CITY OF WATAUGA, TEXAS
ORDINANCE NO. 2020-015

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS, CALLING FOR THE POSTPONEMENT OF A MAY 2, 2020 GENERAL AND SPECIAL ELECTION TO NOW BE HELD ON NOVEMBER 3, 2020; PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE, PROVIDING AN EFFECTIVE DATE

WHEREAS, a May 2, 2020 general election for City Council Member Places 1, 2, 6, and 7, and special election for the reauthorization of a municipal sales and use tax for street maintenance were ordered in the City of Watauga, Texas (the "City") by the Watauga City Council; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and,

WHEREAS, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and,

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and,

WHEREAS, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 on March 13, 2020; and,

WHEREAS, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020; and,

WHEREAS, on March 17, 2020, a Declaration of Local Disaster was issued to allow the City of Watauga to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Watauga residents; and,

WHEREAS, On March 18, 2020, Governor Greg Abbott issued a proclamation allowing a local political subdivision to postpone local elections set for May 2, 2020 to the next uniform election date, and the City Council wishes to exercise this authority; and

WHEREAS, the City Council hereby finds and determines that postponement of the general and special elections until the November 3, 2020 election date is in the best interest of the health and safety of the public.
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AS FOLLOWS:

I. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct and adopted herein for all purposes.

II. The regular candidate filing period for the May 2, 2020 election, having closed on February 14, 2020, will remain valid for the election held on November 3, 2020, and the candidate filing period will not be reopened for the November election date.

III. All voters who vote using the Application for Ballot by Mail due to being over 65 years of age or due to a disability will still be valid for the postponed election, and all voters who submitted Applications for Ballots by Mail because of an expected absence from the county would not be valid for the postponed election. Any returned mail ballots will still be valid for the November 3, 2020 election.

IV. The voter registration deadline for the November 3, 2020 election is October 5, 2020.

V. The deadline to submit an Application for Ballot by Mail for the November 3, 2020 election is October 23, 2020.

VI. The dates for early voting for the November 3, 2020 election will be October 19, 2020 through October 30, 2020.

VII. The election shall be conducted according to the election laws of the State of Texas and the Home Rule Charter of the City of Watauga.

VIII. The City Council for the City of Watauga will meet no later than August 17, 2020 to make any necessary revisions to this order.

IX. All resident qualified electors of the City shall be permitted to vote at the election and on the day of the election, such electors shall vote at the Tarrant County, Texas designated polling place(s). The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and Chapter 327, Tax Code, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in English, Spanish, and Vietnamese.
X.
A substantial copy of this Ordinance shall serve as proper notice of the election. Such notice, including a Spanish and Vietnamese translation thereof, shall be posted not later than the 21st day before the election on the bulletin board used for posting notices of meetings of the City Council and shall also be published at least once not earlier than the 30th day nor later than the 10th day before the election in a newspaper of general circulation in the City.

XI.
This Ordinance shall be and is hereby cumulative of all other Ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any such other Ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event, such conflicting provisions, if any, in such other Ordinance or Ordinances are hereby repealed.

XII.
If any section, subsection, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance.

XIII.
This Ordinance shall become effective and shall be in full force and effect from and after the date of its passage and adoption by the City Council of the City of Watauga, Texas, and it is so ordained.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, this the 23rd day of March, 2020.

Approved:

ARTHUR L. MINER, MAYOR

Attest:

ANDREA GARDNER, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

GEORGE E. HYDE, CITY ATTORNEY