



Smith, Stanley <stanley.smith@abilenetx.gov>

Re: Voter Initiative Ordinance question - Sanctuary City for the Unborn

1 message

Warren Beard

Tue, Jun 29, 2021 at 2:01 PM

To: "Smith, Stanley" <stanley.smith@abilenetx.gov>

Thanks for this information Stanley. I really do appreciate it!
Blessings—Scott

On Jun 29, 2021, at 10:22 AM, Smith, Stanley <stanley.smith@abilenetx.gov> wrote:

Pastor Beard:

The following is a summary of the process to have an voter initiated ordinance brought before the Abilene City Council:

(1) Section 31, City Charter, provides that the voters of Abilene have the power to propose any non-taxing ordinance to the City Council. It is called an Initiative. A petition must be signed by *qualified* voters of Abilene in a number which is at least ten percent (10%) of *qualified* voters as of the last municipal election. The last municipal election was May 2021. The City Secretary can get the required number for the petition.

(2) Section 36, City Charter, provides that an Initiative petition must contain the *full text* of the proposed ordinance. All the signatures must be compiled into a single petition to be filed with the City Secretary as one instrument. The petition filed must contain an affidavit signed by the person filing the Initiative petition which states the number of signatures, and a statement that all signatures are, in his/her belief, genuine signatures of the purported persons. The names and addresses of the signers must be printed adjacent to the signatures.

(3) Section 37, City Charter, provides that the City Secretary shall determine, within 20 days of filing, whether a sufficient number of qualified voters have signed and whether a proper affidavit is attached. If approved, the City Secretary shall certify the result at the next Council meeting. If the petition is insufficient, the City Secretary will state in his/her certificate the reasons why the petition is defective, and notify the person who filed the Initiative petition. If defective, an initiative petition may be amended within ten (10) days after the notice of insufficiency is sent (Section 38, City Charter).

(4) Section 39, City Charter, provides that the City Council must take final action on the certified Initiative within thirty (30) days after it is submitted to the Council. The proposed Ordinance will be read in a public meeting and there will be a public hearing.

(5) Section 40, City Charter, provides that if the City Council does not pass the Initiative ordinance in the exact form proposed, the Initiative ordinance will be submitted to the voters. If a majority of voters vote in favor of the proposed ordinance, it becomes an ordinance of the city.

As you know, I am the attorney for the City of Abilene, and I cannot assist you in this initiative process. The above information is the process as set-out in the City Charter. My suggestion is that you consult with someone, whether an attorney or otherwise, who can assist you in details of this process.

Please let me know if you have any questions. Thank you.

STANLEY E. SMITH
City Attorney

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On Sat, Jun 26, 2021 at 9:01 AM Warren Beard <[redacted]> wrote:
No problem Stanley. Thanks for your help on this!
Have a great weekend.

Sent from my iPhone

On Jun 25, 2021, at 5:27 PM, Stanley Smith <stanley.smith@abilenetx.gov> wrote:

Pastor Beard: I had planned to get you the information by this afternoon, but my schedule today became hectic. I will get you the information early next week. Have a great weekend.
-Stanley Smith

Sent from my iPhone

On Jun 24, 2021, at 8:02 PM, Warren Beard <[redacted]> wrote:

Thanks again for the phone call today Stanley. I appreciate you taking the time to do that. Per our call just a reminder to send me the bullet points on the steps that we need to take to get this to a vote with the city council.
Blessings!
Scott

Sent from my iPhone