



## CHARTER REVIEW SPECIAL COMMITTEE

Wednesday, April 28, 2021

Notice is hereby given that the Charter Review Special Committee of the City of Big Spring, Texas will meet in on Wednesday, April 28, 2021 at 5:30 pm at the City Council Chambers Located at 307 East 4<sup>th</sup> Street, Big Spring, Texas. **We welcome the public to attend the meeting via telecommunication. Citizens will be able to view the Charter Review Special Committee Meeting on Our Local Channel 17 through Suddenlink or on Our Website <http://mybigspring.com/224/Channel-17-Live>.**

### MEETING ETIQUETTE

Gentlemen are requested to remove their hats inside the City Council Chambers. As a courtesy to those in attendance, please place your cell phone on “Silent” or “Vibrate.” Please, no Talking during the meetings. Take all conversations outside so that others can hear.

Note from the Office of the Attorney General – An Order Temporarily Suspending Certain Open Meetings Act (OMA) Requirements Due to COVID-19  
Thank you!

### Open Session

1. Call to Order Scott

### Public Comment

**Public Comment** – Members of the public are entitled to speak on any topic. Additionally, members of the public may comment on any action item before or during its consideration. Speakers are requested to stand at the podium and state their name and address. Speakers should fill out the form at the podium and turn it into the City Secretary. Please do not exceed five (5) minutes.

2. **Public Comment – If you have public comments, please call 432-264-2411.** Scott

### Old Business

3. Discussion and Possible Action Concerning Measure N, Acting City Manager 4 Scott

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|----|---|---|-------|
| 4. | Discussion and Possible Action Concerning Measure O, Appointment and Removal of Municipal Court Judge | 5 | Scott |
| 5. | Discussion and Possible Action Concerning Measure P, Creating a Charter Review Committee              | 6 | Scott |

**New Business**

- |     |  |         |                 |
|-----|--|---------|-----------------|
| 6.  | Approval of the Charter Committee Minutes from the Regular Meeting of April 7, 2021 and April 21, 2021                   | Handout | Tompkins        |
| 7.  | Discussion and Possible Action Concerning Additional Amendment of Measure A, City Depository                             | 7       | Zech/<br>Santee |
| 8.  | Discussion and Possible Action Concerning Amendment of Measure B, Board of City Development                              | 8       | Zech/<br>Santee |
| 9.  | Discussion and Possible Action Concerning Measure M, Mayor and Mayor Pro Tem   | 9       | Zech/<br>Santee |
| 10. | Discussion and Possible Action Concerning Measure Q, Notice of Claim   | 10      | Zech/<br>Santee |
| 11. | Discussion and Possible Action Concerning Measure R, Initiative, Referendum, and Recall                                  | 11-16   | Zech/<br>Santee |
| 12. | Discussion and Possible Action Concerning Measure S, Council Members Required to Call and Hold a Meeting`                | 17      | Zech/<br>Santee |
| 12. | Discussion and Possible Action with Regard to Recommending Amendments to the City Charter, All Articles, and Related Law |         | Scott           |
| 13. | Discussion and Possible Action on Calling Future Meetings and Agenda Items   |         | Scott           |

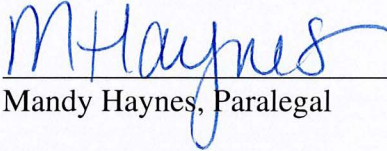
**Input and Adjournment**

- |     |                              |  |       |
|-----|------------------------------|--|-------|
| 14. | City Manager and Staff Input |  | Scott |
| 15. | Committee Input              |  |       |
| 16. | <b>Adjourn</b>               |  | Scott |

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building, located outside 310 Nolan Street. Given by order of the City Council

and Posted on Friday, April 23, 2021 4:30 p.m. in accordance with Title 5, Texas Government Code and Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's Website, [www.mybigspring.com](http://www.mybigspring.com), in accordance with legal requirements.

  
Mandy Haynes, Paralegal

PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT TAMI DAVIS AT 264-2513 or [tdavis@mybigspring.com](mailto:tdavis@mybigspring.com). REQUESTS FOR AN INTERPRETER SHOULD BE MADE AT LEAST 72 HOURS IN ADVANCE OF THE MEETING TIME.

**Agenda Removal Notice** - This public notice was removed from the official posting board at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on

April \_\_, 2021 at \_\_\_\_\_ a.m./p.m. By: \_\_\_\_\_

## **Measure N**

### Article IV. - City Government

#### Sec. 13. - City manager—appointment; term; qualifications; etc.

The city 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. His appointment shall be for a term of two (2) years, unless he be sooner removed by action of the council as provided herein, and he shall be eligible for reappointment at the termination of any period of office. He shall be chosen upon qualification and fitness for the exercise of his duties. He may or may not be a resident of the City of Big Spring at the time of his appointment, but shall immediately establish his residence within the city upon accepting office. The city manager shall be removable at the will of the city council. By letter filed with the city secretary the city manager shall designate, subject to approval of the City Council, a qualified employee to exercise the powers and perform the duties of acting city manager during the city manager's temporary absence or disability. The City Council may revoke such designation at any time and appoint another individual to serve until the city manager shall return or his disability shall cease.

#### ***PROPOSED PROPOSITION:***

An amendment to the City Charter providing for the appointment of an Acting City Manager during the City Managers absence.

## **Measure O**

### Article X. - Municipal Court

#### Sec. 2. - Judge.

The A presiding judge and any other such associate judges of such court shall be appointed by, and serve at the will of, the city council and shall serve a term of two years and receive such salary as may be fixed by ordinance of the city council. The presiding and associate judges may be removed at any time and at the will of the City Council.

#### Sec. 4. - Disability or absence of the judge.

~~In the case of disability or absence of the presiding judge, the mayor or mayor pro tem of the city is hereby authorized to appoint an alternate an associate judge who shall act in the place of the presiding judge and who shall have all powers and discharge all duties of said offices.~~

#### ***PROPOSED PROPOSITION:***

An amendment to the City Charter providing for the appointment and removal the presiding and associate judges of the municipal court.

## **Measure P**

### Article XIII. - Charter Election

#### Sec. 4. Charter Review Committee

- (1) The City Council shall appoint a Charter Review Committee in January of 2026 and in January every fourth (4<sup>th</sup>) year thereafter. The Charter Review Commission shall consist of one representative from each District appointed by the Councilmember representing each District and one representative at-large appointed by the Mayor. The Committee shall:
  - a. Inquire into the operation of the City government under the Charter and determine whether any provision requires revision. To this end public hearings may be held. The Commission may request the attendance of any officer or employee of the City and the production of any City records that may be needed;
  - b. Propose any recommendations it deems desirable to ensure compliance with the Charter; and
  - c. Report its findings and present its recommendations to the City Council in the form of a report; and
  - d. File a copy of its report with the office of the City Secretary where it shall be a public record.
- (2) The term of office of the Charter Review Commission shall be for not more than nine months.
- (3) City Council shall consider any recommendations made and may order any recommendations be submitted to the voters of the City in the manner provided by state law.
- (4) Nothing in this section prohibits the City Council from forming a Charter Review Committee at any time or from submitting any amendments to the Charter to election on its own initiative at any time in compliance with state law.

#### ***PROPOSED PROPOSITION:***

An amendment to the City Charter requiring a creation of a Charter Review Committee every \_\_\_\_\_ years for purpose of reviewing the City Charter.

## **To Be added to Measure A Consistency with State Law**

Sec. 10. - City depository.

~~Before July 1st after each even-numbered year's regular election,~~ The city council shall select a city depository ~~from among the banks of the city, such selection to be made~~ in the manner prescribed by the statutes of the state and said city depository shall keep such records and make such reports to the council and do and perform such other duties as may be required by ~~general~~ law, and as may be required by the city council.

## TO BE ADDED TO MEASURE B

~~Sec. 6. Board of city development.~~

~~The council shall have the authority to appoint what shall be known and designated as a "Board of City Development" which shall be composed of fifteen (15) members, who shall serve without compensation. Said council may prescribe the qualifications and duties of such board, and their terms of office and may appropriate not exceeding ten cents (\$0.10) on the one hundred dollars (\$100.00) assessed valuation of the taxable property in the City of Big Spring, from the general fund of said city, to support the work of the board. This board shall never merge its identity with any other organization, and shall furnish the city council an itemized report of its expenditures for publication in the annual financial statement of the city.~~

## **Measure M**

### Article IV. - City Government

#### Sec. 4. - Mayor to ~~preside over council~~; mayor pro tempore; ~~council quorum~~.

~~The mayor, when present, shall preside over the council. The council shall elect a mayor pro tempore who shall preside at the meetings at which the mayor is not present. Any four (4) members of the council shall constitute a quorum for the transaction of business. and shall be recognized as the head of the City government for all ceremonial purposes, for emergency management purposes, and by the governor for purposes of military law. The mayor may debate and discuss any matters before the City Council and shall be entitled to vote on all issues with the City Council. The mayor shall, when authorized as necessary by the City Council, sign all official documents.~~

The city council shall elect a member of the city council to serve as mayor pro-tempore based upon criteria established by the city council. The mayor pro-tempore shall act as mayor during the absence or disability of the mayor and during such time as the office of mayor is vacant due to a death, resignation, or removal from office; but only until such time as the vacancy is filled under the provisions of this charter.

#### ***PROPOSED PROPOSITION:***

An amendment to the City Charter providing for the powers and responsibilities of the Mayor and the Mayor Pro-Tem.

## MEASURE Q

Sec. 9. - Notice of claim against city for damage or injury.

~~Before the City of Big Spring shall be liable on account of any damage or injury to person or property, the person who is injured, or whose property is damaged, or some one on his behalf, shall give notice, in writing, to the city council within thirty (30) days after the occurrence of the alleged injury or damage, stating specifically in such notice when, where and how the injury or damage was sustained and setting forth the extent of the injury or damage and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury or damage. No action at law for damages shall be brought against the city for personal injury or damage to property prior to the expiration of sixty (60) days after the filing of such notice, in order that the city council may investigate the merits of any claim and make any adjustment it may deem advisable.~~

Sec. 9. - Notice of claim against city for damage or injury.

A. The City shall never be liable for any personal injury, whether resulting in death or not, unless the person injured or someone in his behalf, or in the event the injury results in death, the person or persons who may have a cause of action under the law by reason of such death injury, shall file a notice in writing with the City Manager within ninety (90) days after the same has been received, stating specifically in such notice when, where and how the exact injury occurred and the full extent thereof, together with the amount of damages claimed or asserted. The notice requirements provided for herein do not apply if the City has actual notice that death has occurred, or that the claimant has received some injury. Further, should the claimant provide good cause for failure to comply with the notice requirements herein then said notice requirements shall not apply.

Commented [DS1]: A covers personal injury

B. The City shall never be liable for any claim for damage or injury to personal property unless the person whose personal property has been injured or damaged or someone in his behalf, shall file a claim in writing with the City Manager within ninety (90) days after said damage or injury has occurred and the full extent thereof, and the amount of damage sustained. The City shall never be liable for any claim for damage or injury to real property caused by negligent act or omission of its officers, servants, agents, or employees, unless the person whose real property has been injured or damaged or someone in his behalf, shall file a claim in writing with the City Manager within ninety (90) days after said damage or injury has occurred, stating specifically when, where and how the injury or damage occurred and the amount of damage claimed. The notice requirements provided for herein do not apply if the City has actual notice that the claimant's property has been damaged. Further, should the claimant provide good cause for failure to comply with the notice requirements herein then said notice requirements shall not apply.

Commented [DS2]: B covers property damage....both A and B designate the City Manager rather than the City Council for notice as such is more appropriate

### **PROPOSED PROPOSITION:**

An amendment to the City Charter deleting and amending those provisions which provide for notice of claim against the city for damage or injury.

# Measure R

## ~~Article XI. Recall of Councilmen and/or Councilwomen~~

### ~~Sec. 1. Generally.~~

~~The city councilmen and/or councilwomen shall be subject to recall and removal from office by the qualified electors of the city, and the procedure to effect such removal shall be as set out in the following sections.~~

### ~~Sec. 2. Petition to be filed; number of signatures required on petition.~~

~~A petition demanding that the question of removing such officer be submitted to the electors shall be filed with the city secretary. Such petition shall be signed by a number of qualified voters of the city at least equal to thirty-five percent (35%) of the votes cast at the last regular city election, but in no case to be signed by less than one hundred (100) qualified voters of the city.~~

### ~~Sec. 3. Issuance of petition; elector's affidavit required.~~

~~Petition for such recall shall be procured only from the city secretary. Prior to the issuance of such petition, there shall be filed with the city secretary an affidavit by one or more qualified electors stating the name or names of the officer or officers sought to be removed, and stating briefly, to the best knowledge and belief of affiant or affiants, the nature of the dereliction of the officer or officers sought to be removed. The city secretary shall record the number of such petition issued, the date of issuance thereof, and the affidavit required above. He shall certify under the seal of his office on such petition the name of the elector to whom issued and the date of its issuance, and no petition not properly issued and certified as herein required shall be considered in determining whether or not a recall election shall be held.~~

### ~~Sec. 4. Method of signing petition; circulator's affidavit.~~

~~Each signer of a recall petition shall sign his name thereto in ink or indelible pencil, and shall write thereon, after his name, his street number or place of residence within the city. The circulator of said petition shall attach an affidavit thereto stating the number of signers to said petition, and that each signature is genuine and was made in his presence.~~

### ~~Sec. 5. Return of petition; notice to officer affected; ordering election.~~

~~The recall petition shall be returned and filed with the city secretary within thirty (30) days after the issuance thereof. He shall immediately submit the same to the city council 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) days after such notice is given, the city council shall thereupon order a recall election to be held not less than ten (10) nor more than twenty (20) days from the time of the expiration of the five (5) days allowed the official affected to resign.~~

### ~~Sec. 6. Ballots at election; effect of election.~~

~~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 City Councilman and/or City Councilwomen immediately following said question there shall be printed on the ballots in separate lines, in the order here set out, the words: "For the recall of (name of person.)" "Against the recall of (name of person.)" Should a majority of the votes cast at such recall election be for the recall of any officer named on the ballot, he shall be deemed removed from office. If the majority of the votes be against the removal of any officer, he shall continue in office, not subject to recall until the expiration of at least three months from the date of the unsuccessful recall election.~~

### ~~Sec. 7. Failure of council to act.~~

~~In case the city council shall fail or refuse to receive the recall petition, order the recall election, or discharge any and other duties with reference to such recall, then the county judge of Howard County shall discharge any of such duties herein provided to be discharged by the city council.~~

~~Sec. 8. — Filling of vacancies created by recall.~~

~~If three or more members of the city council are sought to be recalled at one election, the names of candidates to fill the vacancies proposed to be created by the election shall appear upon the ballot. Such vacancies as result from the election shall be filled by declaring elected to such offices the candidates receiving the greatest number of votes, giving the longest terms to the candidates receiving the greatest number of votes. If less than three officers are sought to be removed at such recall election, such vacancies as result from the said election shall be filled by appointment by the remaining members of the council.~~

~~Sec. 9. — Canvass of returns and declaration of result of election.~~

~~The returns of any recall election shall be canvassed and the results thereof declared by the members or member of the council not sought to be removed. If all are sought to be removed, the county judge of Howard County shall canvass the returns and declare the results.~~

## **Article XI. - INITIATIVE, REFERENDUM AND RECALL**

### **Section 1. - General authority.**

- A. *Initiative.* The qualified voters of the City shall have power to propose ordinances to the Council. Such power shall not extend to the granting of franchises, budget or any capital program, or relating to appropriation of money, issuing of bonds, setting of utility rates and levy of taxes or salaries of City officers or employees, or any other ordinance not subject to initiative as provided by state statute or common law.
- B. *Referendum.* The qualified voters of the City shall have power to require reconsideration by the Council of any adopted ordinance. Such power shall not extend to the granting of franchises, budget or any capital program, or relating to appropriation of money, issuing of bonds, setting of utility rates and levy of taxes or salaries of City officers or employees, or any other ordinance not subject to referendum as provided by state statute or common law.
- C. *Recall.* The qualified voters of the City shall have the power to petition for recall of the Mayor or any Council Member.

### **Section 2. - Commencement of initiative, referendum and recall petitions; petitioners' committee; affidavit.**

- A. Any five (5) qualified voters may commence initiative, referendum, or recall proceedings by filing with the City Secretary an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent and setting out in full the proposed initiative ordinance or citing the ordinances sought to be reconsidered, or the name of the individual to be recalled.
- B. All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall comply with Chapter 277 of the Texas Election Code as it may be amended from time to time.
- C. Petitions shall be returned to the Office of the City Secretary for filing within sixty (60) days after filing of the affidavit of petitioners committee and no signature on said petition shall have been affixed prior to the filing of the affidavit of petitioners committee.
- D. Each signer of such recall petition shall personally sign his/her name thereto in ink or indelible pencil and shall write after his/her name his/her place of residence, giving the name of the street and the

number, and shall also write thereon the day, the month and the year his/her signature was affixed. The signatures on petitions shall be verified by oath in the following form:

STATE OF TEXAS

COUNTY OF HOWARD

I, \_\_\_\_\_, being first duly sworn, on oath depose and say that I am one of the signers of the above petition, and that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is the genuine signature of the person it purports to be.

Signature \_\_\_\_\_

Sworn \_\_\_\_\_ and \_\_\_\_\_ subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ / / 20\_\_\_\_\_.

NOTARY PUBLIC, STATE OF TEXAS

My \_\_\_\_\_ commission expires: \_\_\_\_\_ / / \_\_\_\_\_

Section 3. - Initiative, referendum and recall petitions; certificate of city secretary; supplementation; presentation to council; council review.

A. *Certificate of City Secretary.* Within 30 working days after the petition (the "Original Petition") is filed, the City Secretary shall complete a certificate as to its sufficiency or insufficiency as mandated herein, specifying, if it is insufficient, the particulars wherein it is defective and shall within that 30 working day period send a copy of the certificate to the petitioners' committee by certified mail return receipt requested or by hand delivery to a committee member.

B. *Supplementation.* A petition certified insufficient for lack of the required number of valid signatures may be supplemented once if the petitioners' committee files a notice of intention to supplement with the City Secretary within three working days after receiving the copy of the Certificate of the City Secretary. The supplementary petition shall be filed within the time specified in Subsection 3 C. Such supplementary petition shall comply with the requirements of Subsections 2 B and D, and within ten (10) working days after the supplementary petition is filed, the secretary shall complete a certificate as to the sufficiency of the petition as supplemented and send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition.

C. *Tolling.* Upon the submission of the Original Petition to the City Secretary the 60 day time line for submission as provided for in Section 2 C shall be tolled. The petitioners committee shall submit the supplementary petition to the City Secretary within the remaining tolled 60 day deadline, said remaining time to be calculated from receipt of the certificate of insufficiency by the petitioner's committee or committee member as applicable. No signature on said supplementary petition shall have been affixed prior to the receipt by the petitioners committee of the certificate of insufficiency.

D. *Presentation to Council.* The City Secretary shall, at the next regular Council meeting in compliance with the Texas Open Meetings Act after completion of certification of the petition or supplementary petition, present such certificate to the Council and the certificate shall then be a final determination as to the sufficiency of the petition.

Section 4. - Requirements specific to petitions for recall.

Before the question of a recall shall be submitted to the qualified voters, a petition containing at least 20 percent of the number of qualified voters registered to vote at the last general City election, demanding

such question to be so submitted shall first be filed with the Office of the City Secretary pursuant to this Article. The petition shall be addressed to the City Council of the City and shall state distinctly and specifically the alleged action(s) and the factual circumstance(s) surrounding such action(s) taken by the individual that warrant the reason for the recall as to give the individual sought to be removed notice of the matter(s) and thing(s) with which the individual's recall is predicated. If there be more than one reason, said petition shall distinctly and specifically state each reason upon which such petition for removal is predicated and shall distinctly and specifically state the alleged action(s) and the factual circumstance(s) surrounding such action(s) taken by the individual that warrant the recall as to give the individual sought to be removed notice of the matter(s) and thing(s) on which the recall is predicated.

Section 5. - Public hearing to be held on recall petition.

- A. Right to Request Hearing. The individual whose removal is sought may, within five (5) working days after such recall petition has been presented to the City Council, request that a special meeting be held to permit him/her to present a response to the reasons for recall specified in the recall petition. In this event, the City Council shall order such special meeting to be held, no more than thirty (30) and no less than fifteen (15) days before early voting.
- B. Right to Response. At any special meeting held under this Section the individual whose removal is sought shall have a thirty (30) minute period to state their response to the recall petition. There shall be no public participation in the special meeting and no other items of business shall be a part of the special meeting.

Section 6. - Calling of recall election.

If the individual whose removal is sought does not resign, then the City Council shall for the next available uniform election date, order an election for holding such recall election. If, after the recall election date is established, the officer vacates his/her position, the election shall be cancelled, in accordance with State Law.

Section 7. - Ballots in recall election.

Ballots used at recall elections shall conform to the following requirements:

- A. With respect to each individual whose removal is sought, the question shall be submitted: "Shall \_\_\_\_\_ be removed from the office of \_\_\_\_\_ by recall?"
- B. Immediately below each such question, there shall be printed the following words, one above the other, in the order indicated:
- "Yes"
- "No"

Section 8. - Result of recall election.

If a majority of the votes cast at a recall election shall be "No", that is against the recall of the individual named on the ballot, the individual shall continue in office for the remainder of his/her unexpired term, subject to recall as provided herein. If a majority of the votes cast at such election be "Yes", that is for the recall of the individual named on the ballot, the individual shall, regardless of any technical defects in the recall petition, be deemed removed from office upon passing of the resolution canvassing the election, and the vacancy shall be filled by the City Council as provided for by this Charter.

Section 9. - Recall restrictions.

No petition shall be filed for the recall of an individual within 180 days of the date of the individual's election to City Council or within 180 days before the end of the individual's term on City Council.

Section 10. - Initiative; requirements specific to petition for initiative; procedure.

- A. A petition for initiative must contain the number of valid signatures totaling at least 10 percent of the total number of registered voters registered to vote at the last general City election and shall otherwise comply with the requirements for petitions in this Article. Each copy of the petition shall have attached to it a copy of the full text of the proposed ordinance.
- B. Upon presentation to the City Council, it shall become the duty of the City Council, within sixty (60) days after the date the petition was finally determined sufficient, to pass and adopt such ordinance without alteration as to meaning or effect, or to call for an election to be held on the next available uniform election date, at which the qualified voters of the City shall vote on the question of adopting or rejecting the proposed ordinance.
- C. If a majority of the qualified electors voting on a proposed initiative ordinance vote for the ordinance, it shall be considered adopted upon the canvassing of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the Council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Section 11. - Referendum; requirements specific to petition for referendum; procedure; effect prior to election.

- A. A petition for referendum must contain the number of valid signatures totaling at least 10 percent of the total number of registered voters registered to vote at the last general City election and shall otherwise comply with the requirements for petitions in this Article.
- B. Upon presentation to the City Council, it shall become the duty of the City Council, within sixty (60) days after the date the petition was finally determined sufficient, to either repeal the referred ordinance or to call for an election to be held on the next available uniform election date, at which the qualified voters of the City shall vote on the question of repealing the referred ordinance.
- C. If a majority of the qualified electors voting on a referred ordinance vote against the ordinance, it shall be considered repealed upon certification of the election results.
- D. A petition for referendum on the same subject matter may only be submitted once every three (3) years.

Section 12. - Initiative and referendum; form of ballots.

The ballots used when voting upon initiative or referendum shall set forth their nature sufficiently to identify them and shall also set forth, upon separate lines, the words:

"For the Ordinance"

or

"Against the Ordinance"

Section 13. - Ordinances passed by popular vote, repeal or amendment.

No ordinance which may have been passed by the City Council upon a petition or adopted by popular vote under the provisions of this Article may be repealed or amended by the City Council for a period of three years from the date said ordinance became effective and then only by an affirmative vote of two-thirds of the City Council.

***PROPOSED PROPOSITION:***

An amendment to the City Charter deleting and amending those provisions which provide for recall and adding provisions which provide for initiative and referendum.

**Measure S**

Article IV. - City Government

Sec. 3. - Council meetings.

The city council shall meet regularly twice a month at such time and place as the council may determine. The mayor, or any ~~three (3)~~ \_\_\_\_\_ councilmen and/or councilwomen may call the council together for a special meeting. Any four (4) members of the council shall constitute a quorum for the transaction of business.

***PROPOSED PROPOSITION:***

An amendment to the City Charter stating the number of council members required to call and hold a meeting.

DRAFT