

FULL TEXT OF MEASURE Y
EXHIBIT "A"

PROPOSED MODIFICATIONS TO SECTIONS 2.01, 2.02, 5.01, AND 5.02 OF THE CITY CHARTER

The people of the City of Albany modify Sections 2.01 through 2.02 of the City Charter to read as follows:

SECTION 2.01. LEGISLATIVE DEPARTMENT. THE COUNCIL.

The Council is the legislative body of said City and shall consist of the mayor and four (4) council members all to be five (5) persons elected at large, which body shall be known as the Council. All members of the Council, including the Mayor, shall have the right to vote on all matters coming before the Council.

~~The members of the Council shall be elected by the qualified voters of said City at a general Municipal Election to be held therein every even-numbered year as hereinafter provided. At the meeting when the election results of a general Municipal election are presented to the Council as being duly canvassed and certified by the county, the qualified persons shall then be inducted into office. A person elected to the City Council shall hold office for a period of four (4) years from the day of his or her their induction and until their successors are elected and qualified. A person elected, unless otherwise removed from office, is entitled to serve a four year term from the date of induction.~~

Effective upon the election of the Mayor in 2012, the Council as thus newly constituted shall then elect one of its members as Vice Mayor its presiding officers, who shall have the title of Mayor. The Council shall also designate one of its members as Vice Mayor. The Vice-Mayor shall perform the duties of the Mayor during his or her absence or disability. The officials so chosen Vice Mayor shall hold their respective office subject to the pleasure of the Council.

Each member of the Council shall receive a compensation of Five Dollars (\$5.00) for each meeting attended, provided, however, that a councilmember shall not receive more than Twenty-Five Dollars (\$25.00) in any one month, except as otherwise provided by Section 46 of this Charter. Members of the Council shall not be eligible to any other office or employment with the City, other than as in this Charter expressly provides.

No person not an elector of the City shall be eligible to hold office as a member of the City Council, and no person shall be eligible for nomination for such office without having been a resident of the city for thirty (30) days immediately preceding nomination. (Amended, ratified, April 13, 1976; November 5, 1996).

This section shall be effective and implemented for and as of the November, 2012 election.

SECTION 2.02. LIMITATION ON TERMS.

Any person who shall have served two (2) successive terms as a council member member of the Council shall be ineligible to serve again as a council member in the office until an intervening period of two (2) years has elapsed, but may seek election and serve as Mayor without being

ineligible until an intervening period of two (2) years has elapsed. For the purposes hereof, any person who serves as a Councilmember council member for two (2) years or more of an unexpired term, or two (2) years or more of an elected term, shall be considered to have served a term.

Any person who shall have served two (2) successive terms as Mayor shall be ineligible to serve again in the office of Mayor or as a council member until an intervening period of two (2) years has elapsed. For the purposes hereof, any person who serves as Mayor for two (2) years or more of an unexpired term, or two years or more of an elected term, shall be considered to have served a term. In no event shall any person be eligible to serve for more than sixteen consecutive years (16) in any combination of Mayor or council member terms.

Nothing in this section shall preclude a council member who has served two successive terms in that position to seek election for the office of Mayor.

This section shall be effective and implemented for and as of the November, 2012 election May, 1984.

SECTION 5.01. ELECTIONS.

General Municipal Elections shall be held in the City to coincide with the State General Election.

The candidate receiving the highest number of votes for the office of the Mayor of the City shall be elected to such office, provided that such candidate receives at least fifty percent (50%) plus one of the votes cast for the position of Mayor. In the event that no candidate for Mayor of the City receives at least fifty percent (50%) plus one of the votes cast for Mayor, the City Council shall provide for a run-off vote to determine the person elected. The City Council shall adopt an ordinance establishing a run-off system. The run-off system may include mailed ballots, an instant run-off voting system when such technology is available to the City, or a special run-off election. The ordinance setting for the run-off system may be amended from time to time for any reason, but no amendment to the ordinance may take effect less than one hundred three (103) days prior to any municipal election.

If at any general municipal election, one (1) or more council member, whose term of office will not expire as of the election, and who would be required to vacate the office of council member if elected to the office Mayor, files as a candidate for the office of Mayor, the following procedure will be used to fill the contingent vacancy in the office of council member that would arise if the sitting council member were elected Mayor: To the extent legally possible, and unless otherwise modified by ordinance, the ballot for the office of council member, the official election materials and voter information pamphlet shall notify the voters that they may cast ballots for not more than three (3) candidates for the office of council member, that at least two (2) Council offices shall be filled by election, and that if a council member whose term of office will not expire as of the election is elected to the office of Mayor, the vacancy in the office of that council member shall be filled by the candidate for council member receiving the third highest number of votes at the same municipal election.