ORDINANCE NO. O-2020-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS POSTPONING THE MAY 2, 2020 GENERAL ELECTION FOR MUNICIPAL OFFICERS UNTIL NOVEMBER 3, 2020; AND PROVIDING FOR OTHER RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, a general election has been previously ordered to be held on May 2, 2020 for the purposes of electing Council Member Places 1 and 4 for the City of Hutto, Texas; and

WHEREAS, on March 13, 2020 the Governor of the State of Texas declared a state of disaster for all counties in the State of Texas arising out of the COVID-19 pandemic; and

WHEREAS, in response to the COVID-19 pandemic on March 18, 2020 the Governor of Texas did issue a proclamation authorizing all political subdivisions that would otherwise hold general election on May 2, 2020 to move their general election for 2020 only to the November 3, 2020 uniform election date; and

WHEREAS, it is necessary to postpone the May 2 general election for municipal officers to November 3, 2020 in order to minimize gatherings of persons at candidate forums and polling places in order to maintain social distancing and reduce the possibility of transmission of the COVID-19 virus; and

WHEREAS, Since the Governor has authorized the postponement, Williamson County Elections Administrator Chris Davis notified the City that Williamson County Elections Department will not be conducting a May 2, 2020 election for any political subdivision and asked that the City postpone the May 2, 2020 election until the November 3, 2020 election; and

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

SECTION I.

That the findings set forth, above, are incorporated into the body of this Order as if fully set forth, herein.

SECTION II.

Pursuant to the authority granted by the Proclamation of the Governor of the State of Texas issued on March 18, 2020 the May 2, 2020 general election for Council Members for Place 1 and Place 4 for the City of Hutto, Texas is moved to November 3, 2020.

SECTION III.

All candidate filings for the May 2, 2020 general election remain valid for the November 3, 2020 uniform election date and the candidate filing period will not be reopened for the November 3, 2020 election date.
SECTION IV.

All absentee ballot by mail (ABBM) applications for voters that are voting by mail due to being over the age of 65 or due to disability will remain valid for the November 3, 2020 election but no ABBM application based on an expected absence from the county on May 2, 2020 shall be valid for the November 3 elections.

SECTION V.

The voter registration deadline for the November 3 elections shall be October 5, 2020. The deadline to submit applications for ballot by mail (ABBM) shall be October 23, 2020. Early voting for the November 3 elections shall be conducted during the period from October 19 to October 30, 2020.

SECTION VI.

On or before August 17, 2020 the City Council shall make such other and further revisions to the orders for the May 2, 2020 elections as are necessary to conform to the schedule for the November 3, 2020 election date.

SECTION VIII. Severability Clause

If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Ordinance and those provisions or applications shall remain in full force and effect.

SECTION IX. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION X. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION XI. Open Meetings Clause

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.
SECTION XII. Effective Date

This ordinance shall take effect immediately upon its passage allowed by law.

THE CITY OF HUTTO, TEXAS

[Signature]
Doug Gaal, Mayor

ATTEST:

[Signature]
Stacy Schmitt, City Secretary

(SEAL)

READ and APPROVED on first reading on the 30th day of March, 2020, at a meeting of the City Council of the City of Hutto, Texas at which a quorum was present and for which due notice was given pursuant to Section 551.00, et. seq., of the Texas Government Code as allowed by Sec. 3.14 Emergency Ordinances of the City Charter of the City of Hutto, Texas.