

ORDINANCE NO. 39

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POST OAK BEND, TEXAS, POSTPONING THE MUNICIPAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY 2020, TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AUTHORIZING EXECUTION OF JOINT ELECTION AGREEMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the general laws and Constitution of the State of Texas and pursuant to Resolution, a Municipal Election was ordered to be held in the City on May 2, 2020; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, the Governor of the State of Texas signed a proclamation suspending certain provisions of the Texas Election Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their elections to the November 3, 2020 uniform election date; and

WHEREAS, Kaufman County has postponed elections it was to conduct on May 2, 2020 until November 3, 2020 uniform election date; and

WHEREAS, pursuant to the Governor's proclamation authorizing the City of Post Oak Bend to postpone the May 2, 2020 election date, the City Council does by this Ordinance exercise its authority to postpone the Municipal Election ordered for May 2, 2020 to the November 3, 2020 uniform election date;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST OAK BEND, TEXAS THAT:

SECTION 1. The General Election previously ordered for May 2, 2020, for the City of Post Oak Bend, Texas, is hereby postponed to November 3, 2020.

SECTION 2. The candidate filings for the Municipal Election for May 2, 2020, will not be re-opened for the election to be held on November 3, 2020.

SECTION 3. That all annual applications ballot by mail (ABBM) for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the November 3, 2020, election; and that ABBMs for voters who submitted ABBMs based on expected absence from the county shall not be valid for the postponed November 3, 2020 election.

SECTION 4. That the voter registration deadline for the November 3, 2020 election is

October 5, 2020, the deadline to submit an ABBM is October 23, 2020, and the dates for early voting are October 19, 2020, through October 30, 2020.

SECTION 5. That the Mayor is authorized to negotiate and execute an election contract with Kaufman County for the purposes of conducting the postponed election on November 3, 2020.

SECTION 6. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 7. This ordinance shall take effect immediately from and after its passage, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF POST OAK BEND, TEXAS ON THIS THE 14th DAY OF APRIL 2020.

APPROVED:

//s//Hank Warden
Mayor
City of Post Oak Bend

ATTEST:

//s//Barbara Bedrick
City Secretary
City of Post Oak Bend