



Amarillo City Council Regular Meeting

August 2, 2024

8:30 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. CONSIDERATION OF ORDINANCE NO. 8144

This item is the first reading of an ordinance ordering a special election on November 5, 2024 to vote on proposed amendments to the Amarillo City Charter; providing for a joint election; and resolving other matters incident and related to such election.

(Contact: Stephanie Coggins, City Secretary)

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.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 S. Buchanan Street) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations, or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3013 or the City TDD number at 378-4229.

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 26th day 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: August 2, 2024
Council Priority: Communication
Department: City Secretary
Contact Person: Stephanie Coggins, City Secretary

Agenda Caption: CONSIDERATION OF ORDINANCE NO. 8144

This item is the first reading of an ordinance ordering a special election on November 5, 2024 to vote on proposed amendments to the Amarillo City Charter; providing for a joint election; and resolving other matters incident and related to such election.

Agenda Item Summary: This ordinance would call a special election to be held in the City of Amarillo, Texas on November 5, 2024 (election day) which is a uniform election date under the Texas Election Code, as amended. This ordinance is for the purpose of submitting the following propositions to the qualified voter:

CITY OF AMARILLO, TEXAS PROPOSITION A

To Amend Article II, Section 24 of the Amarillo City Charter to change the recall procedures to reduce the minimum number of signatures required to qualify the recall election of an elective officer from an amount equal to at least thirty (30) percent of the registered voters within the city with at least one-fifth (1/5) of same certifying that each signor voted for the officer in the last election to an amount equal to at least thirty (30) percent of the number of votes cast in the last election at which the officer was elected; to increase the time limit to submit recall petitions to the City Secretary from thirty (30) days to sixty (60) days from the filing of the required affidavit; to allow a period of twenty-one (21) calendar days in which the City Secretary shall verify the required number of valid signatures are contained on each petition; to require the City Secretary, within five (5) calendar days after the date on which the verification of signatures is completed, shall present such petition to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action; to allow five (5) calendar days after such notice is given for the officer sought to be recalled to resign and if the officer does not resign 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; to provide that after the recall election date is established, the officer vacates their position, the recall election shall be cancelled, and the vacancy shall be filled in accordance with the charter and applicable state law; and to change the requirements that no recall affidavit or 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..

CITY OF AMARILLO, TEXAS PROPOSITION B

To Amend Article V, Section 1 of the Amarillo City Charter to increase the size of the City Council to seven (7) members, to include the Mayor plus six (6) Councilmembers; and to Amend Article V,

Section 5 (a) to specify that the elective officers of the City shall consist of a Mayor plus six (6) Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three, Councilmember Place Four, Councilmember Place Five, and Councilmember Place Six), and the Mayor and each Councilmember shall be elected by a majority of the registered voters within the city.

CITY OF AMARILLO, TEXAS PROPOSITION C

To Amend Article V, Section 2 of the Amarillo City Charter to change the length of the term of office of the Mayor and each Councilmember from two (2) year terms to four (4) year terms effective with the next regularly scheduled municipal election to be held in May 2025, with the terms staggered as established by ordinance.

CITY OF AMARILLO, TEXAS PROPOSITION D

To Amend Article V, Section 3 of the Amarillo City Charter to revise the procedures to fill 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, or with more than twelve (12) months remaining in the term, shall order a special election in accordance with state law; any vacancy in Office of a Councilmember with less than twelve (12) months remaining in the term shall be filled by an appointment, or with more than twelve (12) months remaining in the term, shall order a special election in accordance with state law; provided that any person appointed or elected to fill such vacancy to hold office only during the unexpired term of office; and if the Mayor or any Councilmember announce as a candidate to be elected to another public office with more than twelve (12) months and thirty (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.

CITY OF AMARILLO, TEXAS PROPOSITION E

To Amend Article V, Section 4 of the Amarillo City Charter to establish changes to the qualifications of the Mayor and Councilmembers such that the Mayor and three (3) Councilmembers shall be elected on an at-large basis and that three (3) Councilmembers shall be elected subject to residency in one of three geographic places (areas) established by Ordinance; that the City Council shall adopt the boundaries of each specific geographic area by Ordinance prior to the candidate filing date for the May 2025 elections and beginning in 2031 and every ten years thereafter a Districting Commission appointed by the City Council composed of Amarillo residents shall meet to recommend any changes to the boundaries of each geographic area such that the population of each area is substantially equal, such boundaries to be adopted by Ordinance of the City Council.

Requested Action: Consideration of the ordinance

Funding Summary: This election may cost from \$100,000 to \$150,000. It will be funded through general fund revenues, but as a Special Election, it is not a normally budgeted item.

Purchasing Summary: N/A

Community Engagement Summary: Community engagement on this item began with presentations to City Council in regular meetings. The citizens committee was appointed and spent the month of June holding weekly meetings to review City Council's charge to them and form recommendations that were presented to City Council in a special meeting. City Council further

discussed the recommendations and what Council would like to see in an ordinance at the July 23rd regular meeting.

A webpage was established to house agendas and documentation from the Committee's weekly meetings, and all meetings were streamed so that citizens could be informed.

Staff Recommendation: Staff recommends approval.

Attachments: 1. Amarillo_CharterReview_2024_DraftOrdinance - Baker Tilly clean version

ORDINANCE NO. 8144

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ORDERING A SPECIAL ELECTION ON NOVEMBER 5, 2024 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; AND 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 2020, Amarillo voters approved an amendment 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 5, 2024, 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.

PART II. CHARTER AMENDMENTS.

SECTION 2.0 The following propositions to amend the City of Amarillo Home Rule Charter (Charter), as it currently exists 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.

PROPOSITION A: RECALL OF AN ELECTED OFFICER

WHEREAS, in May 2024 the City Council created a Charter Review Citizens Committee for the purpose of reviewing the City Charter and determining what changes, if any, the City Council and the voters of the City of Amarillo should consider. The objective of updating the Charter is to provide good and effective governance of the city through a representative government that is accessible, accountable, and responsive to the needs of the people of Amarillo; and,

WHEREAS, the current charter requires that proponents of a recall of a City officer, Mayor or Councilmember, must gather signatures in an amount equal to at least thirty (30) percent of the registered voters in the city of Amarillo, with at least one-fifth (1/5) of same certifying that each signor voted for the officer in the last election and that such signatures must be filed with the City Secretary thirty (30) days after the filing of the required affidavit, and that no recall petition shall be filed against any officer of the City within six (6) months after his election, nor within six (6) months after an election for such officer's recall; and,

WHEREAS, the current charter does not specify the time the City Secretary is allowed to verify the signatures on a recall petition once it has been submitted, the proposed change does provide the time permitted for the City Secretary to do so and to bring the petition to the City Council to call an election if the recalled officer does not resign within five (5) days of receiving notice of the qualified petition; and,

WHEREAS, the Charter Review Citizens Committee determined it is desirable for the charter to be amended to encourage greater accountability of city officials to the citizens of Amarillo by simplifying and making it easier to initiate the recall of a city officer. Therefore, the Committee recommends that the number of signatures required to qualify the recall election of an elective officer should be reduced to an amount equal to at least thirty (30) percent of the number of votes cast in the last election in which the official was elected and that the signature gathering period be lengthened to sixty (60) days for proponents to submit the required number of signatures to the City Secretary, and changing some language to be gender neutral. Additionally, the Committee recommends that the current Charter procedures be amended to limit the ability to submit a recall petition within six (6) months after such officer's election nor within six (6) months after an unsuccessful election for such officer's recall; and,

NOW, THEREFORE, BE IT ORDAINED THAT, this proposition shall repeal and restate Article II, Section 24 of the City Charter to now read as follows (and other subsections unchanged):

(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 an amount equal to at least thirty (30) percent of the number of votes cast in the last election at which the officer was elected.

- (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 name 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 sixty (60) days after the filing of the required affidavit. Upon the return of such petition, the City Secretary shall be allowed a period of twenty-one (21) calendar days in which to verify that the required number of valid signatures is contained on same petition. The City Secretary within five (5) calendar days after the date on which the verification of signatures is completed, shall present such petition to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action. If the officer whose removal is sought does not resign within five (5) calendar 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. If, after the recall election date is established, the officer vacates their position, the recall election shall be cancelled, and the vacancy shall be filled in accordance with the charter and applicable state law
- (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.

Ballot Text Shall State:

Proposition A – Recall of an elected officer.

Vote For or Against

To Amend Article II, Section 24 of the Amarillo City Charter to change the recall procedures to reduce the minimum number of signatures required to qualify the recall election of an elective officer from an amount equal to at least thirty (30) percent of the registered voters within the city with at least one-fifth (1/5) of same certifying that each signor voted for the officer in the last election to an amount equal to at least thirty (30) percent of the number of votes cast in the last election at which the officer was elected; to increase the time limit to submit recall petitions to the City Secretary from thirty (30) days to sixty (60) days from the filing of the required affidavit; to allow a period of twenty-one (21) calendar days in which the City Secretary shall verify the required number of valid signatures are contained on each petition; to require the City Secretary, within five (5) calendar days after the date on which the verification of signatures is completed, shall present such petition to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action; to allow five (5) calendar days after such notice is given for the officer sought to be recalled to resign and if the officer does not resign 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; to provide that after the recall election date is established, the officer vacates their position, the recall election shall be cancelled, and the vacancy shall be filled in accordance with the charter and applicable state law; and to change the requirements that no recall affidavit or 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..

_____ For

_____ Against

PROPOSITION B – INCREASE THE CITY COUNCIL FROM FIVE MEMBERS, ONE OF WHICH IS THE MAYOR, TO SEVEN MEMBERS INCLUDING THE MAYOR PLUS SIX COUNCILMEMBERS

WHEREAS, in May 2024 the City Council created a Charter Review Citizens Committee for the purpose of reviewing the City Charter and determining what changes, if any, the City Council and the voters of the city of Amarillo should consider. The objective of updating the Charter is to provide good and effective governance of the city through a representative government that is accessible, accountable, and responsive to the needs of the people of Amarillo; and,

WHEREAS, the current charter, Article V, Section 1 specifies that 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; and,

WHEREAS, the current charter, Article V, Section 5(a) establishes that the elective officers of the City shall consist of a Mayor and four (4) 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; and,

WHEREAS, the Charter Review Citizens Committee determined it is desirable for the charter to be amended to expand the City Council to consist of seven (7) members, to include a Mayor plus six (6) Councilmembers, each of whom shall be elected by a majority of the registered voters within the city; and,

WHEREAS, the Charter Review Citizens Committee believes that increasing the size of the City Council to seven (7) members will afford more responsive representation of the people of Amarillo and a city government that is more accountable to and in communication with the citizens of Amarillo.

NOW, THEREFORE, BE IT ORDAINED THAT, this proposition shall repeal and restate Article V, Section 1 to increase the size of the City Council to seven (7) members, to include the Mayor plus six (6) Councilmembers; and to repeal and restate Article V, Section 5 (a) to specify that the elective officers of the City shall consist of a Mayor plus six (6) Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three, Councilmember Place Four, Councilmember Place Five, and Councilmember Place Six), and the Mayor and each Councilmember shall be elected by a majority of the registered voters within the city,

and other subsections unchanged.

Ballot Text Shall State:

PROPOSITION B – INCREASE THE CITY COUNCIL FROM FIVE MEMBERS, ONE OF WHICH IS THE MAYOR, TO SEVEN MEMBERS INCLUDING THE MAYOR PLUS SIX COUNCILMEMBERS

Vote For or Against

To Amend Article V, Section 1 of the Amarillo City Charter to increase the size of the City Council to seven (7) members, to include the Mayor plus six (6) Councilmembers; and to Amend Article V, Section 5 (a) to specify that the elective officers of the City shall consist of a Mayor plus six (6) Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three, Councilmember Place Four, Councilmember Place Five, and Councilmember Place Six), and the Mayor and each Councilmember shall be elected by a majority of the registered voters within the city.

_____ For

_____ Against

PROPOSITION C – CHANGE THE TERM OF OFFICE OF THE MAYOR AND COUNCILMEMBERS

WHEREAS, in May 2024 the City Council created a Charter Review Citizens Committee for the purpose of reviewing the City Charter and determining what changes, if any, the City Council and the voters of the City of Amarillo should consider. The objective of updating the Charter is to provide good and effective governance of the city through a representative government that is accessible, accountable, and responsive to the needs of the people of Amarillo; and,

WHEREAS, the current charter provides that City elections for City Council occur in May of odd-numbered years with each Councilmember serving a two (2) year term of office with the simultaneous expiration of all terms of all City officers; and,

WHEREAS, the Charter Review Citizens Committee has determined that a two (2) year term of office for the Mayor and Councilmembers has the potential for the loss of all council knowledge of issues in a single election is a potential disservice to the community. The Committee found that a new Councilmember often 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, because there is no staggering of terms, an entirely new City Council can be elected in one election cycle, as occurred in 2017; and,

WHEREAS, the Charter Review Citizens Committee recommends a longer term of office to make better use of the skills and knowledge acquired by the City Council in service to the city and that staggered terms be implemented to assure a continuity of community guidance and a smooth and informed transition of governmental leadership, rather than the risk that all officers and their knowledge be changed in a single election; and,

WHEREAS, the Charter Review Citizens Committee determined it is desirable for the charter to be amended to allow the Mayor and each Councilmember to serve a four (4) year term of office, with the terms staggered to prevent the complete turnover of the City Council in a single election.

NOW, THEREFORE, BE IT ORDAINED THAT, this proposition shall repeal and restate Article V, Section 2 of the City Charter to now read as follows (and other subsections unchanged):

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.

Ballot Text Shall State:

PROPOSITION C – CHANGE THE TERM OF OFFICE OF THE MAYOR AND COUNCILMEMBERS

Vote For or Against

To Amend Article V, Section 2 of the Amarillo City Charter to change the length of the term of office of the Mayor and each Councilmember from two (2) year terms to four (4) year terms effective with the next regularly scheduled municipal election to be held in May 2025, with the terms staggered as established by ordinance.

_____ **For**

_____ **Against**

PROPOSITION D – REVISE THE PROCESS TO FILL ANY VACANCIES IN THE OFFICES OF THE MAYOR AND CITY COUNCIL

WHEREAS, in May 2024 the City Council created a Charter Review Citizens Committee for the purpose of reviewing the City Charter and determining what changes, if any, the City Council and the voters of the City of Amarillo should consider. The objective of updating the Charter is to provide good and effective governance of the city through a representative government that is accessible, accountable, and responsive to the needs of the people of Amarillo; and,

WHEREAS, the current charter Article V, Section 3 specifies that (a) any vacancy in the office of the Mayor shall be filled by an appointment by the remaining Councilmembers from among their number; (b) any vacancy in the office of a Councilmember shall be filled by an appointment by the Mayor and the remaining Councilmembers; and (c) provided that the person appointed to fill such vacancy shall hold office only during the unexpired term of office; and,

WHEREAS, the Charter Review Citizens Committee concluded that it is desirable for amend the charter to include alternative procedures to fill a vacancy in the Office of Mayor or any Councilmember through a special election in certain situations; and,

WHEREAS, the Charter Review Citizens Committee determined that it is desirable to align the City Charter with state law in the procedures to fill a vacancy of a city elected official; and,

WHEREAS, the Charter Review Citizens Committee recommends that the Charter should include requirements consistent with state law providing that any elected officer who announces their candidacy for another public office with more than twelve (12) months and thirty (30) days remaining in their term of office has immediately resigned their current office and their office shall be considered vacant. The City Council shall then proceed to fill the vacant position consistent with the Charter and state law.

NOW, THEREFORE, BE IT ORDAINED THAT, this proposition shall repeal and restate Article V, Section 3 of the City Charter to now read as follows (and other subsections unchanged):

- (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 City 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 City 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 (12) months and thirty (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.

Ballot Text Shall State:

Proposition D – Revise the process to fill any vacancies in the offices of the Mayor and City Council

Vote For or Against

To Amend Article V, Section 3 of the Amarillo City Charter to revise the procedures to fill 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, or with more than twelve (12) months remaining in the term, shall order a special election in accordance with state law; any vacancy in Office of a Councilmember with less than twelve (12) months remaining in the term shall be filled by an appointment, or with more than twelve (12) months remaining in the term, shall order a special election in accordance with state law; provided that any person appointed or elected to fill such vacancy to hold office only during the unexpired term of office; and if the Mayor or any Councilmember announce as a candidate to be elected to another public office with more than twelve (12) months and thirty (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.

_____ **For**

_____ Against

PROPOSITION E - CHANGE THE QUALIFICATIONS OF THE CITY COUNCIL AND ESTABLISH THREE GEOGRAPHIC AREAS WITH RESIDENCY REQUIREMENTS FOR THREE COUNCILMEMBER PLACES.

WHEREAS, in May 2024 the City Council created a Charter Review Citizens Committee for the purpose of reviewing the City Charter and determining what changes, if any, the City Council and the voters of the City of Amarillo should consider. The objective of updating the Charter is to provide good and effective governance of the city through a representative government that is accessible, accountable, and responsive to the needs of the people of Amarillo; and,

WHEREAS, the current charter establishes the City Council consists of five members, one of whom shall be elected as Mayor, that all members must be residents of the City of Amarillo and eligible registered voters being elected on an at-large basis by a majority vote of the registered voters within the city; and,

WHEREAS, the Charter Review Citizens Committee has found it to be beneficial for the citizens of Amarillo to provide better representation of all areas of the city by revising the Charter to create the Office of Mayor and some Councilmember seats which will continue to serve on an at-large basis and to create some Councilmember seats representing Councilmember Places (areas) that shall have a residency requirement. The Councilmembers designated to represent one of the specific geographic areas with a residency requirement, the boundaries of which shall be adopted by Ordinance, must reside in a specified geographic area of the city during their term of office and shall surrender the office if they no longer reside in the specified area. Each specific geographic area shall be established by Ordinance of the City Council based upon the results of the Federal Decennial Census and developed by a retained firm that specializes in cartography to produce district boundaries. The map included as Exhibit 1 is an illustrative example of the potential geographic places and is not the final boundaries, which shall be established by ordinance prior to the final filing date for the May 2025 municipal election; and,

WHEREAS, the Charter Review Citizens Committee found that the geographic areas would need to be reviewed following the Federal Decennial Census and recommends establishing a Districting Commission beginning in 2031 comprised of fourteen (14) Amarillo citizens each of which would be appointed by members of the City Council.

NOW, THEREFORE, BE IT ORDAINED THAT, this proposition shall repeal and restate Article V, Section 4 of the City Charter to now read as follows (and other subsections unchanged):

- (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 reside anywhere within the City of Amarillo, they are elected as at-large members.
- (c) Councilmembers Place Two, Place Four, and Place Six shall be required to reside within one 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 Councilmember 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 (area) – Places Two, Four, and Six – to be represented by a resident of that area to serve on the City Council. The boundaries of these three (3) geographic areas shall be adopted by the City Council and 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 City Council shall appoint a Districting Commission on or before March 15 immediately following the publication of the results of each Federal decennial census. The Districting Commission shall be composed of a total of fourteen (14) members with the Mayor and each Councilmember appointing two (2) representatives. 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 and procedures to 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 the State of 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, 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 of Amarillo's population and other appropriate demographic considerations. Upon receiving the Commission's recommendations, the Council shall, no later than July 1 of that year, or as soon as practical thereafter, review the population and boundaries 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.

Ballot Text Shall State:

Vote For or Against

To Amend Article V, Section 4 of the Amarillo City Charter to establish changes to the qualifications of the Mayor and Councilmembers such that the Mayor and three (3) Councilmembers shall be elected on an at-large basis and that three (3) Councilmembers shall be elected subject to residency in one of three geographic places (areas) established by Ordinance; that the City Council shall adopt the boundaries of each specific geographic area by Ordinance prior to the candidate filing date for the May 2025 elections and beginning in 2031 and every ten years thereafter a Districting Commission appointed by the City Council composed of Amarillo residents shall meet to recommend any changes to the boundaries of each geographic area such that the population of each area is substantially equal, such boundaries to be adopted by Ordinance of the City Council.

_____ **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 2) and intergovernmental cooperation agreement with Randall County (Exhibit 3), 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 2.

B. In the Randall County portion of the City as specified in the attached Exhibit 3.

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 _____ day of _____, 2024; and PASSED on Second and Final Reading the _____ day of _____, 2024.

Cole Stanley, Mayor

ATTEST:

APPROVED AS TO FORM:

Stephanie Coggins, City Secretary

Bryan S. McWilliams, City Attorney

ATTACHMENTS:

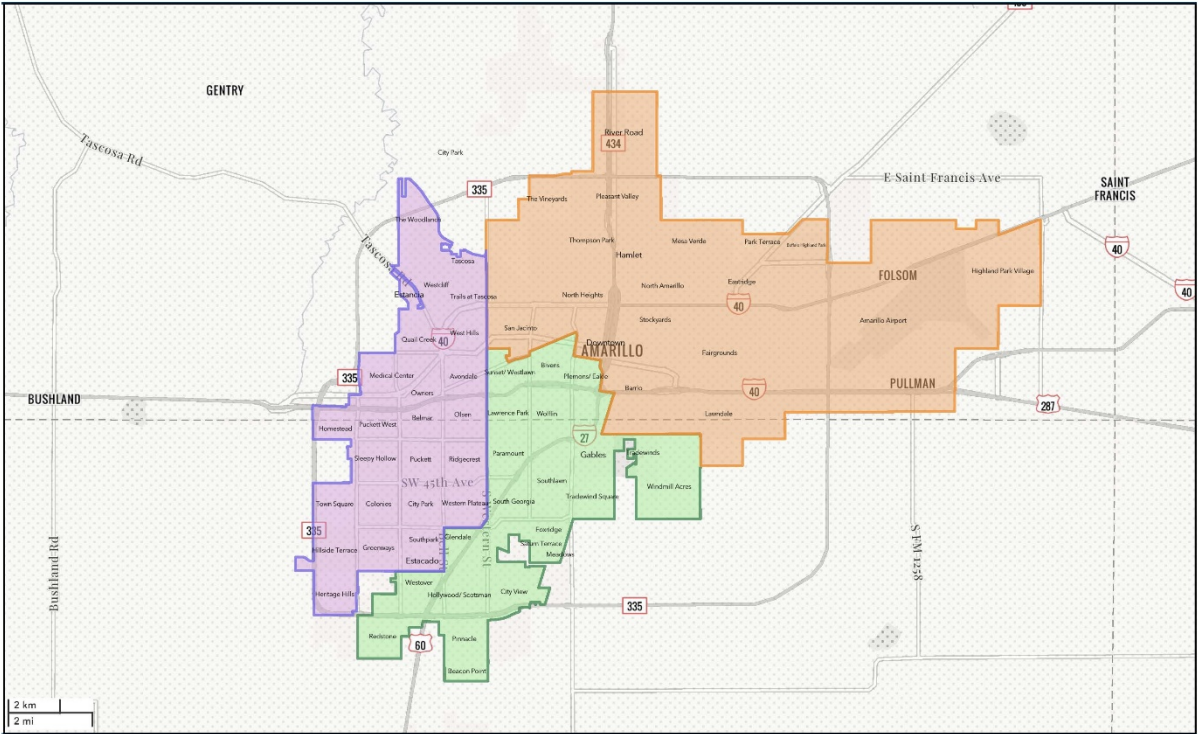
- Exhibit 1, Sample geographic area map
- Exhibit 2, Interlocal Agreement with Potter County
- Exhibit 3, Interlocal Agreement with Randall County

EXHIBIT 1

SAMPLE GEOGRAPHIC AREA MAP



1/3/3 Voting Districts Proposal D-Alternate



**DRAFT MAP PROVIDED FOR PRELIMINARY COMMITTEE REVIEW PURPOSES ONLY. NO
LEGAL ANALYSIS OR REVIEW HAS OCCURRED.**

June 20, 2024

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EXHIBIT 2

POTTER COUNTY – CITY ELECTION AGREEMENT

POTTER COUNTY EARLY VOTING LOCATIONS
GENERAL ELECTION – NOVEMBER 5, 2024

EXHIBIT 3

RANDALL COUNTY – CITY ELECTION AGREEMENT

**Early Voting Dates and Times for Randall County at
The Election for the
City of Amarillo
November 5, 2024**