

ORDINANCE NO. 2020-04

AN ORDINANCE OF THE CITY OF HEWITT, TEXAS EXTENDING THE GENERAL ELECTION AND SPECIAL ELECTION PREVIOUSLY CALLED FOR SATURDAY, MAY 2, 2020 TO NOVEMBER 3, 2020 AS ALLOWED BY PROCLAMATION OF THE GOVERNOR ISSUED ON MARCH 18, 2020; THE CALLED GENERAL ELECTION BEING FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS (WARD 1, PLACE 2, WARD 2, PLACE 2, AND WARD 3, PLACE 2) AND THE CALLED SPECIAL ELECTION BEING TO FILL THE VACANCY IN WARD 2, PLACE 1 UNTIL MAY 2021; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A JOINT ELECTION CONTRACT WITH THE MCLENNAN COUNTY ELECTIONS ADMINISTRATOR FOR THE NOVEMBER 3, 2020 ELECTIONS; PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, the City of Hewitt, Texas (the "City") has called a General Municipal Election to be held on Saturday, May 2, 2020, for the purposes of electing three Council members -Ward 1, Place 2, Ward 2, Place 2, and Ward 3, Place 2, and a Special Election on that same date for the purpose of filling the vacancy in Ward 2, Place 1 until May, 2021; and

WHEREAS, due to the outbreak of the COVID-19, the Governor of the State of Texas issued a declaration of disaster on March 13, 2020; and

WHEREAS, the Governor issued a proclamation on March 18, 2020 allowing municipalities in the State to postpone their general and special elections scheduled for May 2, 2020 to November 3, 2020; and

WHEREAS, the Mayor of the City issued an order declaring a disaster in the City on March 18, 2020, and the City Council extended the disaster declaration by ordinance on March 23, 2020; and

WHEREAS, the City Council of the City finds it to be in the best interest of the health, safety and welfare of its citizens to postpone the City's general election and special election from May 2, 2020 to November 3, 2020; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS:

Section 1. The facts and matters set forth in the preamble to this ordinance are hereby found to be true and correct and are incorporated herein.

Section 2. The General Municipal Election previously set by ordinance to be held on May 2, 2020 is hereby postponed to November 3, 2020, pursuant to the authority contained in the proclamation of the Governor of the State of Texas, dated March 18, 2020. A copy of the proclamation is attached hereto as Exhibit "A."

Section 3. The Special Municipal Election previously set by ordinance to be held on May 2, 2020 is hereby postponed to November 3, 2020, pursuant to the authority contained in the proclamation of the Governor of the State of Texas, dated March 18, 2020. A copy of the proclamation is attached hereto as Exhibit "A."

Section 4. The candidate filings for the May 2, 2020 General and Special Elections will remain the same for the November 3, 2020 elections. The candidate filing period will not be reopened for the November 3, 2020 elections.

Section 5. All applications for ballot by mail filed by voters due to being over the age of 65 or because of disability, will still be valid for the November elections. All applications for ballot by mail for expected absence from the County will not be valid for the November elections.

Section 6. The deadline to register to vote in the November elections is October 5, 2020. All applications for ballot by mail for the November elections must be submitted no later than October 23, 2020. Early voting will be conducted October 19 through October 30, 2020.

Section 7. A revised election order must be passed by August 17, 2020.

Section 8. The City Manager is hereby authorized to negotiate and execute on behalf of the City a Joint Election Contract with the McLennan County Elections Administrator for the purposes of conducting the postponed elections on November 3, 2020.


Section 9. A copy of this Ordinance accompanied by a letter notifying of the postponement of the elections shall immediately be provided to the McLennan County Elections Administrator.

Section 10. Notification of the postponement of the elections to November 3, 2020 shall be prominently posted on the City's website, and notice shall be provided to the local media. A notice shall also be posted at City Hall where public notices are generally posted.

Section 11. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Hewitt, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 23 day of March, 2020.

CITY OF HEWITT, TEXAS



Charles D. Turner, Mayor

Attest:



Lydia Lopez, City Secretary

Approved:



Michael W. Dixon, City Attorney

