

November 29, 2012

Lee Leffingwell
Mayor
City of Austin

Dear Mayor and Council:

Most members of the Council were publicly ambivalent about Proposition 3 perhaps because few, if any, members of the Council thought it would pass. Some members of the Council openly opposed passage of Proposition 3. As a result, some of the supporters of Proposition 3 are now fearful that the city council will try to sabotage implementation of the proposition.

To allay such concerns and possible criticism, this council should immediately take several actions designed to further the transition to single-member districts approved overwhelmingly by the voters of Austin on November 6, 2012. Specifically, the city council should:

1. Urge the City Attorney to promptly submit Proposition 3 for preclearance under Section 5 of the Voting Rights Act and request expedited consideration under 51 CFR Section 51.34. The submission should emphasize:
 - a. The election change at issue is the change from at-large to single-member districts. Other parts of Proposition 3 do not constitute a change from existing practice;
 - b. A change from at-large to single-member districts cannot be considered retrogressive in a jurisdiction in which the majority of voters are white;
 - c. Proposition 3 was supported by minority organizations, such as the NAACP and LULAC; and
 - d. The City of Austin understands that it must submit the final 10 district plan for preclearance before it can be enforced.
2. Support City Auditor Ken Mory in his initial steps toward encouraging public participation in the redistricting process. The City Auditor has acted responsibly to meet his duties under Proposition 3. The City Council should commend him for taking these steps and should support him throughout the transition.
3. Adopt an ordinance transitioning to single-member districts in 2014 as required by Propositions 2 and 3. A possible ordinance is attached.

Thank you for your immediate attention to these important matters.

Sincerely,

Steve Bickerstaff
c.c Members of the Austin City Council

ORDINANCE NO. _____

AN ORDINANCE IMPLEMENTING THE TRANSITION TO SINGLE MEMBER DISTRICTS, EVEN-YEAR NOVEMBER ELECTIONS, AND STAGGERED FOUR-YEAR TERMS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART I. PURPOSE. In order to effectuate the voter-approved Charter Amendments Propositions 1, 2, and 3 of November 6, 2012, the City Council of Austin enacts this ordinance to transition from the current council six member at-large system with three-year staggered terms with May elections to a ten single member district system with four-year staggered terms with even-year November elections.

PART II. TRANSITION. The transition from the current system to the new election system prescribed by Charter Amendments Propositions 1, 2, and 3 shall occur as follows:

A. The first general election under the newly adopted system will occur on the November 2014 uniform election date authorized by state law.

B. All ten single member council districts and the mayor shall be up for election in November 2014. To effectuate this result, the council members elected in May 2011 shall serve extended terms until January 2, 2015, and the council members and the mayor elected in May 2012 shall serve shortened terms until January 2, 2015.

C. The terms of the elected council members and the mayor shall begin on January 2, 2015. On January 2, 2015, the City Clerk through a random process shall assign by lot initial two-year terms to five council districts and initial four-year terms for five council districts. For the five districts assigned initial two-year terms, the next term shall be four-years, and the following term two-years until the next year ending in two; for the five districts assigned initial four-year terms, the next term shall be four years until the next year ending in two. The term of the mayor shall always be four-years.

D. In every subsequent year ending with two, after the release of the decennial census and the drawing of lines by the independent citizen redistricting process, all ten single member council districts shall be up for election. On the following January 2 of every subsequent year ending with three, the city clerk through a random process shall

assign by lot two-year terms to five council districts and four- year terms for five council districts. For the five districts assigned initial two-year terms, the next two terms shall both be four-year terms until the next year ending in two; for the five districts assigned initial four-year terms, the next term shall be four years, and the following term shall be two years, until the next year ending in two.