



Legislation Details (With Text)

**File #:** 60076      **Version:** 1      **Name:** Ratify all actions taken by the Mayor and City Attorneys related to Election Laws

**Type:** Resolution      **Status:** Passed

**File created:** 3/23/2020      **In control:** Mayor's Office

**On agenda:** 3/31/2020      **Final action:** 3/31/2020

**Enactment date:** 4/3/2020      **Enactment #:** RES-20-00232

**Title:** Allowing the Madison City Council to ratify all actions taken by the Mayor and City Attorneys related to elections law and allow the Mayor to exercise her sound judgment to make future decisions and to authorize the City Attorney to take further actions in litigation as may be necessary to fulfill the City's obligations to protect the voting rights of Madison's citizens.

**Sponsors:** Satya V. Rhodes-Conway

**Indexes:**

**Code sections:**

**Attachments:** 1. Proclamation of Emergency - 32320.pdf, 2. Emergency Proclamation Memo from Mayor 32320.pdf

Date	Ver.	Action By	Action	Result
3/31/2020	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
3/23/2020	1	Mayor's Office	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS	

**Fiscal Note**

No appropriation required.

**Title**

Allowing the Madison City Council to ratify all actions taken by the Mayor and City Attorneys related to elections law and allow the Mayor to exercise her sound judgment to make future decisions and to authorize the City Attorney to take further actions in litigation as may be necessary to fulfill the City's obligations to protect the voting rights of Madison's citizens.

**Body**

WHEREAS, the COVID-19 pandemic has disrupted the City of Madison and State of Wisconsin's efforts to prepare for and conduct the upcoming April 7 Spring election; and

WHEREAS, the efforts to mitigate the effects of the pandemic in our community and the disruption of the Spring election has the potential to severely impact the ability of voters to exercise their rights on April 7 due to the following factors beyond the City's control, to-wit: the closing of 14 polling places to date, the potential closing of an additional 21 polling places between now and the election, a backlog as of March 20, 2020 of more than 15,000 absentee ballot requests, a potentially significant shortage of poll workers, and the necessity to reduce in-person staff support in the clerk's office for health and safety reasons; and

WHEREAS, the availability of early voting locations has been severely hampered by the closing of the Madison public library system, and

WHEREAS, on March 20, 2020, Mayor Rhodes-Conway authorized the City Attorney to file an amicus brief in the pending federal court case of Democratic National Committee et al v. Bostelmann, et al, Case No. 3:20-cv-00249 (W.D. Wis), in which the plaintiffs request declaratory and injunctive relief to safeguard the constitutional

rights of Wisconsin residents to vote in the spring election; and

WHEREAS, the City of Madison may be invited to join as a party in a lawsuit brought by other municipalities seeking declaratory and injunctive relief to safeguard the constitutional rights of Wisconsin residents to vote in the spring election; and

WHEREAS, given the rapid nature of changing circumstances due to the pandemic, it may be necessary for the Mayor to make decisions quickly regarding additional litigation concerning the rights of City voters in the upcoming election.

THEREFORE BE IT RESOLVED that the Madison City Council ratifies all actions taken by the Mayor and City Attorneys related to elections law litigation up to and through the date of this resolution and further authorizes the Mayor to exercise her sound judgment to make future decisions and to authorize the City Attorney to take further actions in litigation as may be necessary to fulfill the City's obligations to protect the voting rights of Madison's citizens.