

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESOTO, TEXAS, POSTPONING THE GENERAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY 2020, FOR THE PURPOSE OF ELECTING TWO (2) CITY COUNCILMEMBERS FOR COUNCILMEMBER PLACE 2 AND COUNCILMEMBER PLACE 4 TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; DESIGNATING LOCATION OF POLLING PLACE; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AUTHORIZING EXECUTION OF JOINT ELECTION AGREEMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the general laws and Constitution of the State of Texas and the Charter of the City of DeSoto, Texas, and pursuant to Ordinance No. 2184-20, a General Election was ordered to be held on May 2, 2020, for the purpose of electing two (2) Councilmembers for Councilmember Place 2 and Councilmember Place 4; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, the Governor of the State of Texas signed a proclamation suspending certain provisions of the Texas Election Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their elections to the November 3, 2020 uniform election date; and

WHEREAS, pursuant to the Governor's proclamation authorizing the City of DeSoto to postpone the May 2, 2020 election date, the City Council does by this Ordinance exercise its authority to postpone the General Election ordered for May 2, 2020 to the November 3, 2020 uniform election date;

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

SECTION 1. The General Election previously ordered for May 2, 2020, for the City of DeSoto, Texas, is hereby postponed to November 3, 2020.

SECTION 2. The candidate filings for the General Election for May 2, 2020, for the purpose of electing two (2) Councilmembers for Councilmember Place 2 and Councilmember Place 4 will not be re-opened for the election to be held on November 3, 2020.

SECTION 3. That all annual applications 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 November 3, 2020, election; and that ABBMs for voters who submitted ABBMs

based on expected absence from the county shall not be valid for the postponed November 3, 2020 election.

SECTION 4. That the voter registration deadline for the November 3, 2020 election is October 5, 2020, the deadline to submit an ABBM is October 23, 2020, and the dates for early voting are October 19, 2020, through October 30, 2020.

SECTION 5. That the City Manager is authorized to negotiate and execute an election contract with Dallas County for the purposes of conducting the postponed election on November 3, 2020.

SECTION 6. All provisions of the Code of Ordinances of the City of DeSoto, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 8. This ordinance shall take effect immediately from and after its passage and publication of the caption, as the law and Charter in such case provide.

IT IS ACCORDINGLY SO ORDAINED.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DESOTO, TEXAS ON THIS THE 26th DAY OF MARCH, 2020.

APPROVED:


Curtistene S. McCowan, Mayor

ATTEST:


Kisha R. Morris-Perkins, City Secretary

APPROVED AS TO FORM:


Joseph J. Gorfida, Jr., City Attorney