date in accordance with the Texas Election Code and/or an Executive Order issued by the Governor

Randall County Election Administration Office
1604 5th Ave
Canyon, TX 79015**

**Randall County Annex
4320 S. Western
Amarillo, TX 79110**

**Randall County Justice Center
2309 Russell Long Blvd
Canyon TX, 79015**

**Region 16 Education Service Center
5800 Bell Street
Amarillo, TX 79109**

**Comanche Trail Church of Christ
2700 E. 34th
Amarillo, TX 79103**

****Main Early Voting Location**

City of Amarillo Single Member Districts - Initial Research

June 13, 2024

There are five legal principles that govern the process:

1. One Person / One Vote – US Constitution
2. Section 2 of the U.S. Voting Rights Act
3. Shaw v. Reno line of cases
4. Texas Election Laws
5. City Charter

One Person/One Vote

- Requires that members of an elected body be drawn from districts of substantially equal population.
- Applies to the single-member districts of “legislative” bodies such as city councils.
- Exact equality of population is not required, but a “total maximum deviation” of no more than 10% in total population between the most populated and the least populated city districts based on the most recent census should be achieved.

Shaw vs Reno Guiding Principles:

- Race may be considered as one factor among others.
- Race may not be the predominant factor to the subordination of traditional redistricting principles. Bizarrely shaped wards are not unconstitutional per se, but the bizarre shape may be evidence that race was the predominant consideration.
- If race is the predominant consideration, a proposed plan may still be constitutional if it is “narrowly tailored” to address compelling governmental interest such as compliance with the Voting Rights Act.
- If a plan is narrowly tailored, it will use race no more than is necessary to address the compelling governmental interest.

City of Amarillo Quadrant Demographics

District	Voting Age Population	Total Population	Ideal Population	Deviation
Northwest	30,531	39,499	50,098	-21.16%
Northeast	31,901	45,879	50,098	-8.42%
Southwest	54,506	70,535	50,098	40.79%
Southeast	32,157	44,578	50,098	-11.02%

Information cited from Initial Training on Redistricting, Bojorquez Law Firm, TexasMunicipalLayers.com, October 11, 2021. <https://www.cityofwharton.com/upload/page/0160/Redistricting%20Overview%20Wharton.pdf>

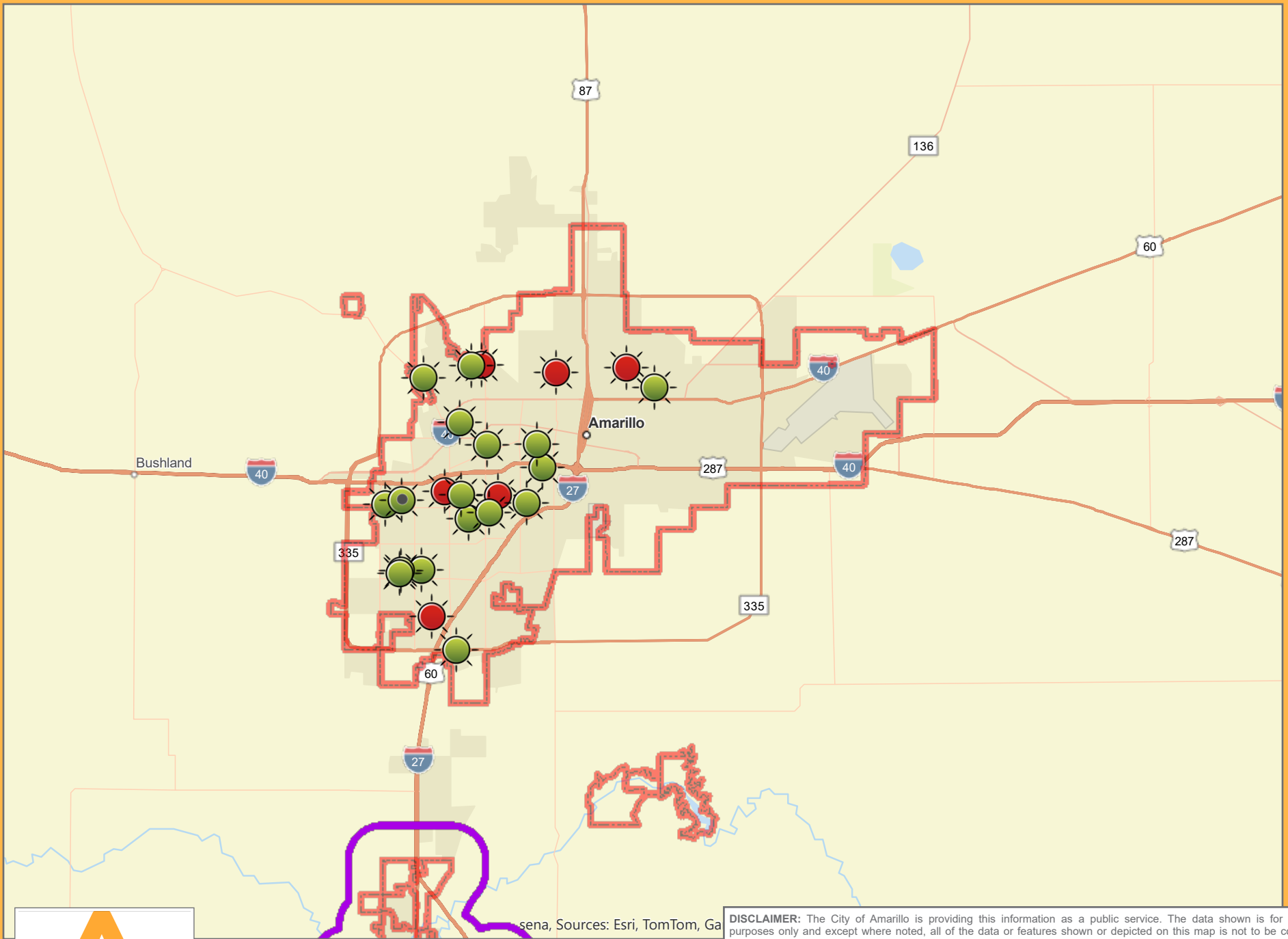
- There are more residents of voting age in the SW district than there are people of any age in any other single district.
- The SW district exceeds the ideal population by 40%.
- 54,138 white population in the SW district is greater than any other district's total population.
- Using the Quadrants, Amarillo's current Total Maximum Deviation is **61.95%** (Southwest + Northwest).

Example Redistricting Criteria

- Identifiable geographic boundaries should be followed.
- Communities of interest should be maintained.
- Avoid splitting neighborhoods.
- Composed of whole voting precincts (when possible/practicable).
- Configured so they are relatively equal in total population.
- Compact and composed of contiguous territory.
- Preservation of incumbent-constituency relations by recognition of the residence of incumbents.
- Not crack or pack minority voters.
- Composed of whole census block groups or blocks.
- Within acceptable Total Maximum Deviation.
- Narrowly tailor the plan to comply with the Voting Rights Act.

Amarillo Demographic Report - 2020 ESRI Business Analyst Demographic and Income Comparison Profile

District	Voting Age Population	Total Population	Ideal Population	Deviation	Hispanic	Hispanic % of Population	White	Non-Hispanic White % of Population	Black	Black % of Population	Asian	Asian % of Population	American Indian	American Indian % of Population	Pacific Islander	Pacific Islander % of Population	Some Other Race	Some Other Race % of Population	Two or More Races	Two or More Races % of Population
Northwest	30,531	39,499	50,098	-21.16%	10,478	26.5%	24,015	60.8%	4,579	11.6%	1,511	3.8%	449	1.1%	19	0.0%	3,909	9.9%	5,018	12.7%
Northeast	31,901	45,879	50,098	-8.42%	24,747	53.9%	16,982	37.0%	5,158	11.2%	4,064	8.9%	651	1.4%	14	0.0%	8,848	19.3%	10,161	22.1%
Southwest	54,506	70,535	50,098	40.79%	13,073	18.5%	54,138	76.8%	2,818	3.9%	1,575	2.2%	596	0.8%	28	0.0%	3,414	4.8%	7,967	11.3%
Southeast	32,157	44,578	50,098	-11.02%	16,967	38.1%	27,782	62.3%	2,122	4.8%	1,228	2.8%	442	1.0%	20	0.0%	4,811	10.8%	8,173	18.3%



Sena, Sources: Esri, TomTom, Ga

DISCLAIMER: The City of Amarillo is providing this information as a public service. The data shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

June 20, 2024

Agenda – Thursday, June 20, 2024, at 5:30 p.m.
Citizen's Charter Study Committee
City Hall Council Chamber (Third Floor) – 601 S. Buchanan (in-person)
Teams (virtual)

City Council Representatives			
Councilmember Tom Scherlen		Councilmember Les Simpson	
Name	Nominated by	Name	Nominated by
Chair Freda Powell	Simpson	Vice Chair Gary Pitner	Simpson
Donna Ward	Stanley	Rodney Hill	Tipps
Michael Haning	Stanley	Dean Crump	Tipps
Toby Hudson	Scherlen	Sandra McCartt	Craft
Kim Benson	Scherlen	Audrey Castillo	Craft

1. Call to order.
2. Review and adopt Agenda.
3. Public comment.
4. Discuss and confirm Committee consensus decisions:
 - a. Number of councilmembers – seven (one mayor, six councilmembers)
 - b. Terms of office – four-year staggered
 - c. Council composition – Hybrid #1 – Mayor elected at-large citywide; two or three Councilmembers elected at-large, citywide; and three or four Councilmembers required to live in a specific geographic area with citywide voting on all seats. Review possible Council residency areas in compliance with Voting Rights Act and other laws.
 - d. Election Cycle – Maintain current election schedule of May elections in odd-numbered years with four-year staggered terms (2025, 2027, 2029). All terms for Mayor and six Councilmembers elected in 2025 should specify which seats serve until 2027 and those serving until 2029 as Council transitions to four-year staggered terms, The terms of office for each seat should be specified in the proposed Charter amendment so there is a clear understanding of which seats will be elected in specific years.
 - e. Consideration of revising recall procedures was deferred to a later date. The suggested deferred change would change the signature requirement to qualify a recall from 30% of registered voters with one-fifth certifying they voted for the recalled official to 30% of voters participating in last election.
5. Review and discuss establishing specific City Council geographic areas:
 - a. Review and discuss recommended principles in determining geographic areas.
 - b. Review and discuss sample map(s) with geographic areas illustrated.
 - c. Discuss and determine the number of Council seats with residency requirements and the number of at-large members:
 - i. Mayor, three at-large Councilmembers, and three Councilmembers living within designated areas; or
 - ii. Mayor, two at-large Councilmembers, and four Councilmembers living within designated areas.
 - d. Review and discuss establishing a Council redistricting commission process.
6. Discuss and determine if a change to the City Charter for the City Council to have appointing authority for the City Attorney, and/or other City officials, in addition to appointing the City Manager.
 - a. The current City Charter reserves to the Mayor and City Council the appointing authority of the City Manager, all other employees are hired, supervised, and evaluated under the City Manager's authority.
 - b. Some comparison cities designate the City Council as the appointing authority for all key leadership positions – City Manager, City Attorney, City Secretary, etc.

Of the ten comparable cities, seven cities provide that the City Council has appointing authority for the City Attorney; two provide hiring of the City Attorney by the City Manager, subject to City Council confirmation; and one City reserves City Attorney hiring authority to the City Manager.

Advantages	Disadvantages
Ultimately, the City Council represents the city, which is the client – therefore, it makes sense for the city attorney to report to those who speak for the client.	A city attorney who reports to the city manager might have more job security than a city attorney who reports to the Council, especially a council majority that can be replaced every two to four years.
Some cities use the city attorney as an outside neutral source to investigate complaints like discrimination or harassment from a city manager.	Having the City Council as the appointing authority may introduce more politics in the offices of the City Attorney, etc.
Establishing the City Council, rather than the City Manager, as the appointing authority for certain city officials eliminates potential conflicts regarding whose authority should be followed.	It may be better to have the city attorney report to the city manager, who may have more institutional knowledge than other officials.
	Council appointment of some key officials may increase the potential for conflict among the City's professional leadership due to differing objectives.

7. Discuss and determine establishing a regular Charter Review schedule (moved from Bike Rack item to active discussion):
- The current Charter contains no specific Charter review process and timetable. Charters in some cities establish a regular Charter review cycle and procedure.
 - The Council still has latitude to create “off-cycle” Charter review as needed as urgent issues arise.

Advantages	Disadvantages
A defined Charter review cycle (example every 5, 10 or x years) eliminates political pressure to review and revise Charter on an ad hoc basis.	May create a commission without specific issues to consider.

8. Discuss and determine whether Charter should be amended to establish term limits for Mayor and Councilmembers.
- Review provisions and rationale of other cities who have adopted term limits and/or provisions allowing persons to run and serve again after reaching term limits after a specified waiting period.

Advantages	Disadvantages
Establishing term limits may encourage a more diverse candidate pool by limiting the “power of incumbency.”	Term limits may prevent an effective Mayor or Councilmember from serving even as community members may prefer keeping that person in office.
Term limits may allow some persons to run for Mayor or City Council after a mandatory absence period (example: person may serve x terms as Mayor and/or Councilmember and then may run and serve again after two-year waiting period).	Term limits may permanently restrict qualified residents from serving after reaching the mandatory number of terms, resulting in loss of skills and institutional knowledge on the City Council.

9. Discuss and determine if and how other issues raised in prior meetings should be considered for inclusion in proposal:
 - a. Clarify and/or remove the requirement that the Mayor or a Councilmember must immediately resign from office if they choose to seek another elected position during their current term.

Current Amarillo Charter Language

Article Vi - Section 9. - Prohibitions

No person in the classified service of the City or seeking admission thereto shall be appointed, promoted, reduced, removed, or in any way favored or discriminated against because of political or religious opinions or affiliations. No person shall willfully or corruptly make any false statement, certificate, mark, rating, or report in regard to any test, certification, or appointment held or made under the Civil Service provisions of this Article or in any manner commit or attempt to commit any fraud preventing the impartial execution of such Civil Service provisions or of the rules and regulations made thereunder. **No officer or employee in the classified service of the City shall continue in such position after becoming a candidate for nomination or election to any public office.** No person seeking appointment to or promotion in the classified service of the City shall either directly or indirectly give, render, or pay any money, service, or other valuable thing to any person for or on account of or in connection with his test, appointment, proposed appointment, promotion, or proposed promotion.

- b. Possible Charter change and/or change to the Governance and Ends policy defining the Mayor and Council or City Manager's authority to implement certain organizational changes with the Council's "advice and consent" or "consultation" provisions.

Current Amarillo Charter Language

Article V. Section 21. Powers and Duties of the City Manager

(b) Appoint all appointive officers or employees of the City with the advice and consent of the Council (such appointments to be made upon merit and fitness alone), and remove all officers and employees appointed by the Manager.

10. Discuss potential specific ballot language for Committee recommendations to the City Council.
11. Committee Bike Rack Items - Future agenda topics:
 - a. Update Charter to remove/replace archaic language and provisions.
 - b. Change/update Charter to be consistent with state law, particularly regarding annexation, purchasing, etc.
12. Comments from the Committee
13. Review and wrap up.
14. Adjournment – Next meeting June 27, 2024, 5:30 p.m.

Amarillo Citizen's Charter Review Committee

Committee information including agendas, presentations, workshop materials, and meeting recordings can be found on the City's website <https://www.amarillo.gov/city-hall/city-initiatives/2024-charter-review>. For questions or to submit comments, contact City Secretary Stephanie Coggins, stephanie.coggins@amarillo.gov

bakertilly

Amarillo Charter Review

June 20 Citizen's Committee Meeting

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1

Call to Order

City Council Representatives and Committee Members

Councilmember Scherlen	Councilmember Simpson
Chair Freda Powell	Vice Chair Gary Pitner
Kim Benson	Rodney Hill
Audrey Castillo	Toby Hudson
Dean Crump	Sandra McCartt
Michael Haning	Donna Ward

Baker Tilly Team

Dennis Hawkins, project lead	Mary Locey
Al Zelinka	Shauna Clark



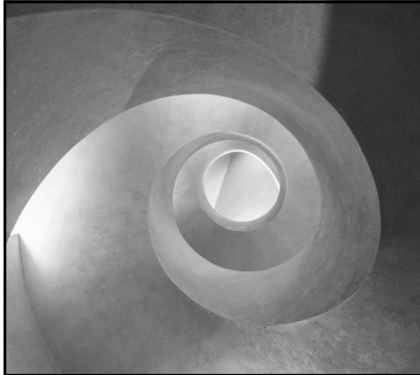
2

Review and Adopt June 20 Agenda

- Public comment
- Discuss and confirm Committee consensus
- Review and discuss establishing specific City Council geographic areas
- Discuss and determine Council appointees
- Discuss and determine establishing regular review of the Charter
- Discuss and determine establishing term limits
- Discuss and determine if and how other issues should be considered
- Discuss potential specific ballot language
- Committee bike rack items
- Committee comments
- Review and wrap up



3



Public Comment



4

Discuss and Confirm Committee Consensus

On June 6 and 20, received Committee consensus on:

- Council composition**
 - Mayor and 2 or 3 Councilmembers at-large,
 - 3 or 4 Councilmembers required to live in a specific geographical area,
 - All seats elected by citywide vote
- Election calendar**
 - May, odd years (2025, 2027, 2029)
 - Terms (seats) specified before elected
- Defer recall updates**

Previously confirmed:

- Mayor and six Councilmembers
- Each serve for a four-year staggered term



5

Review and Discuss – Establishing Geographic Areas

- Recommended principles in determining geographic areas
- Sample geographic area map(s)
- Number of Council seats with residency requirements and at-large:
 - Mayor, three at-large Councilmembers, and three Councilmembers living within designated areas; or
 - Mayor, two at-large Councilmembers, and four Councilmembers living within designated areas
- Establishing a Council redistricting commission process

6

Review and Discuss – Appointing Authority

- a) The current City Charter reserves to the Mayor and City Council the appointing authority of the City Manager, all other employees are hired, supervised, and evaluated under the City Manager's authority.
- b) Comparison cities:
- Some designate the City Council as the appointing authority for all key leadership positions – City Manager, City Attorney, City Secretary, etc.
 - Seven cities have the City Council with appoint authority for the City Attorney.
 - Two provide hiring of the City Attorney by the City Manager, subject to City Council confirmation.
 - One city reserves City Attorney hiring authority to the City Manager.

7

Review and Discuss – Appointing Authority

Comparison Cities	City Manager	City Attorney	City Secretary	Municipal Judge
El Paso	Council	Council	City Manager	
Arlington	Council	Council	City Manager	Council
Plano	Council	Council	City Manager	
Lubbock	Council	Council	Council	Council
Laredo	Council	City Manager, subject to Council confirmation	City Manager, subject to Council confirmation	Elected by city at-large
Amarillo	Council	City Manager	City Manager	
Brownsville	Council	Council	City Manager	
Grand Prairie	Council	City Manager, with advice/consent of Council	City Manager	City Manager, with advice/consent of Council
Killeen	Council	City Manager	City Manager	Council
Mesquite	Council	Council	Council	Council
Waco	Council	Council	Council	Council

8

Review and Discuss – Appointing Authority

Advantages	Disadvantages
- Ultimately, the City Council represents the City – therefore, it makes sense for the City Attorney to report to those who speak for the client. - Some cities use the City Attorney as an outside neutral source to investigate complaints like discrimination or harassment from a City Manager. - Establishing the City Council, rather than the City Manager, as the appointing authority for certain City officials eliminates potential conflicts regarding whose authority should be followed.	- A City Attorney who reports to the City Manager might have more job security than a City Attorney who reports to the Council, especially a Council majority that can be replaced every two to four years. - Having the City Council as the appointing authority may introduce more politics in the offices of the City Attorney. - It may be better to have the City Attorney report to the City Manager, who may have more institutional knowledge than other officials. - Council appointment of some key officials may increase the potential for conflict among the City's professional leadership due to differing objectives.

9

Review and Discuss – Charter Review

- a) The current City Charter contains no specific Charter review process or timetable.
- b) The Council still has latitude to create "off cycle" Charter review as needed.

Advantages	Disadvantages
A defined Charter review cycle (example every 5, 10 or x years) eliminates political pressure to review and revise the Charter on an ad hoc basis.	May create a commission without specific issues to consider.

10

Review and Discuss – Charter Review

Comparison Cities	Y/N ¹	
El Paso	No	
Arlington	No	
Plano	Yes	May appoint review commission of ten citizens
Lubbock	No	
Laredo	No	
Amarillo	No	
Brownsville	No	
Grand Prairie	No	
Killeen	No	
Mesquite	No	
Waco	No	

¹Establishing a regular charter review cycle or committee noted in a cities Charter.

11

Review and Discuss – Term Limits

- a) Provisions and rationale of other cities that have adopted term limits and/or provisions allowing persons to run and serve again after reaching term limits after a specified waiting period.

Advantages	Disadvantages
- May encourage a more diverse candidate pool by limiting the "power of incumbency." - Allow some persons to run for Mayor or City Council after a mandatory absence period (example: person may serve x terms as Mayor and/or Councilmember and then may run and serve again after a two-year waiting period).	- May prevent an effective Mayor or Councilmember from serving even as community members may prefer keeping that person in office. - May permanently restrict qualified residents from serving after reaching the mandatory number of terms, resulting in loss of skills and institutional knowledge on the City Council.

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Review and Discuss – Term Limits

Comparison Cities	Term Length	Term Limits
El Paso	4	9
Arlington	3	6
Plano	4	8+
Lubbock	Mayor 2 Council 4	N/A
Laredo	4	8
Amarillo	2	N/A
Brownsville	4	8
Grand Prairie	3	N/A
Killeen	2	6+
Mesquite	2	8+
Waco	2	6 / N/A

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Review and Discuss – Other Considerations

Items noted by Committee members:

- a) Clarify and/or remove the requirement to immediately resign from office if seeking another elected position.

ARTICLE VI - SECTION 9. - PROHIBITIONS

... No officer or employee in the classified service of the City shall continue in such position after becoming a candidate for nomination or election to any public office.

- b) Possible Charter change and/or change to the Governance and Ends policy defining the Mayor and Council or City Manager's authority to implement certain organizational changes with the Council's "advice and consent" or "consultation" provisions.

ARTICLE V. SECTION 21. POWERS AND DUTIES OF THE CITY MANAGER

(b) Appoint all appointive officers or employees of the City with the advice and consent of the Council (such appointments to be made upon merit and fitness alone), and remove all officers and employees appointed by the Manager;

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Review and Discuss – Resign from Office

Comparison Cities	Y/N ¹	
El Paso	No	
Arlington	No	
Plano	Yes	Upon announcing elective or appointive office
Lubbock	No	
Laredo	No	
Amarillo	No	
Brownsville	No	
Grand Prairie	No	
Killeen	Yes	Upon immediately filing for a different office
Mesquite	No	
Waco	No	

¹Resignation noted in a cities Charter as it relates to seeking another office.

15

Review and Discuss – Ballot Language

- Review specific charter provisions which need to be revised as a result of the Committee's recommendations.
- Discuss the structure of potential charter revision language.
- Determine next steps in developing specific ballot provisions required under the current charter and state law.

16

Committee Bike Rack Items/Future Agenda Topics

- Update Charter to remove/replace archaic language and provisions
- Change/update Charter to be consistent with state law, particularly regarding annexation, purchasing, etc.

17



18

AMARILLO CHARTER REVIEW COMMITTEE

Meeting and Project Schedule

- **Charter Review Committee**
 - Every Thursday
 - 5:30 p.m.
 - In person or via Teams
 - Dates:
 - June 27
- **City Council Action**
 - **July 9:** Review committee recommendations
 - **July 23:** First reading of ordinance
 - **August 13:** Second reading of ordinance
- **Ballot Initiative**
 - **August 19:** Deadline per Texas Election Code
 - **November 5:** Election



19

19

bakertilly

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Next meeting, June 27

Thank you



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City of Amarillo Charter Review Committee
Criteria in Establishing Council Geographic Area Residency Requirements

The Charter Review Committee for the City of Amarillo, Texas, recommends revising the City Charter to increase the Amarillo City Council from five members to seven members with elections continuing to be held in May of odd numbered years. The Mayor and Councilmembers will be elected via citywide ballot using the following structure.

- A. The Mayor will be elected in a citywide election on an at-large basis, meaning that he or she may live in any area of the city.
- B. At-large Councilmembers, Places 1, 3, (5) will also be elected on an at-large basis and may live in any area of the city.
- C. Councilmember residency requirements: The Councilmembers elected in Places 2, 4, (5), and 6 must live within one of the three or four geographic areas established by the City Council.

The following criteria should be considered when establishing City Council geographic areas and creating the boundaries of new Councilmember residency areas or places.

Councilmember District Criteria

1. Districts shall be made nearly equal in population as practical, according to the 2020 federal census. In no event should the total population deviation between the largest and the smallest district exceed ten percent as compared to the ideal district size.
2. Any plan must follow the Federal Voting Rights Act¹ and other applicable federal or state laws. Any plan should follow applicable federal and state court decisions, such as *Shaw v Reno* 509 US 630 (1993) which held that redistricting based on race must be held to a standard of strict scrutiny under the equal protection clause. On the other hand, bodies doing redistricting must be conscious of race to the extent that they must ensure compliance with the Voting Rights Act of 1965.
3. Easily identifiable geographic boundaries shall be followed. Consideration shall be given to natural boundaries and streets, keeping cohesive neighborhoods together and avoiding splitting neighborhoods. Where possible, neighborhood associations shall be kept in one Council area. Gerrymandering of any type or for any purpose shall be avoided.
4. Districts shall be compact and composed of contiguous territory. Compactness may have a functional, as well as a geographical dimension. Attention shall be given to the cohesiveness, contiguity, and integrity of the area. The importance of public facilities such as schools, parks, and libraries, etc., to an area shall be recognized.
5. Communities of interest – including cultural, racial, ethnic, and economic interests – shall be kept whenever possible in a single Council area.
6. Councilmember areas shall be composed of whole voting precincts. Where this is not possible or practical, areas shall be drawn up considering county election precincts. Avoid splitting census blocks unless necessary.
7. The plan shall not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting or otherwise discriminate against protected groups to create liability under the Voting Rights Act.

¹ The Voting Rights Act of 1965 “outlawed the discriminatory voting practices adopted in many southern states” that limited the rights of African American voters. Source: National Archives, Voting Rights Act (1965), <https://www.archives.gov/milestone-documents/voting-rights-act>.

DISCUSSION DRAFT
Potential Amarillo Charter Revision Measures
June 20, 2024

POTENTIAL MEASURE 1 - ARTICLE V

These Sections of Article V be amended so that hereafter the same shall be and read as follows:

- **SECTION 1. - MUNICIPAL GOVERNMENT**

The municipal government of the City of Amarillo shall consist of the City Council, which shall be a Mayor and ~~five (5)~~ **six (6)** Councilmembers, **each of whom shall be elected by a majority of the registered voters within the city.**

SECTION 2 - ESTABLISHMENT OF GEOGRAPHIC AREAS:

(a) Districting Commission

Upon the adoption of the amended Charter, a Districting Commission shall be established by Ordinance of the City Council. The members of the Districting Commission shall be appointed by the Mayor and City Council. The Mayor and each at-large Councilmember from Places 1, 3, and 5 or 1 and 3 shall nominate one qualified voter from the City at large to serve on the Districting Commission. Each Councilmember from Places 2, 4, 5, and 6 or 2, 4, 6 shall nominate one qualified voter from the geographic area in which they reside to serve on the Districting Commission. The terms “geographic area,” “Council Place,” “Council district,” “Council Area,” or other term denoting a specific area of the city to be represented by a member of the City Council may be used interchangeably and are substantially equivalent. The term “At-large” or “citywide” may be used interchangeably and are substantially equivalent when referring to the Mayor or Councilmember of a Place not requiring residency in a specific area.

The members of the Districting Commission shall not serve the City in any other capacity, whether appointive or elective, nor shall they hold any other elective public office. The Commission shall elect its own presiding officer. The Commission shall adopt guiding principles which ensure that the Commission’s recommendations of the geographic area boundaries shall be made in a manner which complies with the constitutional principles and laws governing voting rights of the United States and Texas. The geographic areas shall be of substantially equal population.

DISCUSSION DRAFT
Potential Amarillo Charter Revision Measures
June 20, 2024

The Commission shall, by **January 15, 2025** make recommendations to the City Council establishing the boundaries of the geographic areas of the Councilmember Places to be represented by a resident of that area and identifying the seats of the Mayor and any Councilmember to be elected on an at-large, citywide basis. Upon receiving the Commission's recommendations, the Council, prior to **DATE**, and the commencement of the filing period for the May 2025 Mayor and City Council elections, shall adopt the geographic boundaries of each Council area and the designation of seats elected on an at-large basis. It shall be clearly known which Council seats are to be elected on an at-large, citywide basis, including the Mayor, and which Councilmember Places require the Councilmember to be a resident of said district prior to them filing for office.

Beginning in 2031, and every ten years thereafter, following the Federal decennial census, the Mayor and City Council shall appoint a Districting Commission as described above on or before April 1 following the publication of the results of each decennial United States census. The Districting Commission shall report to the City Council no later than September 1 of each year following the decennial census its recommendations regarding any necessary adjustments of the boundaries of the geographic areas resulting from changes to the City's population and other appropriate demographic considerations. Upon receiving the Commission's recommendations, the Council shall, prior to December 31 of that year, review the population of each proposed district, and adopt an Ordinance to change the boundaries thereof as necessary to insure substantial equality in the populations of the districts.

(Char. 11-18-13, Art. 5, § 1; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 2-3. ~~TERM OF OFFICE~~ CITY COUNCIL NUMBER, SELECTION AND TERM.

- (a) The City Council shall be comprised of a Mayor and six (6) Councilmembers divided into six (6) places known as Places 1, 2, 3, 4, 5, and 6 with places on the official ballot designated as "Member of council, place no. __," or "Mayor." The Mayor and six (6) Councilmembers shall be elected from a majority vote of the qualified voters throughout the city of Amarillo voting in the election. Each

DISCUSSION DRAFT
Potential Amarillo Charter Revision Measures
June 20, 2024

candidate shall designate the specific office or place for which they are a candidate for election.

- (b) The Mayor and each Councilmember shall serve for a term of ~~two (2)~~ **four (4)** years and until a successor is elected and qualified; unless sooner removed from office as herein provided.
- (c) At-large positions: The Mayor and Councilmembers, Place Numbers 1, 3, and (5) shall serve in an at-large position, elected on a citywide basis, and may reside in any portion of the city. If the Mayor or a Councilmember elected on an at-large, citywide basis, is no longer a bona fide resident of the city of Amarillo, they shall immediately forfeit their office. The City Council may then proceed to fill the seat according to the provisions of the Charter.
- (d) Geographic positions: The city shall by Ordinance be divided into three (3)/four (4) geographic districts based on equality of population. Councilmembers, Place Numbers 2, 4, (5), and 6 shall be elected as a resident of each specific geographic district. No person shall be eligible to be a candidate to serve as a Councilmember of a specific geographic district unless the candidate is at that time a bona fide resident of said district and shall have established residency in that district for a minimum of twelve (12) months prior to the filing date for the office. Councilmembers elected as a specific geographic district representative must continuously reside in said district during their term or terms of office. If a Councilmember elected as a specific geographic district representative is no longer a bona fide resident of said district, they shall immediately forfeit their office. The City Council may then proceed to fill the seat according to the provisions of the Charter.
- (e) The Mayor and all Councilmembers, Places 1, 2, 3, 4, 5, and 6 shall be elected May of each odd-numbered year the beginning in May 2025.
- (f) The Mayor and Councilmembers Places 1, 3, and 5 shall hold office for a period of four (4) years, until May 2029, and until their successor is elected and qualified.
- (g) Councilmembers Places 2, 4, (5), and 6 shall be elected in May 2025 and shall hold office for a period of two (2) years, until May 2027 and until their successor

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Potential Amarillo Charter Revision Measures
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is elected and qualified. Beginning in May 2027, elections for these Places shall be held every four (4) years, beginning in May 2031.

- (h) No person shall serve more than two consecutive full terms as Mayor or Councilmember. A person who has served as Mayor or a member of the City Council in either as an at-large or geographic district representative, for two (2) consecutive full terms, shall not again be eligible for election to the same position until at least two (2) years has elapsed, except such council member shall be eligible for election as mayor.

SECTION 5. - ELECTIONS

(a) The elective officers of the City shall consist of a Mayor and ~~four (4)~~ six (6) Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three, ~~and~~ Councilmember Place Four, **Councilmember Place Five, and Councilmember Place 6**), each of whom shall be elected by a majority of the registered voters within the city.

(b) At the time of filing as a candidate for Mayor or City Councilmember, the person shall, in addition to meeting all other requirements and qualifications, either pay an application fee of one hundred dollars (\$100.00) to the City Secretary, or in lieu of such submit a petition signed by one hundred (100) registered voters of the City, verified by the City Secretary, in support of the person's candidacy.

(c) Should any candidate fail to receive a majority of the votes at the regular election for the office for which he is a candidate, the Council shall immediately order a special election in accordance with applicable state law, at which special election the names only of the two candidates receiving the highest number of votes at the regular election, for the office for which they were candidates shall be printed on the ballot and submitted to the registered voters within the city for election, and the candidate receiving the majority of votes at such special election for the place of office for which he was a candidate, shall be declared duly elected.

(Char. 11-18-13, Art. 5, § 5; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

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Potential Amarillo Charter Revision Measures
June 20, 2024

SECTION 8. - ELECTION DAY

The regular municipal elections of the City of Amarillo shall be held on the date allowed by state law that occurs on or nearest to May 1 in each odd numbered year. If state law provides two election dates which are equally near May 1, the Council shall select one.

(Char. 11-18-13, Art. 5, § 8; Ord. No. 5000, 7-1-1980, Election 8-9-1980; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

POTENTIAL MEASURE 2 - ARTICLE V – City Council Appointive Officers

ARTICLE V – SECTION 20, 21

That Section 20 of Article V be amended so that hereafter the first paragraph of Section 20 shall be and read as follows:

SECTION 20. - CITY ~~COUNCIL MANAGER~~ APPOINTIVE OFFICERS:

There shall be appointed by a majority of the City Council, a City Manager and a City Attorney and other officers as may be required by State Constitution or State law, any of whom may be removed by a like majority vote of the said City Council at the pleasure of the City Council. The duties of such officers shall be as prescribed by State law, or Ordinance or direction of the City Council not in conflict therewith. The compensation of such offices shall be set by the City Council. Such appointive officers shall appoint and remove any officer or employee placed under his authority and control.

- (a) The Council shall appoint a City Manager, who shall be the administrative head of the municipal government and shall be responsible for the efficient administration of all departments. The Manager may or may not be a resident of the City of Amarillo when appointed and shall hold his office at the will of the Council.

DISCUSSION DRAFT
Potential Amarillo Charter Revision Measures
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- (b) The City Council shall appoint a competent and duly licensed attorney practicing law in the State of Texas, who shall be the City Attorney. The City Attorney holds office at the pleasure of the City Council. The City Attorney shall be the legal advisor of, and attorney and counsel for, the City and all officers and departments.

SECTION 21. POWERS AND DUTIES OF THE ~~CITY MANAGER~~CITY COUNCIL
APPOINTIVE OFFICERS

(a) Powers and Duties of The City Manager

1. The City Manager shall see that the Laws and Ordinances of the City are enforced;
2. Appoint all appointive officers or employees of the City with the advice and consent of the Council (such appointments to be made upon merit and fitness alone), and remove all officers and employees appointed by the Manager;
3. Exercise control and supervision over all departments and offices that may be created by the Council, and all officers and employees appointed by the Manager;
4. Attend all meetings of the Council with a right to take part in the discussion, but having no vote;
5. Recommend, in writing, to the Council such measures as the Manager may deem necessary or expedient;
6. Keep the Council fully advised as to the financial condition and needs of the city; and,
7. Perform such other duties as may be prescribed by this Charter, or be required by Ordinance or resolution of the Council.

(b) Powers and Duties of the City Attorney

1. Attend all meetings of the Council with a right to take part in the discussion, but having no vote;
2. Recommend, in writing, to the Council such measures as the City Attorney may deem necessary or expedient;

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3. Keep the Council fully advised as to the legal conditions and needs of the City;
4. Appointment of Assistants: The City Attorney shall serve as the director of the City Attorney's Office and shall have the power to appoint, and remove, such assistants as may be deemed necessary. Persons appointed as an Assistant City Attorney shall be among the unclassified service. The City Attorney shall set compensation for any assistants in accordance with the City's policies and procedures and as adopted in the budget by the City Council.
5. Assistants to have all powers and duties of City Attorney: All powers and duties imposed on the City Attorney may be exercised and performed by any Assistant City Attorney under the City Attorney's direction.
6. Outside Counsel: The City Attorney's Office shall oversee legal services for the City, its boards, committees, commissions, or other City commissioned entities for the purposes of accomplishing common goals of eliminating duplication of services, creating administrative efficiency, providing for joint legal service efforts and ensuring the quality of legal service to the citizens at the lowest cost in terms of fees and tax rates. Outside counsel may only be retained in cases of extraordinary importance, legal specialization required, assignment by insurance or bond requirements, or in an emergency, and shall be done in accordance with the policies and procedures approved and adopted by the City Council. In such contingency, the City Council shall fix in advance, as far as practicable, the compensation to be allowed such extra or outside counsel by resolution.
7. Term, removal, absence, or disability of City Attorney: The City Attorney shall not be appointed for a definite fixed time but shall be removable at the will and pleasure of the City Council by a vote of not less than a majority of the entire City Council. The City Council may suspend the City Attorney from office. In case of the absence or disability of the City

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Attorney, the City Council may designate some qualified person to perform
the duties of the office.

**POTENTIAL MEASURE 3 - ARTICLE VI – UNCLASSIFIED AND CLASSIFIED
SERVICE**

ARTICLE VI - SECTION 4. - UNCLASSIFIED AND CLASSIFIED SERVICE

The positions in the City's service shall be divided into the unclassified and classified service.

(a) The unclassified service shall comprise the following offices and positions:

1. Members of the City Council.

2. The City Secretary

3. The City Manager.

4. The City Attorney

4.5. The Heads of Departments.

~~5.6.~~ Each principal assistant or deputy and one private secretary to the City Manager and to each of the Heads of Departments.

~~6.7.~~ Members of Boards, Committees, and Commissions in the City's service.

~~7.8.~~ Persons employed to make or conduct a special inquiry, investigations, examination, or installation, if the City Council or the City Manager certifies that such employment is temporary, and that the work should not be performed by employees in the classified service.

~~8.9~~ Persons employed as an attorney or other professional whose professional services are regulated by the state law on procurement of professional services by state agencies.

(b) The classified service shall comprise all positions not specifically included by this section in the unclassified service.

(c) All persons in the City service holding positions in the classified service as established by this Article at the time it takes effect except those holding the positions of those on military leave and those over 34 years of age employed since January 1,

DISCUSSION DRAFT
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1942, shall retain their positions until discharged, reduced, promoted, or transferred in accordance therewith.

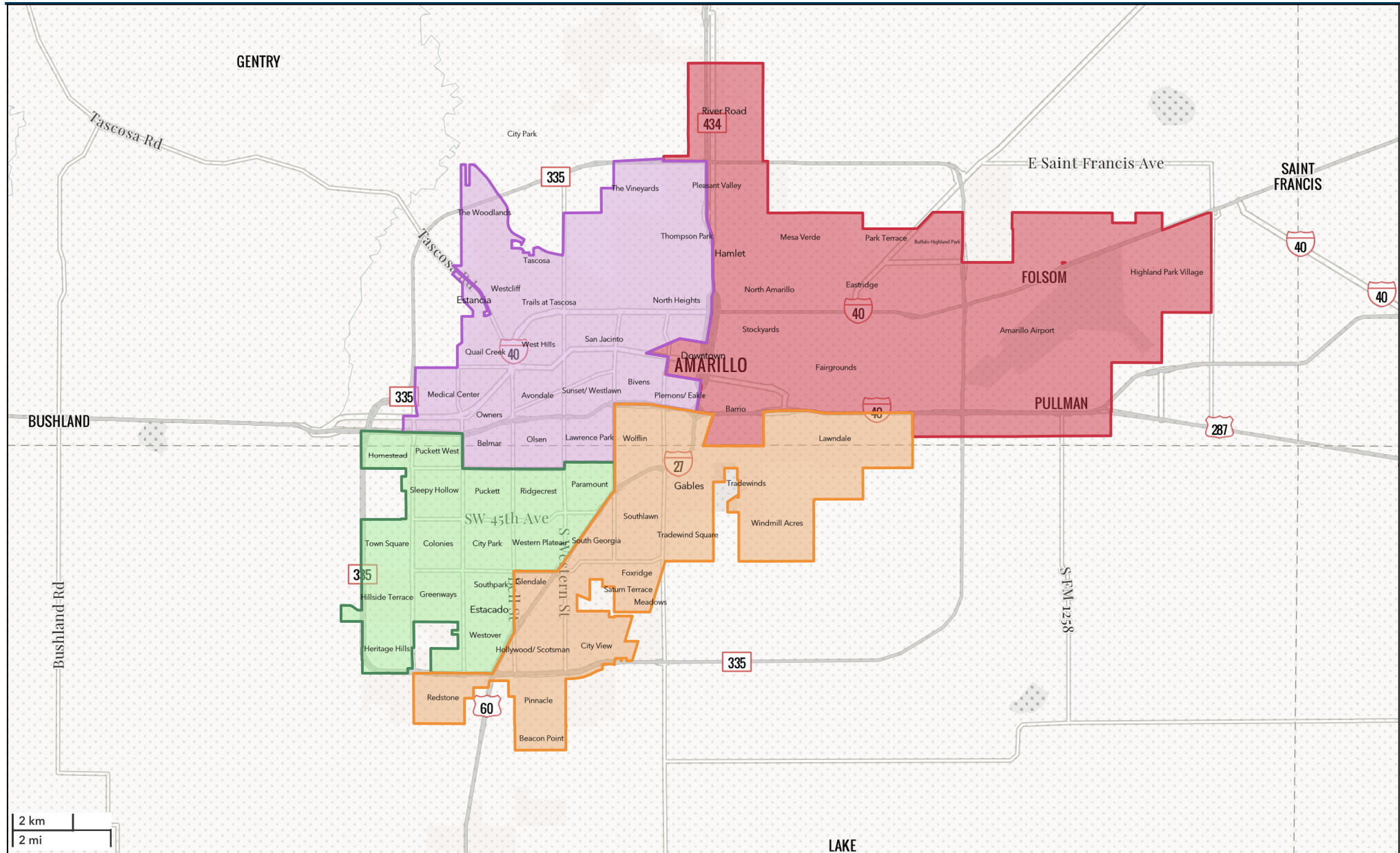
(d) In the event a person has been employed since January 1, 1942, and was over 34 years of age at the time of such employment, nevertheless, such person may be eligible to come under classified service, provided he is recommended to the Board for certification by the department head and City Manager. But no certification shall be made until the expiration of six months after the present emergency.

(e) The provisions of this Article shall be made to apply to all classified positions in the department of Fire and Police on the effective date of this Article and to such other departments or groups of City employees as may later provided by ordinance.

DRAFT



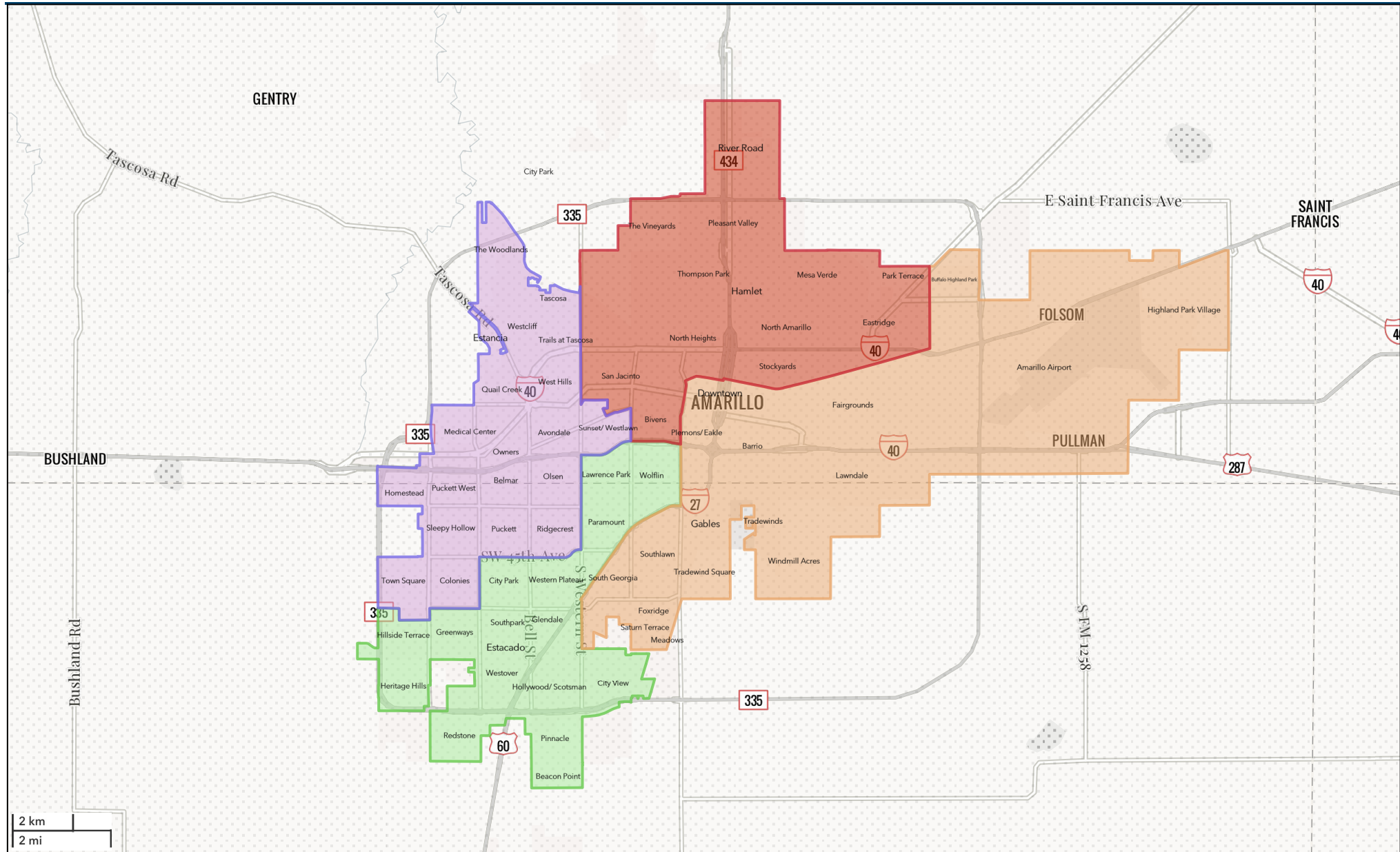
1/2/4 Voting Districts Proposal A



June 18, 2024



1/2/4 Voting Districts Proposal B-Alternate



June 18, 2024

1/2/4 Voting Districts Proposal A

Total Population *

District	Total Population	Ideal Population	Deviation	Hispanic	Hispanic % of Population	White	Non-Hispanic White % of Population	Black	Black % of Population	Asian	Asian % of Population	American Indian	American Indian % of Population	Pacific Islander	Pacific Islander % of Population	Some Other Race	Some Other Race % of Population	Two or More Races	Two or More Races % of Population
Northwest	51,111	50,098	2.02%	12,784	25.0%	32,477	63.5%	5,267	10.3%	1,857	3.6%	544	1.1%	22	0.0%	4,458	8.7%	6,485	12.7%
Northeast	47,601	50,098	-4.98%	26,148	54.9%	17,496	36.8%	5,302	11.1%	4,109	8.6%	680	1.4%	14	0.0%	9,256	19.4%	10,744	22.6%
Southwest	51,154	50,098	2.11%	9,046	17.7%	39,950	78.1%	1,878	3.7%	1,111	2.2%	445	0.9%	20	0.0%	2,303	4.5%	5,447	10.6%
Southeast	50,625	50,098	1.05%	17,287	34.1%	32,993	65.2%	2,231	4.4%	1,301	2.6%	468	0.9%	24	0.0%	4,965	9.8%	8,643	17.1%

Voting Population by Race **

District	Voting Age Population	Hispanic	Hispanic % of Population	White	Non-Hispanic White % of Population	Black	Black % of Population	Asian	Asian % of Population	American Indian	American Indian % of Population	Pacific Islander	Pacific Islander % of Population	Some Other Race	Some Other Race % of Population	Two or More Races	Two or More Races % of Population
Northwest	39,278	8,471	21.6%	23,972	61.0%	3,679	9.4%	1,202	3.1%	272	0.7%	10	0.0%	3,188	8.1%	4,287	10.9%
Northeast	33,018	17,218	52.1%	8,915	27.0%	3,114	9.4%	2,810	8.5%	162	0.5%	4	0.0%	6,364	19.3%	6,912	20.9%
Southwest	39,711	6,006	15.1%	30,069	75.7%	1,275	3.2%	832	2.1%	235	0.6%	13	0.0%	1,718	4.3%	3,566	9.0%
Southeast	37,027	10,925	29.5%	22,292	60.2%	1,303	3.5%	882	2.4%	190	0.5%	9	0.0%	3,377	9.1%	5,505	14.9%

1/2/4 Voting Districts Proposal B - Alternate

Total Population *

District	Total Population	Ideal Population	Deviation	Hispanic	Hispanic % of Population	White	Non-Hispanic White % of Population	Black	Black % of Population	Asian	Asian % of Population	American Indian	American Indian % of Population	Pacific Islander	Pacific Islander % of Population	Some Other Race	Some Other Race % of Population	Two or More Races	Two or More Races % of Population
West	51,233	50,098	2.27%	9,350	18.2%	37,994	74.2%	2,620	5.1%	2,037	4.0%	407	0.8%	13	0.0%	2,621	5.1%	5,542	10.8%
North	49,634	50,098	-0.93%	22,409	45.1%	19,757	39.8%	7,534	15.2%	4,118	8.3%	684	1.4%	21	0.0%	8,690	17.5%	8,828	17.8%
South	47,947	50,098	-4.29%	9,298	19.4%	36,341	75.8%	1,989	4.1%	1,020	2.1%	419	0.9%	28	0.0%	2,412	5.0%	5,738	10.6%
East	51,677	50,098	3.15%	24,207	46.8%	28,824	55.8%	2,533	4.9%	1,203	2.3%	628	1.2%	24	0.0%	7,260	14.0%	11,211	21.7%

Voting Population by Race **

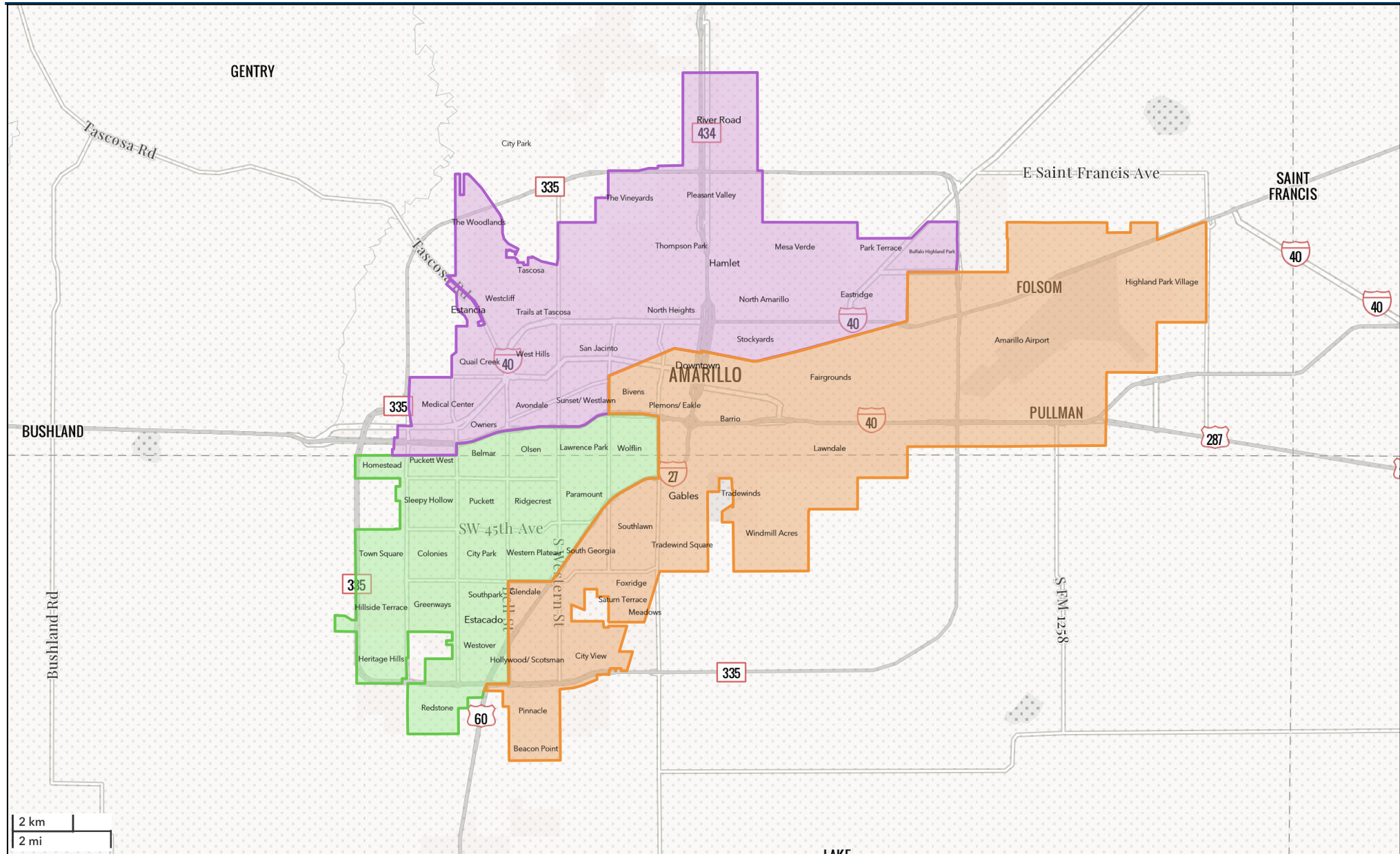
District	Voting Age Population	Hispanic	Hispanic % of Population	White	Non-Hispanic White % of Population	Black	Black % of Population	Asian	Asian % of Population	American Indian	American Indian % of Population	Pacific Islander	Pacific Islander % of Population	Some Other Race	Some Other Race % of Population	Two or More Races	Two or More Races % of Population
West	39,744	6,177	15.5%	28,798	72.5%	1,700	4.3%	1,396	3.5%	204	0.5%	8	0.0%	1,939	4.9%	3,638	9.2%
North	34,952	14,442	41.3%	11,594	33.2%	4,822	13.8%	2,791	8.0%	217	0.6%	8	0.0%	5,876	16.8%	5,552	15.9%
South	36,758	6,030	16.4%	26,999	73.5%	1,312	3.6%	716	1.9%	224	0.6%	13	0.0%	1,759	4.8%	3,705	10.1%
East	37,611	15,972	42.5%	17,855	47.5%	1,537	4.1%	821	2.2%	213	0.6%	8	0.0%	5,054	13.4%	7,376	19.6%

* Total Population statistics taken from ESRI Business Analyst Demographic and Income Comparison Tables

** Voting Population by Race taken from U.S. Census 2020 Census Summary Tables



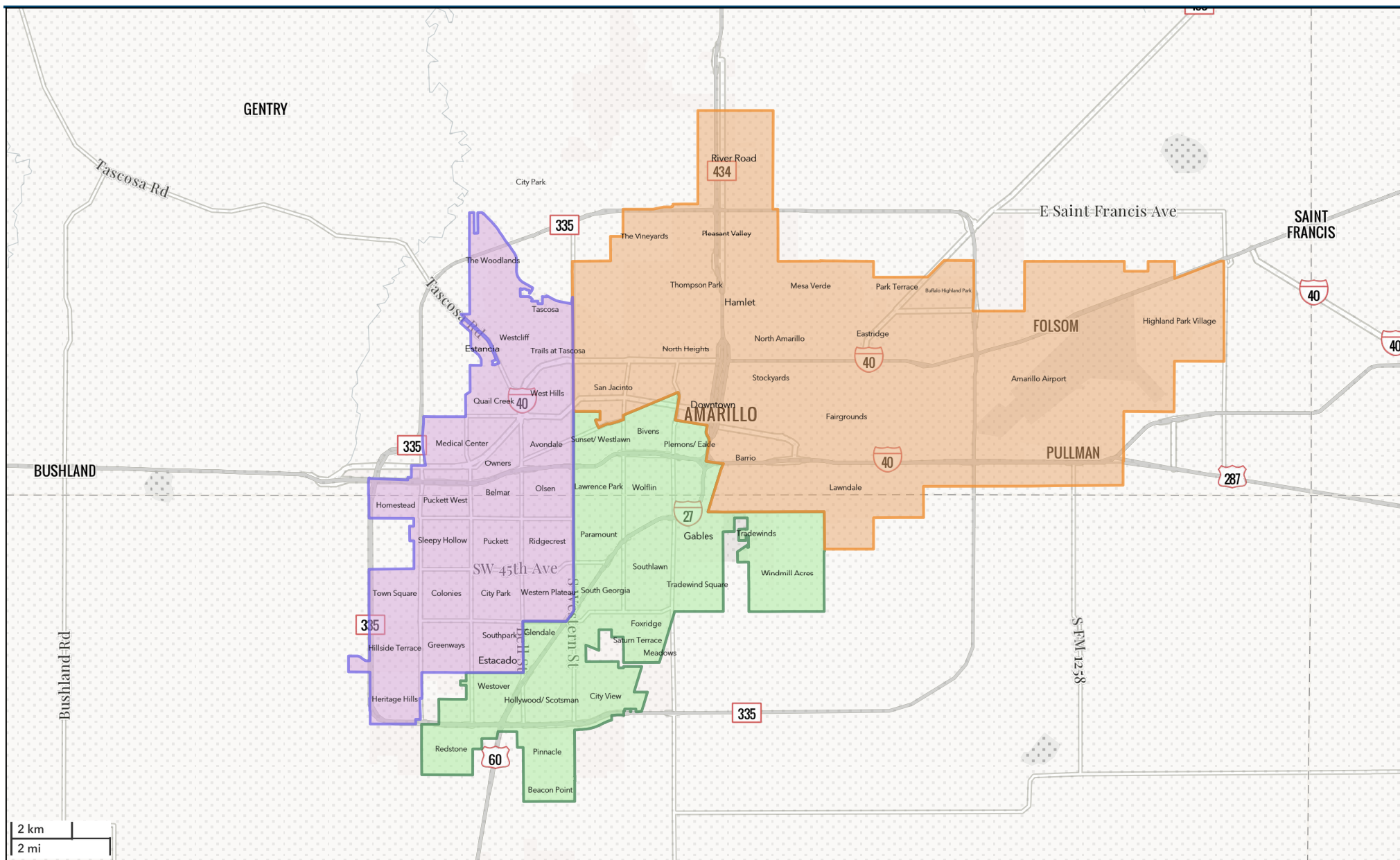
1/3/3 Voting Districts Proposal C



June 18, 2024



1/3/3 Voting Districts Proposal D-Alternate



June 20, 2024

1/3/3 Voting Precincts Proposal C

Total Population *

District	Total Population	Ideal Population	Deviation	Hispanic	Hispanic % of Population	White	Non-Hispanic White % of Population	Black	Black % of Population	Asian	Asian % of Population	American Indian	American Indian % of Population	Pacific Islander	Pacific Islander % of Population	Some Other Race	Some Other Race % of Population	Two or More Races	Two or More Races % of Population
Northwest	66,829	66,798	0.05%	25,604	38.3%	31,429	47.0%	8,858	13.3%	5,296	7.9%	831	1.2%	30	0.0%	9,684	14.5%	10,701	16.0%
Southwest	68,387	66,798	2.38%	12,364	18.1%	52,723	77.1%	2,724	4.0%	1,562	2.3%	577	0.8%	27	0.0%	3,170	4.6%	7,605	11.1%
Southeast	65,196	66,798	-2.40%	27,294	41.9%	38,701	59.4%	3,093	4.7%	1,514	2.3%	730	1.1%	23	0.0%	8,127	12.5%	13,008	20.0%

Voting Population by Race **

District	Voting Age Population	Hispanic	Hispanic % of Population	White	Non-Hispanic White % of Population	Black	Black % of Population	Asian	Asian % of Population	American Indian	American Indian % of Population	Pacific Islander	Pacific Islander % of Population	Some Other Race	Some Other Race % of Population	Two or More Races	Two or More Races % of Population
Northwest	48,502	16,597	34.2%	20,728	42.7%	5,681	11.7%	3,575	7.4%	303	0.6%	12	0.0%	6,611	13.6%	6,824	14.1%
Southwest	52,852	8,138	15.4%	39,522	74.8%	1,807	3.4%	1,125	2.1%	285	0.5%	17	0.0%	2,352	4.5%	4,942	9.4%
Southeast	47,681	17,881	37.5%	24,949	52.3%	1,883	3.9%	1,021	2.1%	270	0.6%	8	0.0%	5,664	11.9%	8,501	17.8%

1/3/3 Voting Precincts Proposal D - Alternate

Total Population *

District	Total Population	Ideal Population	Deviation	Hispanic	Hispanic % of Population	White	Non-Hispanic White % of Population	Black	Black % of Population	Asian	Asian % of Population	American Indian	American Indian % of Population	Pacific Islander	Pacific Islander % of Population	Some Other Race	Some Other Race % of Population	Two or More Races	Two or More Races % of Population
West	66,039	66,798	-1.14%	11,858	18.0%	50,407	76.3%	2,882	4.4%	1,862	2.8%	537	0.8%	23	0.0%	3,019	4.6%	7,308	11.1%
Southeast	65,794	66,798	-1.50%	17,501	26.6%	45,121	68.6%	3,540	5.4%	2,181	3.3%	641	1.0%	30	0.0%	4,991	7.6%	9,290	14.1%
Northeast	68,658	66,798	2.78%	35,906	52.3%	27,389	39.9%	8,255	12.0%	4,335	6.3%	959	1.4%	27	0.0%	12,972	18.9%	14,721	21.4%

Voting Population by Race **

District	Voting Age Population	Hispanic	Hispanic % of Population	White	Non-Hispanic White % of Population	Black	Black % of Population	Asian	Asian % of Population	American Indian	American Indian % of Population	Pacific Islander	Pacific Islander % of Population	Some Other Race	Some Other Race % of Population	Two or More Races	Two or More Races % of Population
West	51,316	7,783	15.2%	38,045	74.1%	1,940	3.8%	1,349	2.6%	283	0.6%	13	0.0%	1,240	2.4%	4,814	9.4%
Southeast	49,404	11,208	22.7%	32,201	65.2%	2,200	4.5%	1,425	2.9%	290	0.6%	13	0.0%	3,516	7.1%	5,953	12.0%
Northeast	48,375	23,539	48.7%	15,001	31.0%	5,232	10.8%	2,951	6.1%	286	0.6%	11	0.0%	8,872	18.3%	9,513	19.7%

* Total Population statistics taken from ESRI Business Analyst Demographic and Income Comparison Tables

** Voting Population by Race taken from U.S. Census 2020 Census Summary Tables

June 27, 2024

Agenda – Thursday, June 27, 2024, at 5:30 p.m.
Citizen’s Charter Study Committee
City Hall Council Chamber (Third Floor) – 601 S. Buchanan (in-person)
Teams (virtual)

City Council Representatives			
Councilmember Tom Scherlen		Councilmember Les Simpson	
Name	Nominated by	Name	Nominated by
Chair Freda Powell	Simpson	Vice Chair Gary Pitner	Simpson
Donna Ward	Stanley	Rodney Hill	Tipps
Michael Haning	Stanley	Dean Crump	Tipps
Toby Hudson	Scherlen	Sandra McCartt	Craft
Kim Benson	Scherlen	Audrey Castillo	Craft

1. **Call to order.**
2. **Review and adopt Agenda.**
3. **Public comment.**
4. **Confirm Committee consensus decisions:**
 - a. **Number of councilmembers** (Article V, Sections 1 through 6) – seven (one mayor, six councilmembers)
 - b. **Terms of office** (Article V, Sections 1 through 6) – four-year staggered
 - c. **Council composition** (Article V, Sections 1 through 6) – Hybrid #1 – Mayor elected at-large citywide; three Councilmembers – Places 1, 3, and 5 - elected at-large, citywide; and three Councilmembers – Places 2, 4, and 6 – are required to live in a specific geographic area and elected with citywide voting on all seats.
 - d. **Creation of Council geographic areas for Places 2, 4, and 6** (Article V, Sections 1 through 6) – The proposed Charter change will create new Council geographic areas effective for the May 2025 election based upon the 2020 Federal census. To initiate and plan for potential implementation of the revised City Charter provisions, the Committee recommends that the City Council authorize the City Manager to contract with a qualified legal firm to finalize the creation of a map of the proposed Council geographic boundaries by August 19, 2024. Assuming the proposed Charter change is adopted by the voters in November 2024, the first Mayor and City Council elections under the new system would take place in May 2025.
 - e. **Establishing a Districting Commission** (New Section: Article II, Section 25) - Thereafter, following every ten-year Federal Decennial Census per state and federal law, beginning in 2031, the City Council will appoint a Districting Commission to establish revised boundaries of each City Council geographic area, which the City Council shall review and enact in sufficient time to take effect for any city election in 2032 and the next regularly scheduled city election in 2033 and beyond.
 - f. **Terms of Office and Election Cycle** (Article V, Sections 1 through 6) – Maintain current election schedule of May elections in odd-numbered years with four-year staggered terms (2025, 2027, 2029, 2031, 2033, etc.). All terms for Mayor and six Councilmembers elected in 2025 should specify which seats serve until 2027 and which serve until 2029 as the Mayor and City Council transition to four-year staggered terms. The terms of office for each seat should be specified in the proposed Charter amendment so there is a clear understanding of which seats will be elected in specific years.
 - i. The proposal specifies that the Mayor and Councilmembers Places 1, 2, and 3, will be elected in May 2025 serving until May 2029 or until their replacement is elected. The Mayor and Councilmembers Place 1 and 3 shall be elected on an at-large citywide basis, meaning the Mayor and Councilmembers Places 1 and 3 may live in any area of the city. Councilmember Place 2 shall be elected with a residency requirement that they reside in the geographic area defined as Place 2. After the May 2029 election, the election date for the Mayor and Council Places 1, 2, and 3 will occur every 4 years beginning in May 2033.
 - ii. Councilmembers 4, 5, and 6 will stand for election in May 2025 with terms expiring in May 2027 or until their replacement is elected. Thereafter, beginning in 2027,

Councilmembers in Places 4, 5, and 6 shall serve a four-year term, until May 2031 or until their replacement is elected. Councilmembers 4 and 6 shall be elected with a residency requirement that they reside in the areas described as Places 4 and 6; and Councilmember Place 5 shall be elected on an at-large citywide basis, meaning the Councilmember may live in any area of the city.

- g. **Mayor or Council vacancy** (Article V, Sections 1 through 6) – With the authorization of four-year terms of office, the recommended charter amendment will comply with state law regarding the filling of vacancies in these elective offices for terms greater than two years.
 - h. **Recall** (Article I, Section 24) - Recommend amended recall procedures. New procedures would reduce and simplify the requirements needed to qualify the recall of an elected official for the ballot. The revised procedure would require the proponents of a recall petition to gather **the signatures from registered voters equal to a minimum of 30% of the number of votes cast in the election at which the elected the official(s) under recall were elected and extend the signature gathering period from thirty days (30-days) to sixty calendar days (60-days)**. The current charter requires securing signatures of 30% of the registered voters with one-fifth (20%) certifying that they voted for the recalled official in the last election within a thirty-day (30-day) signature gathering period.
 - i. **Resign to Run Provision** (Article V, Sections 1 through 6) - The Committee recommends that the City Charter be amended to establish a clear policy and procedure regarding Councilmembers who may want to seek another county or state office – the so called “Resign to Run” provision. Cities may adopt Charter provisions, consistent with the Texas Constitution and state law, to require an elected official, with more than one year and 30 days remaining in their term of office, to immediately resign from their current office if they announce their candidacy for another county or state office and the official files official nomination for candidacy papers for such office. Upon the official's resignation from office, the City Council shall call a special election within 120 days of the vacancy to fill the office.
 - j. **City Manager Authority** (Article V, Section 21) - Recommend a revision of Article V, Section 21, pertaining to the City Council's role in the appointment of certain city officials. Currently, the Charter reserves the right of the Council to “advise and consent” to the recommended hiring of personnel appointed under the City Manager's authority. The proposed change would provide that the City Manager must consult with the City Council before employment offers are extended to hire any unclassified employee in an executive position such as assistant or deputy city manager or head of any department.
 - k. **Term Limits** (Article V, Sections 1 through 6) - The Committee recommends that the City Charter be modified to include a provision to limit the Mayor and each Councilmember to serve no more than eight (8) consecutive years as Mayor and/or Councilmember. A person who has served a total of eight (8) consecutive years as Mayor or Councilmember may again seek election as the Mayor and/or Councilmember after a two-year (2-year) absence period from serving as an elected official for the City of Amarillo.
 - l. **No Change to Council Appointing Authority** - The Committee does not recommend a Charter change which would designate the Mayor and City Council as the appointing authority of the City Attorney. The Committee recommends maintaining the Charter provisions which designate the City Manager as the appointing authority for the City Attorney and all other city employees.
 - m. **Recommend Regular Charter Review** – The Committee recommends that the City Council consider a Charter amendment or adopt a policy which codifies a regular scheduled City Charter review cycle. For example, the City Charter review cycle could be scheduled every four years, even numbered years. As an alternative to a charter amendment, the committee recommends that a policy should be codified, as a part of the Governance and Ends policy, which will make reviewing the Charter a normal Council process.
5. **Discuss redistricting criteria to support the development of an official geographic area map.**
 - a. The map will be prepared by an outside consulting firm that specializes in these matters using this criteria and the Committee's previous agreement on proposed map D prepared by City staff.
 6. **Discuss recommendation to add Charter Review as a Charter amendment or to the Governance and Ends Policy.**
 7. **Discuss potential specific ballot language for Committee recommendations to the City Council.**
 8. **Prioritize Charter update recommendations for City Council consideration.**
 - a. Dot voting exercise

9. **Committee Bike Rack Items:**
 - a. Update Charter to remove/replace archaic language and provisions.
 - b. Change/update Charter to be consistent with state law, particularly regarding annexation, purchasing, etc.
10. **Comments from the Committee.**
11. **Review and wrap up.**
12. **Adjournment** – Next meeting – City Council meeting, date and time to be determined.

Amarillo Citizen's Charter Review Committee

Committee information including agendas, presentations, workshop materials, and meeting recordings can be found on the City's website <https://www.amarillo.gov/city-hall/city-initiatives/2024-charter-review>. For questions or to submit comments, contact City Secretary Stephanie Coggins, stephanie.coggins@amarillo.gov

bakertilly

Amarillo Charter Review

June 27 Citizen's Committee Meeting

Baker Tilly Advisory Group, LP and Baker Tilly US, LLP, working as Baker Tilly, operate under an alternative practice structure and are members of the global network of Baker Tilly International Ltd, the members of which are separate and independent legal entities. Baker Tilly US, LLP is a licensed CPA firm that provides advisory services to its clients. Baker Tilly Advisory Group, LP and its subsidiary entities provide tax and consulting services to their clients and are not licensed CPA firms.



1

Call to Order

City Council Representatives and Committee Members

Councilmember Scherlen	Councilmember Simpson
Chair Freda Powell	Vice Chair Gary Pitner
Kim Benson	Rodney Hill
Audrey Castillo	Toby Hudson
Dean Crump	Sandra McCartt
Michael Haning	Donna Ward

Baker Tilly Team

Dennis Hawkins, project lead	Mary Locey
Al Zelinka	Shauna Clark



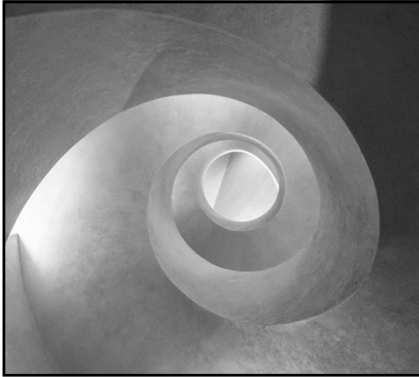
2

Review and Adopt June 27 Agenda

- Public comment
- Confirm Committee consensus
- Discuss redistricting criteria
- Discuss recommendation to add Charter review as a Charter amendment or to the Governance and Ends Policy
- Discuss potential ballot language
- Priority exercise
- Committee bike rack items
- Committee comments
- Review and wrap up



3



Public Comment



4

Confirm Committee Consensus

On June 6, 13, and 20 received Committee consensus on:

- Council offices and elections**
 - Seven members, four-year staggered terms, eight-year term limit
 - Mayor and three Councilmembers at-large (election cycle 2025, 2029, 2033)
 - Three Councilmembers required to live in a specific geographic area, seats specified pre-election (transition election cycle 2025, 2027, 2031)
 - All seats elected by citywide vote; citywide representation by all members
 - Including a resignation to run provision
 - Revises procedure to fill vacancies consistent with state law
 - Define three geographic areas with residency requirements (Places 2, 4, 6) and establishes a Districting Commission
- Recall revisions**
 - 30% of votes for official(s), 60-days to submit petition, remove 1/5 certify
- City Manager authority**
 - Revise to consult with Council on unclassified (executive level) employees



5

Confirm Committee Consensus

On June 6, 13, and 20 received Committee consensus on:

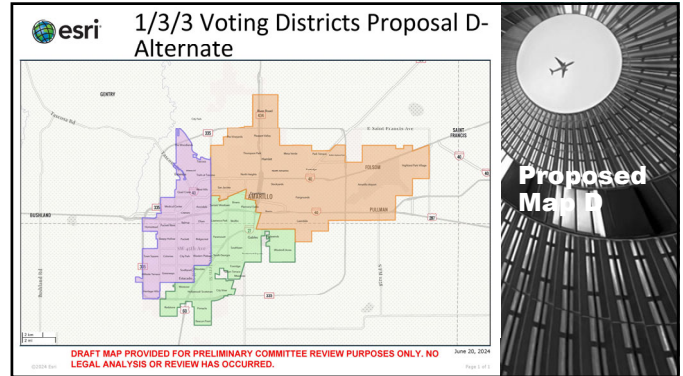
- No Charter Changes**
 - Retain elections in May of odd numbered years
 - Retain City Manager appointment of City Attorney
- Recommendation to Council**
 - Revise Charter or include as a Governance and Ends Policy the establishment of a Charter review cycle and citizen committee to routinely review and update the Charter

6

Review and Discuss – Redistricting Criteria

1. Geographic areas equal in population according to the 2020 federal census.
2. Follow Federal Voting Rights Act and applicable federal and state court decisions.
3. Boundaries follow natural streets, cohesive neighborhoods, and avoid gerrymandering.
4. Compact areas of contiguous territory.
5. Retain communities of interest.
6. Areas composed of whole voting precincts and avoid splitting census blocks.
7. Plan shall not fragment minority communities or otherwise discriminate protected groups.

7



8

Review and Discuss – Charter Review

Recommend to the City Council to consider an additional Charter amendment or to include a new Charter Review Policy in the City's Governance and Ends Policies.

- Review proposed draft policy language
- Proposal:
 - To establish a Charter Review Committee every four years starting in 2026
 - To review the City's Charter and recommend changes to the City Council for ballot measures starting in 2027
- Selection of 14 committee members:
 - Mayor and each at-large Councilmember to select two persons each who may live anywhere in the city (8)
 - Councilmembers with residency requirements to select two person each from the geographic area they represent (6)

9

Review and Discuss – Draft Ballot Language

- Review specific charter provisions which need to be revised as a result of the Committee's recommendations.
- Discuss the structure of potential charter revision language.
- Determine next steps in developing specific ballot provisions required under the current charter and state law.
- Review proposed language for:
 - Article II, Section 24 – Recall
 - Article II, Section 25 – NEW Charter Review Commission
 - Article V, Section 1 through 6 – Mayor and City Council Offices and Elections
 - Article V, Section 21 – Powers and Duties of the City Manager

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Prioritize Charter Updates

Dot voting exercise

- Each Committee member receives three dots
- Place one dot next to your three priority items
 - Do not double dot or half dot any item

Review results

- Confirm consensus on priority items to forward for Council consideration

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Committee Bike Rack Items

- Update Charter to remove/replace archaic language and provisions
- Change/update Charter to be consistent with state law, particularly regarding annexation, purchasing, etc.

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AMARILLO CHARTER REVIEW COMMITTEE

Meeting and Project Schedule



- **City Council Action**
 - **TBD**: Presentation of Committee recommendations
 - **July 23**: First reading of ordinance
 - **August 13**: Second reading of ordinance
- **Ballot Measure(s)**
 - **August 19**: Deadline per Texas Election Code
 - **November 5**: Election

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Thank you



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**City of Amarillo – Charter Review Committee
Proposed Change – Mayor and City Council Offices and Elections**

This Section of Article V be amended so that hereafter the same shall be and read as follows:

ARTICLE V

SECTION 1. - MUNICIPAL GOVERNMENT

The municipal government of the City of Amarillo shall consist of the City Council, which shall be composed of **a Mayor and ~~five (5)~~ six (6) Councilmembers, who shall be known as Councilmember Place 1, Councilmember Place 2, Councilmember Place 3, Councilmember Place 4, Councilmember Place 5, and Councilmember Place 6, each of whom shall be elected by a majority of the registered voters within the city.** (Char. 11-18-13, Art. 5, § 1; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 2. - TERM OF OFFICE

The Mayor and each Councilmember shall serve for a term of **~~two (2)~~ four (4) years on a staggered basis** and until a successor is elected and qualified; unless sooner removed from office as herein provided. (Char. 11-18-13, Art. 5, § 2; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 3. - VACANCIES

(a) Any vacancy in the office of the Mayor **with less than twelve (12) months remaining in the term** shall be filled by an appointment by the remaining Councilmembers from among their number. **The Council, in the event of a vacancy in the office of the Mayor with more than twelve (12) months remaining in the term, shall order a special election to be held within one hundred twenty (120) days of the vacancy to fill the office of the Mayor.**

(b) Any vacancy in the office of a Councilmember **with less than twelve (12) months remaining in the term** shall be filled by an appointment by the Mayor and the remaining Councilmembers. **The Council, in the event of a vacancy in the office of a Councilmember with more than twelve (12) months remaining in the term, shall order a special election to be held within one hundred twenty (120) days of the vacancy to fill the office of the Councilmember with the Place specified.**

(c) Provided that the person appointed **or elected** to fill such vacancy shall hold office only during the unexpired term of office.

(d) If the Mayor or any Councilmember announce and file as a candidate to be elected to a county or state office with more than twelve months (12-months) and thirty days (30-days) remaining in their current term of office, it shall be considered that the officeholder has immediately resigned from their current

office consistent with State law and their office shall be deemed vacant. The Mayor and City Council will then proceed to fill the vacant position under the procedures outlined above.

(Char. 11-18-13, Art. 5, § 3; Ord. No. 1717, § 1, 8-19-1947; Election 9-23-1947; Ord. No. 2019, § 1, 12-7-1954; Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 4. - QUALIFICATIONS

- (a) The Mayor and each Councilmember shall be resident citizens of the City of Amarillo, have the qualifications of registered voters therein and shall have been a resident citizen of the City of Amarillo for a period of twelve (12) months immediately preceding such election.
- (b) The Mayor and Councilmembers Place One, Place Three, and Place Five, shall each be elected for the City at-large. The Mayor and Councilmembers Places One, Three, and Five may live anywhere within the City of Amarillo and shall be elected by a majority of the registered voters within the city.
- (c) Councilmembers Place Two, Place Four, and Place Six shall be required to reside within one of the three (3) specified geographic areas of the city. To serve from the specified geographic area in which Councilmembers Places Two, Four, and Six must reside, each shall have been a resident of that specific geographic area for a minimum of twelve (12) months immediately preceding such election. Councilmembers Places Two, Four, and Six must reside within their geographic area for the entirety of their term of office and shall forfeit said office if they do not maintain their residency within that designated Council area during their term. The Councilmembers Places Two, Four, and Six shall be elected by a majority of the registered voters within the city.
- (d) Establishing Geographic Places (Areas)
 - i. The City Council shall adopt an ordinance establishing the three (3) Geographic Places – Places Two, Four, and Six – to be represented by a resident of that area to serve on the City Council from that Place. The boundaries of these three (3) geographic areas shall be based upon the 2020 Federal Census and be consistent with state and federal laws regarding voter representation.
 - ii. Beginning in 2031, and every ten years thereafter, following the Federal decennial census, the Mayor and City Council shall appoint a Districting Commission on or before March 1 immediately following the publication of the results of each decennial United States census. The Districting Commission shall be composed of fourteen (14) representatives, each appointed by the Mayor and each Councilmember. The Mayor and each at-large Councilmember from Places One, Three, and Five shall nominate two (2) qualified voters from the City at large to serve on the Districting Commission. Each Councilmember from Places Two, Four, and Six shall nominate two (2) qualified voters from the geographic area in which they reside to serve on the Districting Commission. The members of the Districting Commission shall not

- serve the City in any other capacity, whether appointive or elective, nor shall they hold any other elective public office. The Commission shall elect its own presiding officer. The Commission shall adopt guiding principles which ensure that the Commission's recommendations of the geographic area boundaries shall be made in a manner which complies with the constitutional principles and laws governing voting rights of the United States and Texas. The geographic areas shall be of substantially equal population.
- iii. No later than May 31 of each year following the decennial census, the Districting Commission shall make its recommendations to the City Council regarding any necessary adjustments of the boundaries of the geographic areas resulting from changes to the City's population and other appropriate demographic considerations. Upon receiving the Commission's recommendations, the Council shall, no later than July 1 of that year, review the population of each proposed district, and adopt an Ordinance to modify the boundaries thereof as necessary to ensure substantial equality in the populations of the districts.
 - iv. The terms "geographic area," "Council Place," "Council district," "Council Area," or other term denoting a specific area of the city to be represented by a member of the City Council may be used interchangeably and are substantially equivalent. The term "At-large" or "citywide" may be used interchangeably and are substantially equivalent when referring to the Mayor or Councilmember of a Place not requiring residency in a specific area.

(e.) ~~(b)~~ The Mayor, Councilmembers and other officers and employees shall not be indebted to the City; shall not hold any other public office of emolument and shall not be interested in the profits or emolument of any contracts, job, work or service for the municipality, or interested in the sale to the City of any supplies, equipment, material or articles purchased.

(f.) ~~(c)~~ Any officer or employee of the City who shall cease to possess any of the qualifications herein required shall forthwith forfeit office and any such contract in which any officer or employee is or may become interested may be declared void by the Council.

(g.) ~~(d)~~ No officer or employee of the City (except policemen and firemen in uniform, or wearing a badge), shall accept any frank, free ticket, passes or service, or anything of value, directly or indirectly from any person, firm, or corporation, upon terms more favorable than are granted to the public.

(h.) ~~(e)~~ Any violation of this section shall be a misdemeanor, and on conviction of such violation, such office or employment shall be forfeited.

(Char. 11-18-13, Art. 5, § 4; Ord. No. 5000, 7-1-1980, Election 8-9-1980; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 5. – ELECTIONS

- (a) The elective officers of the City shall consist of a Mayor and ~~four (4)~~ **six (6)** Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three, ~~and~~ Councilmember Place Four, **Councilmember Place Five, and Councilmember Place Six**), each of whom shall be elected by majority of the registered voters within the city, ~~for the City at large. The Mayor and all Councilmembers, Places One, Two, Three, Four, Five, and Six, shall be elected in May of each odd-numbered year beginning in May 2025.~~
- (b) ~~The Mayor and Councilmembers Places One, Two, and Three shall hold office for a period of four (4) years, until May 2029, and until their successor is elected and qualified.~~
- (c) ~~Councilmembers Places Four, Five, and Six shall be elected in May 2025 and shall hold office for a period of two (2) years, until May 2027, and until their successor is elected and qualified. Beginning in May 2027, elections for Places Four, Five, and Six shall be held every four (4) years, with each Councilmember serving a four-year (4-year) term.~~
- (d) ~~No person shall serve more than eight (8) consecutive years as Mayor or Councilmember. A person who has served as Mayor or a member of the City Council in either as an at-large Place or a geographic Place representative, for eight (8) consecutive years shall not again be eligible for election to any elected position in the City of Amarillo, either Mayor or Councilmember, until at least two (2) years has elapsed since the end of their last term of office.~~
- (e) ~~(b)~~ At the time of filing as a candidate for Mayor or City Councilmember, the person shall, in addition to meeting all other requirements and qualifications, either pay an application fee of one hundred dollars (\$100.00) to the City Secretary, or in lieu of such submit a petition signed by one hundred (100) registered voters of the City, verified by the City Secretary, in support of the person's candidacy.
- (f) ~~(c)~~ Should any candidate fail to receive a majority of the votes at the regular election for the office for which he is a candidate, the Council shall immediately order a special election in accordance with applicable state law, at which special election the names only of the two candidates receiving the highest number of votes at the regular election, for the office for which they were candidates shall be printed on the ballot and submitted to the registered voters within the city for election, and the candidate receiving the majority of votes at such special election for the place of office for which he was a candidate, shall be declared duly elected.

(Char. 11-18-13, Art. 5, § 5; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 6. - JUDGE OF ELECTION

The Council shall be the judge of the election and qualifications of its members.

(Char. 11-18-13, Art. 5, § 6; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 7. - ELECTION RETURNS

The Council shall, after each regular and special election, canvass the returns and declare the result of such election as provided by state law.

(Char. 11-18-13, Art. 5, § 7; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 8. - ELECTION DAY

The regular municipal elections of the City of Amarillo shall be held on the date allowed by state law that occurs on or nearest to May 1 in each odd numbered year. If state law provides two election dates which are equally near May 1, the Council shall select one.

(Char. 11-18-13, Art. 5, § 8; Ord. No. 5000, 7-1-1980, Election 8-9-1980; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 9. - ELECTION, LAW CONTROLLING

Except as provided in Section 8 of this Article, the timing and ordering of, notices, conducting, canvassing, and all other procedures for each election shall be in accordance with state law and occur upon the next available date allowed by state law for such election, and in the absence of state law, then in accordance with Ordinance.

(Char. 11-18-13, Art. 5, § 9; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 10. - COUNCIL CONSTITUTED LEGISLATIVE AND GOVERNING BODY OF CITY

The Council shall enact all Ordinances and resolutions, and adopt all regulations, and constitute the legislative and governing body of the City, with all the powers and authority herein granted.

(Char. 11-18-13, Art. 5, § 10; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 11. - DUTIES OF MAYOR

The Mayor of the City shall be the presiding officer of the Council, except that in the Mayor's absence a Mayor Pro tempore may be chosen. The Mayor shall be entitled to vote as a member of the Council; sign all bonds; be the official head of the City and exercise all powers and perform all duties imposed upon him by this Charter and by the Ordinances of the City.

(Char. 11-18-13, Art. 5, § 11; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 12. - MEETING OF COUNCIL

(a) On the day that the election results of the Council have been declared, the Councilmembers shall meet to qualify and assume the duties of their offices. Thereafter, the Councilmembers shall meet at such times as prescribed by Ordinance or Resolution, but they shall meet not less than twenty-four times per calendar year.

(b) The Mayor or the City Manager, hereinafter provided for, may call special meetings of the Council at any time deemed advisable.

(c) All meetings of the Council shall be public, except such closed sessions as may be provided for by the Texas Open Meetings Act as amended or successor statute. Any citizen shall have access to the minutes and records of meetings at all reasonable times. The Council shall determine its own rules and order of business and shall keep a journal of its proceedings.

(Char. 11-18-13, Art. 5, § 12; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013; Ord. No. 7900, § 1, 12-15-2020)

SECTION 13. - COMPENSATION AND ATTENDANCE

The Compensation of the Mayor and each Councilmember shall be ten dollars (\$10.00) per diem, for attendance upon each regular meeting of the Council, but not more than one regular meeting shall be held each week; provided, however, that no compensation shall be allowed the Mayor or any Councilmember if absent from any regular meeting of the Council unless such absence be unavoidable, the reasons therefore be presented in writing, and the same being considered sufficient by the other members and such reasons and excuses spread upon the minutes of the proceedings.

(Char. 11-18-13, Art. 5, § 13; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 14. - LEGISLATIVE PROCEDURE

A majority of all members of the Council shall constitute a quorum to do business, and an affirmative vote of a majority shall be necessary to adopt any Ordinance or resolution. The vote upon the passage of all Ordinances or resolutions shall be taken by "yea" and "nay" and entered upon the journal. Every Ordinance or resolution passed by the Council shall be signed by the Mayor and the City Secretary, within two days and recorded.

(Char. 11-18-13, Art. 5, § 14; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 15. - ORDINANCE ENACTMENT

Each proposed Ordinance or resolution shall be introduced in written or printed form, shall not contain more than one subject, which shall be clearly stated in the title, but general appropriation Ordinances may contain the various subjects and accounts for which moneys are to be appropriated. No Ordinance, unless it be declared an emergency measure, and passed by unanimous vote of the Council, shall be passed on the day on which it shall be introduced.

(Char. 11-18-13, Art. 5, § 15; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 16. - EMERGENCY MEASURES, DEFINED AND PROVIDED FOR

An emergency measure is an Ordinance or resolution for the immediate preservation of the public peace, property, health, or safety, or providing for the usual daily operation of the municipal department in which the emergency is set forth and defined in a preamble thereto. Ordinances appropriating money, and Ordinances for the payment of salaries and wages, may be passed as emergency measures, but no measure making a grant, renewal or extension of a franchise, or other special privilege or regulating the rate to be

charged for its services by any public utility, shall ever be passed as an emergency measure.

(Char. 11-18-13, Art. 5, § 16; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 17. - ORDINANCES; PUBLICATION OF

Penal Ordinances may be published by publishing the caption only as provided for by the laws of the State of Texas; or such penal Ordinances may be published by publishing the whole ordinance, as the City Council may prescribe and deem necessary. All penal Ordinances shall be published once a week for two (2) consecutive weeks in some newspaper published and circulated in the City of Amarillo, and no penal Ordinance shall become effective until ten (10) days after the date of its second publications.

(Char. 11-18-13, Art. 5, § 17; Ord. No. 1370, 3-5-1931, Election 4-7-1931; Ord. No. 1717, § 8, 8-19-1947, Election 9-23-1947; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 18. - ORDINANCES; RECORDING

Every Ordinance or resolution upon it becoming effective shall be recorded in a book kept for that purpose and shall be authenticated by the signature of the Mayor and the City Secretary.

(Char. 11-18-13, Art. 5, § 18; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

SECTION 19. - INVESTIGATION BY COUNCIL

(a) The Council may investigate the financial transactions of any office or department of the City government, and the acts and conduct of any officer or employee. In conducting such investigation, the Council may compel the attendance or witnesses, the production of books and papers, and other evidence, and for that purpose may issue subpoenas or attachments which shall be signed by the Mayor; which may be served and executed by any officer authorized by law to serve subpoenas or other process, or any peace officer of the City.

(b) If any witness shall refuse to appear or to testify to any facts within his knowledge, or to produce any papers or books in his or her possession or control, relating to the matter under investigation before the Council, the Council shall have the power to cause that witness to be punished as for contempt, not exceeding a fine of one hundred dollars (\$100.00) and three days in the City's jail.

No witness shall be excused from testifying, touching his knowledge of the matter under investigation in any such inquiry, but testimony shall not be used against him or her in any criminal prosecution except for lying under oath committed upon such inquiry.

(Char. 11-18-13, Art. 5, § 19; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

City of Amarillo Charter Review Committee
Criteria in Establishing Council Geographic Area Residency Requirements

The Charter Review Committee for the City of Amarillo, Texas, recommends revising the City Charter to increase the Amarillo City Council from five members to seven members with elections continuing to be held in May of odd numbered years. The Mayor and Councilmembers will be elected via citywide ballot using the following structure.

- A. The Mayor will be elected in a citywide election on an at-large basis, meaning that he or she may live in any area of the city.
- B. At-large Councilmembers, Places 1, 3, 5 will be elected on an at-large basis and may live in any area of the city.
- C. Councilmember residency requirements: The Councilmembers elected in Places 2, 4, and 6 must live within one of the three geographic areas established by the City Council.

The following criteria should be considered when establishing City Council geographic areas and creating the boundaries of new Councilmember residency areas or places.

Councilmember Geographic Area Criteria

1. Geographic areas shall be made nearly equal in population as practical, according to the 2020 federal census. In no event should the total population deviation between the largest and the smallest geographic area exceed ten percent as compared to the ideal district size.
2. Any plan must follow the Federal Voting Rights Act¹ and other applicable federal or state laws. Any plan should follow applicable federal and state court decisions, such as *Shaw v Reno* 509 US 630 (1993) which held that redistricting based on race must be held to a standard of strict scrutiny under the equal protection clause. On the other hand, bodies doing redistricting must be conscious of race to the extent that they must ensure compliance with the Voting Rights Act of 1965.
3. Easily identifiable geographic boundaries shall be followed. Consideration shall be given to natural boundaries and streets, keeping cohesive neighborhoods together and avoid splitting neighborhoods. Where possible, neighborhood associations shall be kept in one Council geographic area. Gerrymandering of any type or for any purpose shall be avoided.
4. Geographic areas shall be compact and composed of contiguous territory. Compactness may have a functional, as well as a geographical dimension. Attention shall be given to the cohesiveness, contiguity, and integrity of the area. The importance of public facilities such as schools, parks, and libraries, etc., to an area shall be recognized.
5. Communities of interest – including cultural, racial, ethnic, and economic interests – shall be kept whenever possible in a single Council geographic area.
6. Councilmember geographic areas shall be composed of whole voting precincts. Where this is not possible or practical, areas shall be drawn up considering county election precincts. Avoid splitting census blocks unless necessary.
7. The plan shall not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting or otherwise discriminate against protected groups to create liability under the Voting Rights Act.

¹ The Voting Rights Act of 1965 “outlawed the discriminatory voting practices adopted in many southern states” that limited the rights of African American voters. Source: National Archives, Voting Rights Act (1965), <https://www.archives.gov/milestone-documents/voting-rights-act>.

**Amarillo Citizen's Charter Review Committee
Draft Transition Election Cycles**

May Odd Year Election Cycles						
	2025 (All Seats)	2027	2029	2031	2033	2035
Mayor	At-large Citywide vote, Serve until 2029		At-large Citywide vote, Serve until 2033		At-large Citywide vote, Serve until 2037	
Place One	At-large Citywide vote, Serve until 2029		At-large Citywide vote, Serve until 2033		At-large Citywide vote, Serve until 2037	
Place Two	Residency Requirement, Citywide vote, Serve until 2029		Residency Requirement, Citywide vote, Serve until 2033		Residency Requirement, Citywide vote, Serve until 2037	
Place Three	At-large Citywide vote, Serve until 2029		At-large Citywide vote, Serve until 2033		At-large Citywide vote, Serve until 2037	
Place Four	Residency Requirement, Citywide vote, Serve until 2027 ¹	Residency Requirement, Citywide vote, Serve until 2031		Residency Requirement, Citywide vote, Serve until 2035		Residency Requirement, Citywide vote, Serve until 2039
Place Five	At-large Citywide vote, Serve until 2027 ¹	At-large Citywide vote, Serve until 2031		At-large Citywide vote, Serve until 2035		At-large Citywide vote, Serve until 2039
Place Six	Residency Requirement, Citywide vote, Serve until 2027 ¹	Residency Requirement, Citywide vote, Serve until 2031		Residency Requirement, Citywide vote, Serve until 2035		Residency Requirement, Citywide vote, Serve until 2039

¹Transition period: Councilmembers elected for a two-year term (2025 to 2027), then elected to serve a four-year term thereafter.



**City of Amarillo – Charter Review Committee
Proposed Change – Mayor and City Council Recall Provisions**

This Section of Article I be amended so that hereafter the same shall be and read as follows:

Article I – Section 24 – Recall

(a) Any elective officer of the City shall be subject to recall and removal from office by the registered voters within the City, and the procedure to effect such removal shall be as follows:

(b) A petition demanding that the question of removing such officer or officers be submitted to the electors, shall be filed with the City Secretary such petition for the recall of any such elective officer or officers shall be signed by at least thirty percent (30%) of the number of ~~registered voters~~ ~~votes cast~~ within the city ~~at least one fifth (1/5) of whom shall certify that~~ at the election ~~at in~~ which the officer or officers was or were elected. ~~they voted for the election of such officer or officers proposed to recalled.~~

(c) Petitions for signatures for such recall shall be procured only from the City Secretary, who shall keep a sufficient number of such blank petitions on file for distribution, and prior to the issuance of such petitions for signatures there shall be filed with such person an affidavit by one or more registered voters within the city, stating the name or names of the officer or officers sought to be removed. Such officer issuing such petition for removal to an elector shall enter in a record to be kept, the name of the elector to whom issued, the date of such issuance and the number of such petitions issued and shall certify on such petitions for signatures, the name of the elector to whom issued and the date of its issuance. No petition for signatures shall be accepted and taken into consideration in determining the necessary percentage of voters for removal unless it bears such certificate and be filed as herein provided.

(d) Each signer of a recall petition shall sign his or her name thereto in ink or indelible pencil and following the name, his or her place of residence by street and number. To each of said petitions there shall be attached an affidavit of the circulator thereof, stating the number of signers to such part of the petition and that each signature to same is genuine, was made in his presence and is that of the person whose name it purports to be.

(e) All papers comprising a recall, shall be returned and filed with the City Secretary, within ~~thirty (30)~~ **sixty (60)** days after the filing of the required affidavit for the City Secretary, upon the return of such petition, shall at once submit the same to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action. If the official whose removal is sought does not resign within five (5) days after such notice is given, the governing authority of the City shall thereupon order and fix a day for holding a recall election in accordance with applicable law as amended.

(f) The ballot at such recall election shall conform to the following requirements: With respect to each person whose removal is sought the question shall be submitted:

SHALL (NAME OF PERSON) BE REMOVED FROM THE OFFICE OF (NAMING THE OFFICE) BY RECALL?

Immediately following each of such questions there shall be printed on the ballots, in separate lines, in the order here set out the words:

FOR THE RECALL OF (NAMING THE PERSON)

AGAINST THE RECALL OF (NAMING THE PERSON)

(g) Should a majority of the votes cast at such recall election be for the recall of the officer named on the ballot, he shall, regardless of any technical defects in the recall petitions, be deemed removed from office, but should a majority of the votes cast at such recall election be against the recall of the officer named on the ballot, such officer shall continue in office for the remainder of his term, subject to recall as before.

(h) No recall petition shall be filed against any officer of the City within six (6) months after ~~his~~ **their assuming office** ~~election or within six (6) months of the end of the officer's term~~, nor within six (6) months after an election for such officer's recall.

(i) In case the governing authority of the City shall fail or refuse to receive the recall petition, order such recall election, or discharge any other duties with reference to such recall, then the County Judge of Potter County, Texas, shall discharge any of such duties herein provided to be discharged by the governing authority of said City.

(j) If, in such recall election, there shall, as a result of such election, remain one or more of such elective officers, who is not recalled, then such officer or officers not recalled shall discharge all of the duties incumbent upon the governing authority of said City until the vacancy or vacancies created at such recall elections are filled by an election for that purpose, as hereinafter provided for, but if in any proposed recall election it is proposed and submitted to recall all elective officers, then there shall be placed on said ballot under the question of recall, the names of candidates to fill the vacancies proposed to be created by such election, but the names of such officers proposed to be recalled shall not appear on the ballot as candidates.

(k) If at any recall election it is not proposed and submitted to recall all of the elective officers, but only one or more, fewer than all, and such election shall result in favor of the recall of one or more of such officers, proposed to be recalled, then it shall be the duty of such officer or officers not recalled and constituting the governing authority of the City, in accordance with applicable state law and this Charter to meet, canvass the returns, declare the result of the election and order an election to fill such vacancy or vacancies; which election shall be held in accordance with applicable state law.

(Char. 11-18-13, Art. 2, § 24; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

**City of Amarillo – Charter Review Committee
Proposed Change – City Manager Authority**

This Section of Article V be amended so that hereafter the same shall be and read as follows:

ARTICLE V – SECTION 21. - POWERS AND DUTIES OF THE CITY MANAGER

- (a) The City Manager shall see that the Laws and Ordinances of the City are enforced;
- (b) Appoint all appointive officers or employees of the City ~~with the advice and consent of~~ with consultation with the Council prior ~~to an offer of employment being made to any~~ an unclassified employee in an executive position such as an assistant or deputy city manager or as the director of any department (such appointments to be made upon merit and fitness alone), and remove all officers and employees appointed by the Manager;
- (c) Exercise control and supervision over all departments and offices that may be created by the Council, and all officers and employees appointed by the Manager;
- (d) Attend all meetings of the Council with a right to take part in the discussion, but having no vote;
- (e) Recommend, in writing, to the Council such measures as the Manager may deem necessary or expedient;
- (f) Keep the Council fully advised as to the financial condition and needs of the city; and, Perform such other duties as may be prescribed by this Charter, or be required by Ordinance or resolution of the Council.

(Char. 11-18-13, Art. 5, § 21; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

POTENTIAL CHANGE TO THE GOVERNANCE AND ENDS POLICIES:

Recommendation: As an alternative to, or in concert with, a potential change to the City Charter regarding the appointing authority of the City Manager, the Committee recommends that the City Council also consider a revision to the Governance and Ends Policies, or other City policy, to clarify the process.

This proposed policy acknowledges that the City Council hires and supervises one, and only one, employee – the City Manager. The proposed policy language would apply to a limited number of appointments made by the City Manager by ensuring consultation with the City Council prior to the extension of an Offer of Employment to an unclassified employee in an executive position such as an assistant or deputy city manager or as the director of any department.

Potential Addition to the Governance and Ends Policies:

3.8b Ends Policy: Communications: Executive Limitations

1. As Council strives to ensure the City is run on an open and transparent platform with employees and citizens, the City Manager shall not permit Council to be uninformed or unsupported in its work on issues, including but not limited to significant operational, financial, legal, or political risk.
2. To ensure the smooth and efficient operation of the human resources function, the City Manager shall consult with the Mayor and City Council prior to extending an offer of employment to a prospective employee being hired in an executive position such as an assistant or deputy city manager or as the director of any department.



**City of Amarillo – Charter Review Committee
Proposed Change – Addition of a regular Charter Review Commission Process**

This new Section of Article II be adopted so that hereafter the same shall be and read as follows:

ARTICLE II – SECTION 25. – CHARTER REVIEW COMMISSION AND PROCESS

The City Council shall by Ordinance establish a Charter Review Commission which shall meet every four years, in even number years, for the purpose of regularly reviewing the City Charter and making recommendations to the City Council, as necessary. The review shall include potential issues referred to the Commission by the City Council, review the Charter for revision based upon changes in federal and state law, or for any other reason as directed by the City Council. The City Council may direct the Charter Review Commission to meet at times other than those prescribed above to address any specific questions from the City Council.

The Charter Review Commission shall be composed of fourteen (14) persons appointed by the Mayor and City Council. The Mayor and each Councilmember elected on a city-wide at-large basis shall appoint two (2) persons to the Commission who may live in any area of the city; each Councilmember elected to represent a specific geographic place shall appoint two (2) persons to the Commission who must reside in the geographic area represented by that Councilmember. The term of office for each appointee shall be four (4) years. The Commission shall elect its own Chairperson and Vice-Chairperson and may adopt its rules and procedures if they do not conflict with any City ordinance or policy and are consistent with state and federal law. The members of the Districting Commission shall not serve the City in any other capacity, whether appointive or elective, nor shall they hold any other elective public office.



**City of Amarillo – Governance and Ends Policies
New Proposed Charter Review Policy**

The 2024 Charter Review Committee recommends the following proposed policy be included in the Amarillo Governance and Ends Policies, or as otherwise directed by the City Council, to create a regular Charter Review interval and process and to authorize the creation of a community-based Charter Review Committee. The proposed policy may be in addition to or in concert with the creation, adoption, and implementation of any Charter provisions adopted by the voters of Amarillo.

1.8. CHARTER REVIEW COMMITTEE AND PROCESS

(a) The City Council shall establish a Charter Review Committee every four (4) years for the purpose of a regular review of the City Charter and to make recommendations to the City Council, as necessary. The Charter Review Committee shall convene every four years in even numbered years beginning in 2026, or at other times as convened by the City Council. The review shall include potential issues referred to the Committee by the City Council, including review of the Charter necessitated by changes in federal and state law, or for any other reason as directed by the City Council.

(b) The Charter Review Committee shall be composed of fourteen (14) persons appointed by the Mayor and City Council. The Mayor and each Councilmember elected on a citywide, at-large basis shall appoint two (2) persons to the Commission who may live in any area of the city; each Councilmember elected to represent a specific geographic place shall appoint two (2) persons to the Commission who must reside in the geographic area represented by that Councilmember. The term of office for each appointee shall be four (4) years. The Commission shall elect its own Chairperson and Vice-Chairperson and may adopt its rules and procedures if they do not conflict with any City ordinance or policy and are consistent with state and federal law. The members of the Charter Review Committee shall not serve the City in any other capacity, whether appointive or elective, nor shall they hold any other elective public office.

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**City of Amarillo – Charter Review Committee
Proposed Ballot Measures**

Proposition A – Recall of an elected official

Not in priority order

Vote For or Against

To Amend Article I, Section 24 of the Amarillo City Charter to Change Recall provisions to reduce the number of signatures required to qualify the recall of a city official for the ballot from 30% of registered voters with 1/5 certifying that the voted for the official in the last election to 30% of the number of votes cast in the last election at which the official(s) were elected and increase the time limit to submit recall petitions to the City Secretary from 30-days to 60-days.

Proposition B – Creation of a Charter Review Commission and process

Vote For or Against

To Amend Article II by adding a new Section 25 of the Amarillo City Charter to establish a Charter Review Commission consisting of fourteen (14) members appointed by the City Council that will meet every four years, even numbered years, beginning in 2026 for the purpose of advising the City Council regarding potential charter amendments; to permit the Council to convene the Commission at any time to address potential charter revisions as needed.

Proposition C – Change to the composition, election, and terms of office of the Mayor and City Council

Vote For or Against

To Amend Article V, Sections 1 through 6 of the Amarillo City Charter to increase the size of the City Council to the Mayor and Six Councilmembers, all of whom will continue to be elected on a citywide basis; to change to four-year staggered terms of office; to establish a term limit of eight (8) consecutive years of service as the Mayor or Councilmember and providing that a former elected official may again seek election after a two-year waiting period; establishes that the Mayor and three Councilmembers be elected on an at-large, citywide basis and three Councilmembers who must reside within one of the three established geographic areas of the city and elected on a citywide basis; establishes that in May 2025 the Mayor, two at-large Councilmembers, and one Councilmember from a specific geographic area will be elected to four-year terms, expiring in 2029 and that two Councilmembers from specific geographic areas and one Councilmember at-large will be elected to two-year terms, expiring in 2027 at which time elections will be held for those seats with a four-year term of office; creates a Districting process with a City Council appointed citizens commission to review Federal census information and to recommend adjustments to the geographic area boundaries in future years as needed; establishes rules consistent with state law that any elected official with more than 1 year, 30 days remaining in their term must immediately resign their office if they announce their intention to run for a county or state office; and revises the procedure to fill a vacancy to be consistent with state law.

Proposition D – Clarification of the City Manager’s appointing authority for executive employees

Vote For or Against

To Amend Article V, Section 21 of the Amarillo City Charter to require the City Manager to consult with the City Council prior to an employment offer being made to an unclassified employee in an executive position such as assistant or deputy city manager or head of any department.