



City of Rowlett
Official Copy

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

Ordinance: ORD-011-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, POSTPONING THE MAY 2, 2020 GENERAL ELECTION TO NOVEMBER 3, 2020 DUE TO THE DECLARATION OF EMERGENCY ISSUED BY THE GOVERNOR OF TEXAS; CALLING FOR A GENERAL ELECTION FOR NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING COUNCILMEMBERS PLACE 1, PLACE 3 AND PLACE 5; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICES; PROVIDING FOR EARLY VOTING; PROVIDING FOR THE APPOINTMENT OF ELECTIONS ADMINISTRATORS AND JUDGES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett, Texas has heretofore called and ordered a general election for May 2, 2020 for the purpose of electing Councilmembers Place 1, Place 3 And Place 5; and

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-COV-2, which causes COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, the Judges of Dallas County and Rockwall County, Texas issued emergency declarations of local disaster for their respective counties on March 13, 2020, as has the Governor of the State of Texas and the President of the United States; and

WHEREAS, the Governor of the State of Texas has issued a proclamation declaring a state of emergency and, in conjunction therewith, has issued a proclamation suspending certain provisions of the Texas Election Code to allow political subdivisions to postpone elections called for May 2, 2020 to the November 3, 2020 uniform election date (included herein as "Exhibit A"); and

WHEREAS, the Texas Secretary of State's Office has issued guidelines in Election Advisory No. 2020-12 directing that political subdivisions choosing to postpone May elections shall preserve all candidate filings and ballot order actions previously taken and shall not reopen the election to new candidates or new propositions; and

WHEREAS, the City Council of the City of Rowlett, Texas, finds and determines that in view of the public health risk and potential community spread of the COVID-19 disease, the May 2, 2020 general election should be postponed to the November 3, 2020 uniform election date and that this postponement is in the best interest of the public health and safety.

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

SECTION 1: That the general election previously ordered to be held in the City of Rowlett, Texas for May 2, 2020 be and is hereby postponed. Said general election shall be held on November 3, 2020, for the purpose of electing Councilmembers Place 1, Place 3 And Place 5, all of whom shall be elected at large, each to serve for a three-year term expiring May 2023. The candidates receiving a majority of votes cast shall be elected for three-year terms.

SECTION 2: That pursuant to the Texas Governor's suspension and Elections Advisory No. 2020-12, all candidate filings and ballot order actions previously done are hereby preserved and will remain valid for the November 3, 2020 election and the filing period will not be re-opened. No new candidates shall be added to the ballot. All deadlines that apply to the November 3, 2020 election shall apply to all candidates currently on the ballot for the May 2020 general election.

SECTION 3: That all applications for a ballot by mail (ABBM) that were filed for the May 2, 2020 election for voters that are voting by mail due to being over the age of 65 or due to disability will remain valid for the postponed election, and ABBMs for voters who submitted ABBMs based on expected absence from the county will not be valid for said election.

SECTION 4: That the voter registration deadline is October 5, 2020, and the deadline to submit an ABBM is October 23, 2020.

SECTION 5: That all records, including candidate filings, applications to vote by mail, ballot proofs, and printed ballots shall be retained and preserved.

SECTION 6: That all persons currently holding office as members of the City Council whose terms are set to expire in May 2020 and whose seats would otherwise be filled in the May election shall be deemed holdovers in office in accordance with Article XVI, Sec. 17, of the Texas Constitution and shall continue to exercise the duties of those offices until successors are duly elected and qualified.

SECTION 7: That the polling places for said election shall be determined by the Dallas County and Rockwall County Elections Administrators. None but legally qualified voters of the City shall be entitled to vote at said election.

SECTION 8: Notice of said election shall be published once in the official newspaper of the City not earlier than the 30th day before Election Day, and not later than the 10th day before Election Day. Such notice shall also be posted on the bulletin board used to publish notice of the City Council meeting not later than the 19th day before Election Day.

SECTION 9: A copy of the published notice that contains the name of the

newspaper and the date of the publication shall be retained as a record of such notice, and the person posting the notice shall make a record at the time of posting stating the date and place of posting and deliver a copy of each notice posted to the City Secretary after the last posting is made.

SECTION 10: The election shall be conducted in accordance with an Election Services Agreement between the City of Rowlett and the Elections Administrators for Dallas County and Rockwall County. The County Elections Administrators shall appoint an Election Judge and an Alternate Presiding Election Judge shall be appointed, to serve at the polling place during the election. The Alternate Presiding Judge shall serve as Presiding Judge if the regularly appointed Presiding Judge cannot serve and where the election is conducted by the regularly appointed Judge, the Presiding Judge shall appoint the Alternate Presiding Judge as one of the clerks.

SECTION 11: Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 12: This Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

At a meeting of the City Council on March 23, 2020 this Ordinance be adopted. The motion carried by the following vote:

Ayes: 6 Mayor Dana-Bashian, Mayor Pro Tem Brown, Deputy Mayor Pro Tem Grubisich, Councilmember Sherrill, Councilmember Laning and Councilmember Bell

Noe: 1 Councilmember Margolis

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Approved by Tommy Dana-Baskian
Mayor

Date March 23, 2020

Approved to form by [Signature]
City Attorney

Date March 23, 2020

Certified by Saura Hillmark
City Secretary

Date March 23, 2020

