



**REGULAR MEETING
OF THE CITY COUNCIL**

May 11, 2021

ADDISON TREEHOUSE

14681 MIDWAY RD. SUITE 200, ADDISON, TX 75001

5:30 PM REGULAR MEETING

Notice is hereby given that the Addison City Council will conduct its REGULARLY SCHEDULED MEETING on Tuesday, May 11, 2021 at the Addison TreeHouse with a quorum of the City Council physically present. Limited seating for members of the public will be available using CDC recommended social distancing measures. The Town will utilize telephone or videoconference public meetings to facilitate public participation to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting. Telephonic or videoconferencing capabilities will be utilized to allow individuals to address the Council. Email comments may also be submitted to: iparker@addisontx.gov by 3:00 pm the day of the meeting. Members of the public are entitled to participate remotely via Toll-Free Dial-in Number: 877.853.5247; Meeting ID: 409.327.0683 Participant ID: #. For more detailed instructions on how to participate in this meeting visit our Agenda Page. The meeting will be live streamed on Addison's website at: www.addisontexas.net.

Call Meeting to Order

Pledge of Allegiance

REGULAR MEETING

Announcements and Acknowledgments Regarding Town and Council Events and Activities

Discussion of Meetings / Events

Public Comment

The City Council invites citizens to address the City Council on any matter, including items on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing starts. Citizen comments are limited to three (3) minutes, unless otherwise required by law. To address the Council, please fill out a City Council Appearance Card and submit it to a staff member prior to the Public Comment item on the agenda. The Council is not permitted to take any action or discuss any item not listed on the agenda. The Council may choose to place the item on a future agenda.

Regular Items

1. Present, Discuss, and Consider Action on an **Ordinance Canvassing the Returns of the May 1, 2021 General Election for the Mayor and Three (3) Council Members.**
 2. Presentation to **Outgoing Council Member Ivan Hughes.**
 3. Administer the **Oath of Office to the Mayor and Three (3) Council Members Elected at the May 1, 2021 General Election.**
 4. Present **Certificates of Election to the Mayor and Three (3) Council Members Elected at the May 1, 2021 General Election.**
 5. Present, Discuss, and Consider Action on **Nominations and Appointment of the Mayor Pro-Tempore and Deputy Mayor Pro-Tempore.**
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Adjourn Meeting

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH DISABILITIES. PLEASE CALL (972) 450-7017 AT LEAST 48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.

POSTED BY: _____

Irma G. Parker, City Secretary

DATE POSTED: Thursday, May 6, 2021

TIME POSTED: 5pm

DATE REMOVED FROM BULLETIN BOARD: _____

REMOVED BY: _____

Council Meeting

1.

Meeting Date: 05/11/2021

Department: City Secretary

AGENDA CAPTION:

Present, Discuss, and Consider Action on an **Ordinance Canvassing the Returns of the May 1, 2021 General Election for the Mayor and Three (3) Council Members.**

BACKGROUND:

An election was ordered for and held on Saturday, May 1, 2021 for the purpose of electing a Mayor and three (3) Council Members to serve a two-year term ending in May 2023.

This agenda items consists of the presentation, consideration and action on an Ordinance of the Town of Addison, Texas canvassing the returns and declaring the results of the Saturday, May 1, 2021 General Election for the Elected Office of Mayor and three (3) Council Members. The attached ordinance does not contain the final tally of votes because the Dallas County Elections Office had not released them at the time of posting for this agenda. The Canvassing Ordinance will be updated after these numbers are available. The UNOFFICIAL TOTALS are shown below:

Randy Smith	492
Lori Ward	687
Tom Braun	742
Kathryn Wheeler	645
Alan Then	492
Lilly Anyanwu	223
Total	3,281

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Canvass May 1, 2021 General Election

ORDINANCE NO. O21-18

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, CANVASSING AND DECLARING THE RESULTS OF THE GENERAL ELECTION OF OFFICERS HELD ON MAY 1, 2021 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE (3) COUNCIL MEMBERS FOR A TWO (2) YEAR TERM OF OFFICE EACH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas (the "City") heretofore ordered and called a general election to be held on the 1st day of May, 2021 within the City for the purpose of electing a Mayor and three Council Members for a two (2) year term of office each (the "Election"); and

WHEREAS, notice of the Election was given pursuant to and in accordance with applicable law, and the Election was duly and lawfully conducted and held on May 1, 2021, and the returns of the Election have been delivered, in accordance with law, to the City Council, as the canvassing authority for the Election; and

WHEREAS, the City Secretary has submitted a Certification of Unopposed Candidate, *Exhibit A*, advising that no person has made a declaration of write-in candidacy for the position of mayor therefore canceling the election for the office of mayor; and

WHEREAS, Texas Elections Code Subchapter C, Chapter 2 authorizes the City Council to declare the Mayoral Candidate, Joe Chow, elected to office and the mayoral election cancelled; and

WHEREAS, a quorum of the City Council, as required by law, met on May 11, 2021 for the purpose of canvassing the returns and declaring the results of the Election, as set forth herein.

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

SECTION 1. The above and foregoing recitals to this Ordinance are true and correct and are incorporated herein and made a part of this Ordinance for all purposes.

SECTION 2. The following candidate, who was unopposed in the mayoral election of the Saturday, May 1, 2021 General Election for the office of mayor is declared elected to office, and shall be issued a certificate of election following the time the election would have been canvassed:

Joe Chow

SECTION 3. Canvass of General Election.

A. A tabulation of the returns of the general election of officers of the City held on May 1, 2021, called and ordered for the purpose of electing three Council Members for a two (2) year term of office each, is attached hereto as *Exhibit B* and incorporated herein and made a part hereof

for all purposes. A summary of the said tabulation of returns for the general election set forth in the attached Exhibit B, showing the total votes received by each of the candidates, is as follows:

<i>Randy Smith</i>	492
<i>Lori Ward</i>	687
<i>Tom Braun</i>	742
<i>Kathryn Wheeler</i>	645
<i>Alan Then</i>	492
<i>Lilly Anyanwu</i>	<u>223</u>
	3,281

B. In accordance with the foregoing and pursuant to applicable law, including the Texas Election Code and the City's Home Rule Charter, the City Council finds, determines and declares the results of said general election to be that:

Joe Chow is elected to the office of Mayor of the City for a term of two (2) years.

Lori Ward, Tom Braun, and Kathryn Wheeler are each elected to the office of Council Member of the City for a term of two (2) years.

SECTION 4. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance is held invalid or unconstitutional by the final, valid judgment or decree of a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. Effective Date. This Ordinance shall take effect immediately from and after its passage and approval.

DUALLY PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 11th day of MAY 2021.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma G. Parker, City Secretary

Brenda N. McDonald, City Attorney

EXHIBIT A

ORDINANCE NO. O21-09

AN ORDINANCE OF THE TOWN OF ADDISON DECLARING UNOPPOSED MAYORAL CANDIDATE IN THE MAY 1, 2021 MAYORAL GENERAL ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION FOR THE OFFICE OF MAYOR; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the General City Election was called for Saturday, May 1, 2021 for the purpose of electing a mayor and three members to the City Council; and

WHEREAS, the City Secretary has submitted a Certification of Unopposed Candidates, Exhibit A, advising that no person has made a declaration of write-in candidacy for the mayoral election and therefore that the mayoral candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, chapter 2, Election Code, authorizes the City Council to declare the candidate elected to office and cancel the election for the office of mayor.

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

SECTION 1. The following candidate, who is unopposed in the mayoral election of the Saturday, May 1, 2021 General City Election for the office of mayor, is declared elected to office, and shall be issued a certificate of election following the time the election would have been canvassed:

Joe Chow

SECTION 2. The May 1, 2021 Mayoral Election is canceled, and the city secretary is directed to submit a copy of this ordinance to the Dallas County Elections Department for posting at each polling place used or that would have been used in the election.

SECTION 3. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.


SECTION 4. This ordinance shall take effect upon its final passage, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 9th day of MARCH 2021.

TOWN OF ADDISON, TEXAS




Joe Chow, Mayor

ATTEST:

Irma G. Parker, City Secretary


APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

EXHIBIT A



**CERTIFICATION OF UNOPPOSED CANDIDATES
BY THE CITY SECRETARY**

I, Irma G. Parker, certify that I am the City Secretary of the Town of Addison and the authority responsible for preparing the ballot for the Saturday, May 1, 2021 General Municipal Election. I further certify that no person has made a declaration of write-in candidacy, and the following mayoral candidate is unopposed in said election:

Joe Chow

Dated this 2nd day of MARCH 2021.

TOWN OF ADDISON, TEXAS

Irma G. Parker

Irma G. Parker, City Secretary

**CITY
SECRETARY**

1000 BURNING
WOODS DRIVE
ADDISON, TX 75001

PHONE: 972.411.7011
FAX: 972.411.7000

ADDISONTEXAS.NET

IT ALL COMES
TOGETHER

EXHIBIT B

RESULTS FROM DALLAS COUNTY ELECTIONS DEPARTMENT

(not available at this time)

Council Meeting

2.

Meeting Date: 05/11/2021

Department: City Secretary

AGENDA CAPTION:

Presentation to **Outgoing Council Member Ivan Hughes.**

BACKGROUND:

Mayor Chow will make a presentation to out-going Council Member Ivan Hughes on behalf of the Town of Addison.

RECOMMENDATION:

N/A

Council Meeting

3.

Meeting Date: 05/11/2021

Department: City Secretary

AGENDA CAPTION:

Administer the **Oath of Office to the Mayor and Three (3) Council Members Elected at the May 1, 2021 General Election.**

BACKGROUND:

The Texas Constitution prescribes a written statement that all elected city officers must sign and an oath that all elected city officers must take before they enter upon the duties of their offices. These actions are to occur after the election is canvassed.

The City Secretary will announce that the written statements have been completed. This agenda item will fulfill the oath requirement.

RECOMMENDATION:

N/A

Attachments

Certificate of Election - all Candidates

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Joe Chow, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Mayor, Town of Addison, Addison, Texas

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: _____

Signature of Officer

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Tom Braun, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Council Member, Town of Addison, Addison, Texas

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: _____

Signature of Officer

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Lori Ward, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Council Member, Town of Addison, Addison, Texas

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: _____

Signature of Officer

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Kathryn H. Wheeler, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Council Member, Town of Addison, Addison, Texas

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: _____

Signature of Officer

Form 2201 - Statement of Officer (General Information)

The attached form is designed to meet minimal constitutional filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

Execution and Delivery Instructions

A Statement of Officer required to be filed with the Office of the Secretary of State is considered filed once it has been received by this office.

Mail: P.O. Box 12887, Austin, Texas 78711-2887.

Overnight mail or hand deliveries: James Earl Rudder Officer Building, 1019 Brazos, Austin, Texas 78701.

Fax: (512) 463-5569.

Email: Scanned copies of the executed Statement may be sent to register@sos.texas.gov

NOTE: The Statement of Officer form, commonly referred to as the “Anti-Bribery Statement,” must be executed and filed with the Office of the Secretary of State before taking the Oath of Office (Form 2204).

Commentary

Article XVI, section 1 of the Texas Constitution requires all elected or appointed state and local officers to take the official oath of office found in section 1(a) and to subscribe to the anti-bribery statement found in section 1(b) before entering upon the duties of their offices.

Elected and appointed state-level officers required to file the anti-bribery statement with the Office of the Secretary of State include members of the Legislature, the Secretary of State, and all other officers whose jurisdiction is coextensive with the boundaries of the state or who immediately belong to one of the three branches of state government. Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions. For more information, see Op. Tex. Att’y Gen. No. JC-0575 (2002) (determining the meaning of “state officer” as it is used in Article XVI).

Effective September 1, 2017, Senate Bill 1329, which was enacted by the 85th Legislature, Regular Session, amended chapter 602 of the Government Code to require the following judicial officers and judicial appointees to file their oath and statement of officer with the secretary of state:

Officers appointed by the supreme court, the court of criminal appeals, or the State Bar of Texas; and
Associate judges appointed under Subchapter B or C, Chapter 201, Family Code.

Local officers must retain the signed anti-bribery statement with the official records of the office. *As a general rule, city and county officials do not file their oath of office with the Secretary of State—these officials file at the local level. The Legislature amended the Texas Constitution, Article 16, Section 1, in November 2001 to no longer require local level elected officials to file with our office. **The Office of the Secretary of State does NOT file Statements or Oaths from the following persons:** Assistant District Attorneys; City Officials, including City Clerks, City Council Members, Municipal Judges, Justices of the Peace, and Police/Peace Officers; Zoning/Planning Commission Members; County Officials, including County Clerks, County Commissioners, County Judges (*except County Court of Law Judges who file with the Elections Division*), County Tax Assessors, and District Clerks; and Officials of Regional Entities, such as, Appraisal Review Districts, Emergency Service Districts, and School Districts (ISD’s).*

Questions about this form should be directed to the Government Filings Section at (512) 463-6334 or register@sos.texas.gov

Revised 09/2017

Council Meeting

4.

Meeting Date: 05/11/2021

Department: City Secretary

AGENDA CAPTION:

Present **Certificates of Election to the Mayor and Three (3) Council Members Elected at the May 1, 2021 General Election.**

BACKGROUND:

This agenda item fulfills the requirements to issue a certificate of election to the Mayor and three (3) Council Members elected during the May 1, 2021 General Election.

RECOMMENDATION:

N/A

Attachments

Certificate of Election - Joe Chow

Certificate of Election - Tom Braun

Certificate of Election - Lori Ward

Certificate of Election - Kathryn Wheeler



In the name and by the authority of

The State of Texas

Pursuant to Town of Addison Ordinance No O21-9 cancelling of the General Election for Mayor at the May 1, 2021 and declaring unopposed candidate elected,

Joe Chow

was duly elected

Mayor

of the Town of Addison, Texas.

In testimony whereof, I have set my hand and caused the Seal of the City to be affixed this 11th day of May 2021.

Lori Ward, Mayor Pro-Tempore



In the name and by the authority of

The State of Texas

THIS IS TO CERTIFY, that at a general election held on

Saturday, May 1, 2021

Tom Braun

was duly elected

Council Member

of the Town of Addison, Texas.

In testimony whereof, I have set my hand and caused the Seal of the City to be affixed this 11th day of May 2021.

Joe Chow, Mayor



In the name and by the authority of

The State of Texas

THIS IS TO CERTIFY, that at a general election held on

Saturday, May 1, 2021

Lori Ward

was duly elected

Council Member

of the Town of Addison, Texas.

In testimony whereof, I have set my hand and caused the Seal of the City to be affixed this 11th day of May 2021.

Joe Chow, Mayor



In the name and by the authority of

The State of Texas

THIS IS TO CERTIFY, that at a general election held on

Saturday, May 1, 2021

Kathryn H. Wheeler

was duly elected

Council Member

of the Town of Addison, Texas.

In testimony whereof, I have set my hand and caused the Seal of the City to be affixed this 11th day of May 2021.

Joe Chow, Mayor

Council Meeting

5.

Meeting Date: 05/11/2021

Department: City Secretary

AGENDA CAPTION:

Present, Discuss, and Consider Action on **Nominations and Appointment of the Mayor Pro-Tempore and Deputy Mayor Pro-Tempore.**

BACKGROUND:

Pursuant to Home Rule Charter Section 2.07, the Council shall elect from among the Council Members a Mayor Pro-Tempore who shall perform the duties of Mayor in case of the absence or disability of the Mayor and the Deputy Mayor Pro-Tempore who shall serve as Mayor Pro-Tempore in the absence or disability of the Mayor Pro-Tempore.

This agenda item fulfills the Charter requirement to select a Mayor Pro-Tempore and a Deputy Mayor Pro-Tempore.

RECOMMENDATION:

N/A
