

ORDINANCE NO. 2020-04-13 (4A)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKDALE, TEXAS, POSTPONING THE GENERAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2020, FOR THE PURPOSE OF ELECTING ONE (1) COUNCILMEMBER – WEST WARD TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE, RESERVING THE RIGHT AND AUTHORITY TO RESCHEDULE THIS ELECTION TO SUCH OTHER DATE AS MAY BE ALLOWED BY LAW AND APPROVED BY SUBSEQUENT ORDINANCE; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACT FOR THE POSTPONED ELECTION; 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 the Charter of the City of Rockdale, Texas, and pursuant to Ordinance No. 2020-02-10 (8B), a Municipal Officers' election was ordered to be held on May 2, 2020, for the purpose of electing one Councilmember for the West Ward; 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 and the Texas Water 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, pursuant to the Governor's proclamation authorizing the City of Rockdale to postpone the May 2, 2020 election date, the City Council does by this Ordinance exercise its authority to postpone the General Election ordered for May 2, 2020, for the purpose of electing one (1) Councilmember – West Ward, to November 3, 2020, reserving the right and authority to reschedule this election to such other date as may be allowed by law and approved by subsequent ordinance;

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

SECTION 1: That the Municipal Officers' election previously ordered for May 2, 2020, for the City of Rockdale, Texas, for the purpose of electing one (1) Councilmember – West Ward is hereby postponed to November 3, 2020, reserving the right and authority to reschedule this election to such other date as may be allowed by law and approved by subsequent ordinance.

SECTION 2: That the candidate filings for the Municipal election for May 2, 2020, for the City of Rockdale, Texas, for the purpose of electing one (1) Councilmember – West Ward shall remain valid for the election to be held on November 3, 2020, or other such date as allowed by law, and that the filing period for candidates 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 City Manager is authorized to negotiate and execute an election contract with Milam County for the purposes of conducting the postponed election on November 3, 2020.

SECTION 6. That 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 and charter in such cases provide.

PASSED AND APPROVED ON FIRST READING this the 13th day of April, 2020.

PASSED, APPROVED AND ADOPTED ON SECOND READING this 13th day of April, 2020.


THE CITY OF ROCKDALE

APPROVED:



John E. King, Mayor

ATTEST:



Terry Blanchard, TRMC
City Secretary

