

Joe Chow
Mayor



Town of Addison, Texas

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August 4, 2020

Delivered via Overnight Delivery

Honorable Greg Abbott
Governor of Texas
Office of the Governor
State Insurance Building
1100 San Jacinto
Austin, Texas 78701

Re: Request by the Town of Addison, Texas to Hold Special Election on
Charter Amendments in May 2021

Dear Governor Abbott:

Thank you for your leadership for our great State of Texas during the current Covid-19 pandemic. Addison is grateful for your service and understands and supports why you felt it important that the May 2, 2020 election be postponed. The Covid-19 pandemic left all of us with little choice in the matter. However, we believe that there are legitimate public health and safety and other important considerations for allowing the Town of Addison to move its special election on 26 amendments to the Addison Home Rule Charter to the May 2021 uniform election date.

I am respectfully requesting that you exercise your constitutional and statutory authority to authorize the Town of Addison to conduct its special election, originally scheduled for May 2, 2020, to be held on the May 2021 uniform election date. Addison's May 2, 2020 special election was called to allow voters to consider 26 ballot propositions to amend the Town's home rule charter. Many of these amendments are intended as clean-up items to make portions of Addison's charter language more compatible with state law. The City Council believes that by May of 2021, the Covid-19 pandemic will have subsided, providing the best opportunity for informed, local voters to vote on the Charter amendments. Additionally, as you can imagine, November voters will have a long ballot of important state and national election and policy matters. At some point, voter fatigue will set in and it is vital that Addison's voters have a true opportunity to consider the proposed amendments to Addison's Charter.

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By adopting Ordinance No. O20-11, on March 24, 2020 (attached hereto), the Addison City Council postponed the special election to a future uniform election date. Therefore, until the City Council adopts a new election ordinance to place the Charter amendments on the ballot, it seems to reason that the postponed election has not been called. With your authorization, the Town would like to place the Charter amendments on the May 2021 uniform election date ballot.

Obviously, this request is of an urgent nature and we request your response as soon as possible. Thank you in advance for your consideration of Addison's request. And again, thank you for your service to Texas.

Respectfully submitted,



Joe Chow, Mayor

cc: Governor's Disaster Counsel (*via email: disaster-counsel@oag.texas.gov*)
Irma Parker, City Secretary

ORDINANCE NO. O20-11

AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS AMENDING ORDINANCE NO. O20-04 TO POSTPONE THE MAY 2, 2020 SPECIAL CHARTER AMENDMENT ELECTION, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison is a home rule municipality located in Dallas County, Texas, operating pursuant to the City Charter and enabling legislation of the State of Texas; and

WHEREAS, the City Council of the Town of Addison previously passed Ordinance No. O20-04, ordering that a Special Election be held on May 2, 2020, a uniform election date per Texas law, for the purpose of amending the Home Rule Charter with twenty-six (26) Propositions; and

WHEREAS, elections in Texas must be held on a uniform election date per state law; and

WHEREAS, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and declared a state of disaster for all counties in Texas; and

WHEREAS, on March 18, 2020, the Governor of Texas issued a Proclamation to suspend various statutes to allow political subdivisions of the state that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 to the next uniform election date, occurring on November 3, 2020; and

WHEREAS, the Texas Secretary of State has issued, pursuant to the Proclamation of March 18, 2020, Election Advisory No. 2020-12, to provide guidance to local political subdivisions regarding issues raised by the Proclamation, and

WHEREAS, on March 19, 2020 Dallas County Elections Department Elections Administrator Toni Pippins-Poole advised that the County would not be able to administer the May 2, 2020 Election with 44% of the 324 Vote Centers slated for closure and the majority of election work force in the high risk category of over 65; and

WHEREAS, federal, state, and local officials have determined that the spread of COVID-19 can be slowed by avoiding bringing people together, and the City Council hereby finds that the holding of the special election might cause physical danger of infection to voters, election officials, and election volunteers; and

WHEREAS, because of the public health crisis, and in order to protect the health and safety of voters, the election officials, and election volunteers, the City Council therefore wishes to exercise the authority granted to it in the Proclamation of March 18, 2020 to postpone the election previously called by it to be held on May 2, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF

ADDISON, TEXAS:

SECTION 1. Pursuant to the authority granted in the Proclamation of March 18, 2020, the special election ordered to be held on May 2, 2020 by Ordinance No. O20-04 is hereby postponed until a future uniform election date.

SECTION 2. All matters and dates relevant to a future uniform election date, such as voter registration deadlines, applications for ballots by mail and dates for early voting shall be as provided by Texas law and Election Advisory 2020-12.

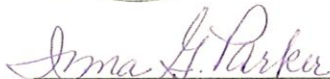
SECTION 3. The Council will, by subsequent action, amend Ordinance No. O20-04 to comply with state law regarding early voting location, dates and hours, and any other changes caused by postponing this election to a date to be determined.

SECTION 4. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if a phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of the unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 24th day of MARCH 2020.




Irma Parker, City Secretary

TOWN OF ADDISON, TEXAS


Joe Chow, Mayor

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

Published in the *Dallas Morning News*: Monday, April 20, 2020.

Published on <https://addisontexas.net/>

Emailed to DCED Toni Pippins-Poole Toni.Pippins-Poole@dallascounty.org : Friday, April 17, 2020

Emailed Notice to Secretary of State @ elections@sos.texas.gov: Friday, April 17, 2020