

## **ORDINANCE NO. O-5-20**

### **AN ORDINANCE POSTPONING THE CITY OF LAMESA, TEXAS MAY 2, 2020 GENERAL ELECTION TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE AND PROVIDING FOR PASSAGE ON FIRST READING AS AN EMERGENCY.**

**WHEREAS**, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster. Under the authority vested in the Governor by Section 418.014 of the Texas Government Code, Governor Greg Abbott declared a state of disaster for all counties in Texas; and

**WHEREAS**, pursuant to Section 418.016 of the Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or the rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster; and

**WHEREAS**, on March 17, 2020, the Mayor of the City of Lamesa issued a Declaration of Disaster for the City of Lamesa regarding the novel coronavirus (COVID-19) pandemic and the City Council of the City of Lamesa passed a resolution continuing and affirming the Mayor's Declaration of Disaster; and

**WHEREAS**, on March 18, 2020, and pursuant to Section 418.016 of the Texas Government Code, Texas Governor Greg Abbott issued a Proclamation, which is hereby incorporated and attached herein for all purposes, suspending Section 41.0052(a) and (b) of the Texas Election Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date, without otherwise adjusting the term of office; and

**WHEREAS**, on March 18, 2020 and pursuant to Texas Election Code Sections 31.003 and 31.004, the Texas Secretary of State issued Election Advisory No. 2020-12, which is hereby incorporated and attached herein for all purposes, that contains guidelines for entities that choose to exercise this authority and postpone their election to the November uniform election date; and

**WHEREAS**, in accordance with Article IV, Section 19 of the City of Lamesa Charter, the City Council finds that there is an emergency situation and must ensure that this Ordinance is passed on first reading:

**NOW, THEREFORE: BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS**

**SECTION 1.** THAT the governing body of the City of Lamesa, Texas (the "City") is a political subdivision in the State of Texas and a home -rule municipality, which ordered its general election pursuant to Resolution No R-1-20 to be held on May 2, 2020, and will exercise its authority to postpone their general election to November 3, 2020.

**SECTION 2.** THAT the City confirms that the candidate filings for the election will remain valid for the election held on November 3, 2020 and the filing period will not be reopened for the November 3, 2020 General Election.

**SECTION 3.** THAT the City confirms that all Applications for 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 postponed election, and that ABBMs for voters who submitted ABBMs based on expected absence from the county will not be valid for the postponed election,

**SECTION 4.** THAT the general election will be held on November 3, 2020. The voter registration deadline is October 5, 2020, the deadline to submit an ABBM is October 23, 2020, and the dates for early voting are October 19, 2020 - October 30, 2020.


**SECTION 5.** THAT this Ordinance shall take effect and be in effect immediate after its passage.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 31st day of March, 2020, and

ATTEST

  
Betty Conde  
City Secretary

APPROVED

  
Josh Stevens  
Mayor