

RESOLUTION

NO. RS03-2020-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS POSTPONING THE GENERAL ELECTION CALLED FOR MAY 2, 2020, FOR MAYOR AND CITY COUNCIL REPRESENTING SINGLE MEMBER DISTRICTS ONE AND FOUR, UNTIL NOVEMBER 3, 2020; ESTABLISHING PROCEDURES FOR THE POSTPONED ELECTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cleburne, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Section 41.001 of the Texas Election Code (the "Code") specifies that the first Saturday in May shall be a "uniform election date" and that a general election of a city may be held on such day; and

WHEREAS, on February 11, 2020, the City Council called a General Election for Mayor and the offices of City Council SMD 1 and SMD 4 to be held on May 2, 2020; and

WHEREAS, on March 18, 2020 Governor Greg Abbott issued a proclamation authorizing political subdivisions that would otherwise hold elections on May 2, 2020, to move their general elections for 2020 to November 3, 2020 due to public health and safety concerns related to the novel coronavirus (COVID-19); and

WHEREAS, City Council desires to postpone the May 2, 2020 General Election to November 3, 2020, in order to protect the health and safety of the citizens of the City of Cleburne.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS, THAT:

SECTION ONE. GENERAL ELECTION POSTPONED. The general election in the City of Cleburne, Texas, called for Saturday, May 2, 2020, for the purposes of electing Mayor and City Council Members SMD 1 and SMD 4 is hereby postponed until November 3, 2020.

SECTION TWO. FILING DEADLINES FOR MAY 2, 2020 ELECTION. By postponing the election date, the City is preserving all candidate filings and ballot order actions that have already taken place. This postponement does not have the effect of reopening candidate filings.

SECTION THREE. APPLICATIONS BALLOTS BY MAIL FOR THE MAY 2, 2020 ELECTION.

- (a) All applications for ballots by mail that were filed for the May 2, 2020 election that are marked annual remain valid for the November 3, 2020 election.

(b) All single use applications for ballots by mail that were submitted for the May 2, 2020 election for reasons of age or disability remain valid for the November 3, 2020 election.

(c) Single use applications for ballots by mail submitted for the May 2, 2020 election that indicated the reason for voting by mail was due to absence from the county will not remain valid for the November 3, 2020 election.

SECTION FOUR. APPLICATIONS FOR BALLOTS BY MAIL FOR THE NOVEMBER 3, 2020 ELECTION. Applications for early voting by mail in Johnson County may be delivered to the Early Voting Clerk, P.O. Box 677, Cleburne, Texas 76033, FAX 817-556-8848 email: citysecretary@cleburne.net to be received not later than the close of business on October 23, 2020. The City Secretary is directed to forward the applications and ballots to the Election Administration as provided in the Joint Election Agreement.

SECTION FIVE. EARLY VOTING BY PERSONAL APPEARANCE. Early Voting by personal appearance shall be conducted beginning on October 19, 2020, and continuing through October 30, 2020. The exact times and locations for early voting will be determined by the Johnson County Elections Administration in accordance with the Joint Election Agreements and will be reflected in a future revision to the original election order.

SECTION SIX. DEADLINE TO REGISTER TO VOTE. Any individual seeking to vote in the November 3, 2020 election must register to vote by October 5, 2020.

SECTION SEVEN. ELECTION DAY. Voting shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. on Tuesday, November 3, 2020, at the polling locations determined by the Johnson County Elections Administration in accordance with the Joint Election Agreements and will be reflected in a future revision to the original election order.

SECTION EIGHT. GOVERNING LAW AND QUALIFIED VOTERS. The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

SECTION NINE. PUBLICATION AND POSTING OF NOTICE OF POSTPONED ELECTION. Notice of the postponement of the election until November 3, 2020 shall be posted on the City's website, provided to local media organizations, and provided to the Johnson County Elections Administration.

SECTION TEN. NECESSARY ACTIONS. The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION ELEVEN. EFFECTIVE DATE. This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED this the 24th day of March, 2020, at a Regular Meeting of the City Council of the City of Cleburne, Texas.



CITY OF CLEBURNE

BY: 
John Warren, Mayor Pro Tem


Ivy Peterson, City Secretary