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25       **WHEREAS**, equal access to the right to vote was a cornerstone of the Civil  
26 Rights Movement; as Dr. Martin Luther King, Jr., John Lewis, Amelia Boynton,  
27 Ralph and Juanita Abernathy, and other Civil Rights leaders repeatedly implored,  
28 “Give us the ballot,” and “Let our people vote,” because of the fundamental  
29 importance of the right to vote in finally extending the full rights of citizenship to  
30 Americans in marginalized communities, which includes the political power to  
31 achieve representation and accountability at all levels of government; and

32       **WHEREAS**, President Lyndon Johnson signed the Voting Rights Act in 1965  
33 to end practices that denied millions of Americans the equal right to vote, and  
34 subjecting the state of Texas and other jurisdictions with histories of discrimination  
35 to additional federal oversight, including preclearance of changes to elections laws,  
36 such that all voters were promised access to the ballot without impediment or  
37 dilution of effect; and

38       **WHEREAS**, President Johnson warned in 1965 that even should the Voting  
39 Rights Act become law, the battle to guarantee that every American can equally  
40 enjoy their constitutionally protected rights of citizenship would not be over; and

41       **WHEREAS**, the right to vote of Texans of color has been denied and abridged  
42 throughout the state’s history in violation of the Fourteenth, Fifteenth, Nineteenth,  
43 Twenty-Fourth and Twenty-Sixth Amendments to the United States Constitution  
44 and in violation of the Voting Rights Act of 1965, through racially motivated voter  
45 suppression practices such as white-only primaries, literacy tests, secret ballots, poll  
46 taxes, purging voter registration rolls, de facto land ownership requirements, racially  
47 discriminatory redistricting, and photo identification requirements; and

48       **WHEREAS**, the Texas Legislature passed Senate Bill 14 in 2011, requiring  
49 voters to present photo identification in order to cast a ballot, an impediment to the  
50 constitutionally protected rights of voters of color in particular, as Black and Latino  
51 Texans were found to be significantly less likely to be in possession one of the forms  
52 of photo identification required by Senate Bill 14, and thus would have been denied  
53 the right to vote even after meeting all eligibility requirements to register to vote;  
54 and

55       **WHEREAS**, numerous courts have ruled that Senate Bill 14 intentionally  
56 discriminated and unconstitutionally disenfranchised eligible voters, as it would  
57 have included no required identification option that would not cost money and time  
58 to obtain, amounting to a poll tax; as such it was initially not allowed to go into effect  
59 because of federal oversight guaranteed by the Voting Rights Act of 1965; and

60       **WHEREAS**, in 2013, the United States Supreme Court upheld the  
61 constitutionality of Section 5 of the Voting Rights Act of 1965 in *Shelby County v.*  
62 *Holder*, but struck down the formula in Section 4(b) of the Act under which changes  
63 to elections laws in historically discriminatory jurisdictions were subject to federal  
64 preclearance, rendering Section 5 inoperable without extensive additional federal  
65 action to bail in these jurisdictions to the preclearance of Section 5, thereby  
66 providing local and state governments new opportunities to evade federal oversight  
67 and unconstitutionally restrict the right to vote; and

68       **WHEREAS**, within hours of the announcement of the Supreme Court's  
69 ruling in *Shelby County v. Holder*, then-Attorney General of the State of Texas, Greg  
70 Abbott, announced that the state would begin enforcing photo identification  
71 requirements in Senate Bill 14; this decision was quickly met with lawsuits seeking  
72 to prohibit implementation of the law, and in subsequent years, the State of Texas

ultimately spent millions of taxpayer dollars defending a law that unconstitutionally restricted Texans' right to vote; and

**WHEREAS**, in February, 2017, the Department of Justice under the Trump Administration reversed its position on the need to protect Americans from racially discriminatory voting restrictions and dropped its objection to Texas' intentionally discriminatory law requiring photo identification in order to cast a ballot; this prompted the Texas Legislature to pass Senate Bill 5 in 2017, which minimally expanded the allowed forms of photo identification in compliance with prior United States District Court rulings, but also imposed a possible state jail felony penalty for a voter incorrectly signing a declaration of reasonable impediment to obtaining a required form of identification; and

**WHEREAS**, the State of Texas redraws its district maps every ten years, which have repeatedly over the last several decades been found to be intentionally discriminatory on the basis of race in violation of the Fourteenth Amendment to the United States Constitution, often resulting in litigation lasting the entire decade until the maps must again be redrawn; and

**WHEREAS**, in 2019, the Texas Secretary of State's Office announced that it would request that county officials check the eligibility of almost 100,000 registered Texas voters, claiming that these individuals may not be U.S. citizens and as such may not be eligible to vote, and referred this list to the Texas Attorney General's office for criminal investigation and potential prosecution, in an attempt to force a purge of predominantly Latino voters from voter registration rolls; and

**WHEREAS**, investigative reporting and review by county officials revealed that the Texas Secretary of State's list was compiled haphazardly and contained

numerous errors, impacting thousands of eligible voters; after legal challenges, counties that had planned to remove voters from their registration rolls based on the faulty list from the Texas Secretary of State ceased attempts to do so; and

**WHEREAS**, this debacle stands in contrast to so many efforts throughout Texas' history to deny the right to vote to duly eligible Texans in that it mostly and publicly failed and resulted in the resignation of the Secretary of State prior to his confirmation by the Texas Senate, demonstrating that Texans can win when we fight against voter suppression; and

**WHEREAS**, the foundational importance of the right to vote in free and fair elections justifies and requires vigilant protection and active encouragement at every level of government, necessitating the implementation of new action to eliminate barriers to voting and encourage civic engagement in order to counter both historic and contemporary barriers that are intentionally placed to discourage voting and participation in American democracy; and

**WHEREAS**, the effects of formal barriers to voting are often an increase in informal barriers as well, for example: the 2018 Texas Civic Health Index shows that 1 in 5 Texans who did not vote in 2016 said they did not vote because they were too busy or their work schedules conflicted with polling hours, while other Texans cited transportation issues, inconvenient hours, and feeling like their vote would not make a difference as reasons for not voting; and

**WHEREAS**, Austin voters approved revisions to City Charter in 2012 to establish 10 single-member Council districts, and to hold municipal elections in November rather than May; in subsequent elections, voter turnout in City of Austin municipal elections has increased, on average, by as much as 400%; and

121       **WHEREAS**, in order to increase access to the ballot by eliminating confusing  
122 precinct-specific voting locations and providing multiple location options so voters  
123 can avoid long lines at the polls, Travis County began participating in the  
124 Countywide Polling Place Program in 2012, and Williamson County began  
125 participating in 2014, so that registered voters in these counties may vote at any  
126 polling place open in their county during the early voting period or on election days;  
127 and

128       **WHEREAS**, to remove transportation barriers to voting, the Capital Metro  
129 Board of Directors voted in 2018 to provide free rides on public transit on election  
130 days in November in even-numbered years; and

131       **WHEREAS**, the percentage of eligible residents registered to vote and who  
132 participate in City elections is one of the metrics for the strategic outcome referred  
133 to as “Government That Works for All” and is included in the Strategic Direction  
134 2023, which was adopted by the Council on March 8, 2018; and

135       **WHEREAS**, to encourage practices that give voters sufficient time to vote in  
136 every election, the Council passed Resolution No. 20181018-040 asking Austin  
137 employers to grant their employees up to 4 hours of time off to vote during the  
138 workday; and

139       **WHEREAS**, the election day in 2019 for state constitutional amendments in  
140 Texas will be November 5, 2019; early voting for that election begins on October  
141 21, 2019, and ends on November 1, 2019; and registered voters in Travis and  
142 Williamson Counties may vote in person at any polling place in their county of  
143 residence; **NOW THEREFORE**,

144       **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The first Tuesday following the first Monday in November of each year beginning in 2020 shall be known in the City as Let Texas Vote Day to encourage voting and civic engagement, and to honor the sacrifices and struggle for the right to vote throughout the history of the United States and Texas to the present day.

**BE IT FURTHER RESOLVED:**

Section III.B.1.a.(1) in Chapter A. and in Chapter B. of the City of Austin Personnel Policies are each amended to add an additional official holiday for City employees to be named “Let Texas Vote Day,” which shall be observed on the first Tuesday following the first Monday in November of each year beginning in 2020.

**BE IT FURTHER RESOLVED:**

Section III.B.1.a.(5) in Chapter A. and in Chapter B. of the City of Austin Personnel Policies are each amended, effective immediately, to read:

**(5) Administrative Leave**

A Department Director may grant an employee administrative leave for a purpose approved by the City Manager. Examples of administrative leave include but are not limited to: blood bank donations, work hours lost on the day of an on the job injury, power failure, bomb threat, reduced work day by administrative directive, visits to other cities on City business, etc. A maximum of four hours of administrative leave will be granted for the purpose of voting in a federal, state, or local election (including regular, special, and run-off elections), which may be used during an early voting period or on an election day other than Let Texas Vote Day. ~~Time off, when necessary, to vote in national, state, county and municipal elections shall also be considered~~

~~administrative leave.~~ Time charged to administrative leave will be shown as regular time worked.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to notify City employees of City of Austin Personnel Policies related to the Let Texas Vote Day holiday and administrative leave for the purpose of voting and the intent of Let Texas Vote Day as described in this Resolution in advance of the early voting period for all regular, special, and run-off elections taking place in Travis and Williamson Counties.

**BE IT FURTHER RESOLVED:**

The Council encourages Austin residents and City employees to register to vote and to vote in every federal, state, and local election, including regular elections, special elections, and run-off elections, and on Let Texas Vote Day.

**BE IT FURTHER RESOLVED:**

Austin residents and City of Austin employees who cannot vote, who choose not to vote, who have voted by mail-in ballot or during early election periods prior to Let Texas Vote Day are encouraged to take action on Let Texas Vote Day in the spirit of civic engagement and democratic participation by advocating for a cause that is important to them, by helping their friends and neighbors get to polling places to vote, by becoming Volunteer Deputy Registrars and registering new voters so they will be prepared to vote in the next election, or by volunteering in their community to improve and promote civic pride.

**BE IT FURTHER RESOLVED:**



The Council encourages all Austin residents and City employees to learn about the importance and history of voting in Texas and the United States throughout the year, and particularly on Let Texas Vote Day, and to honor the sacrifices and struggle of Americans throughout history to the present day who were denied the right to vote because of their race or gender, and who fought against injustices committed by their own government with civil disobedience, community organizing, and civic engagement.

**BE IT FURTHER RESOLVED:**

The Council directs the City Manager to include in the City's state legislative agenda support for legislative or executive action that promotes and protects voting rights and access to voting, to include as applicable:

1. The establishment of Let Texas Vote Day as a state holiday;
2. Modernized voter registration, including online voter registration;
3. Mandated voter registration at all county offices and points of service;
4. Same-day or automatic voter registration;
5. Support for improved and more inclusive volunteer deputy registration training and certification;
6. Expansion of the countywide polling place program;
7. Expansion of the early voting period;
8. Increased state funding for elections administration and security;
9. Increased state funding for voter education;

- 211 10. Repeal of punitive and restrictive identification requirements;
- 212 11. Restoration of voting rights and the right to stand as a candidate for  
213 formerly incarcerated individuals;
- 214 12. Civics education and voter registration information in jails and for  
215 individuals returning from incarceration upon completion of probation;
- 216 13. Mailing voter registration forms and election information to eligible  
217 Texans who are not currently registered to vote;
- 218 14. Support for establishing polling places on college campuses;
- 219 15. Increased funding and assistance to secure voting lists and processes;
- 220 16. Designation of colleges and universities as voter registration agencies;
- 221 17. Increased and improved accommodations for voters with disabilities;
- 222 18. No-excuse absentee voting;
- 223 19. Improved and supported poll worker training and polling place standards;
- 224 20. Funding and guidance for paper-verified ballots and upgraded voting  
225 machines;
- 226 21. Protection of the voting rights and access of Texans serving overseas in  
227 the military;
- 228 22. Elimination of partisan and racially discriminatory redistricting;

- 229 23. Requiring county clerks to be responsible for voter registration, rather  
230 than county tax assessor-collectors, as was adopted as practice when poll  
231 taxes were legal;
- 232 24. Creation of a Civic Engagement Board to increase democratic  
233 participation and engagement particularly among underrepresented  
234 communities;
- 235 25. Enforcement of existing state law requirement for school administrators  
236 to register eligible high school students to vote; and
- 237 26. Other legislation and executive actions that promote greater inclusion  
238 and civic empowerment.

239 **BE IT FURTHER RESOLVED:**

240 The Council directs the City Manager to include in the City's federal  
241 legislative agenda support for legislative or executive action that promotes and  
242 protects voting rights and access to voting, to include as applicable:

- 243 1. The establishment of Election Day as a federal holiday;
- 244 2. Increased federal funding for elections administration and security;
- 245 3. Restoration of the Voting Rights Act to full effect;
- 246 4. Authorization of online and modernized voter registration;
- 247 5. Protection of the rights of voters with disabilities;
- 248 6. Protection of the rights of voters serving in the military;

- 249           7.   Establishment of a national voter protection hotline;
- 250           8.   Action to prohibit racially discriminatory and partisan redistricting; and
- 251           9.   Other legislation and executive action that promotes greater inclusion
- 252               and civic empowerment.

253   **BE IT FURTHER RESOLVED:**

254           The City encourages all employers in Austin to establish Let Texas Vote Day

255   as a paid holiday, and to provide four hours of paid time off to vote during early

256   voting periods and on any federal, state, or local election day that occurs on a date

257   other than Let Texas Vote Day, including all regular, special, and run-off elections.

259   **ADOPTED:** \_\_\_\_\_, 2019

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk