

ORDINANCE NO. 2020-09-08 (5B)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKDALE, TEXAS, POSTPONING THE SPECIAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2020, TO ALLOW VOTERS THE OPTION OF THE CITY CONVEYING ROCKDALE FAIR PARK PROPERTY AND RELATED FACILITIES TO THE ROCKDALE FAIR ASSOCIATION, A 501(C)(3) ORGANIZATION, TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE; AUTHORIZING EXECUTION OF AN 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 (8C), a special election was ordered to be held on May 2, 2020, for the purpose of allowing voters the option of the City conveying Rockdale Fair Park property and related facilities to the Rockdale Fair Association, a 501(c)(3) organization; 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, on April 13, 2020, the City Council of the City of Rockdale passed and approved Ordinance No. 2020-04-13 (4B) to exercise its authority to postpone the Special Election ordered for May 2, 2020, to allow voters the option of the City conveying Rockdale Fair Park property and related facilities to the Rockdale Fair Association, a 501(c)(3) organization, to November 3, 2020.

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

SECTION 1: That the special election previously ordered for May 2, 2020, for the City of Rockdale, Texas, to allow voters the option of the City conveying Rockdale Fair Park property and related facilities to the Rockdale Fair Association, a 501(c)(3) organization, is hereby postponed to November 3, 2020 and will be administered by the Milam County Clerk's Office.

SECTION 2: That the Milam County Clerk, Jodi Morgan, shall be the Early Voting Clerk for the November 3, 2020 elections. The Milam County Clerk's Office shall be responsible for election workers, supplies, publications, mail ballots, and other election-related items as described in the Interlocal Agreement between the City of Rockdale and Milam County.

SECTION 3: That all annual applications for ballot by mail (ABBMs) 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. Ballot by mail applications should be mailed to the Milam County Clerk, 107 West Main Street, Cameron, Texas 76520. Applications for ballot by mail must be received (not postmarked) in the County Clerk's Office by 5:00 p.m. on Friday, October 23, 2020.

SECTION 4: That the voter registration deadline for the November 3, 2020 election is October 5, 2020. The dates for early voting are October 13, 2020 through October 30, 2020. Polling locations for Early Voting and Election Day shall be the same locations as the polling places of the County. Such polling places will be determined by the County Clerk prior to October 1, 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 10th day of August, 2020.

PASSED, APPROVED AND ADOPTED ON SECOND READING this 8th day of September, 2020.

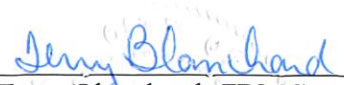
THE CITY OF ROCKDALE

APPROVED:



John E. King, Mayor

ATTEST:



Terry Blanchard, TRMC
City Secretary

