

ORDINANCE NO. 2020-0806B

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILMER, TEXAS, REPEALING ORDINANCE 2020-0319A, POSTPONING THE GENERAL ELECTION TO BE HELD ON MAY 2, 2020 FOR THE ELECTION OF A MAYOR AT-LARGE AND TWO COUNCIL MEMBERS AT-LARGE TO NOVEMBER 3, 2020 AND REPLACING IT WITH A NEW ORDINANCE IN ORDER TO BE IN COMPLIANCE WITH THE GOVERNOR'S PROCLAMATION BY MOVING UP THE START OF EARLY ELECTION DATE TO OCTOBER 13, 2020; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROVIDING ALL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubel Province, China. Symptoms of COVID-10 include fever, cough and shortness of breath. Outcomes have ranged from mild to severe illness; 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"), and advised countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the United States could potentially signal transmission of the virus may no longer be limited to travel to China, or contact with travelers who have visited China; and

WHEREAS, the Governor has issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water 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; and

WHEREAS, on or about March 19, 2020, the Wilmer City Council adopted Ordinance No. 2020-0319A, postponing the election called on May 2, 2020, for the election of a Mayor at-large and two Council members at-large to November 3, 2020; and

WHEREAS, to be in compliance with the Governor's July 27, 2020 proclamation, the City Council for the City of Wilmer, Texas deems it necessary and proper to repeal Ordinance 2020-0319A and replace it with this Ordinance No. 2020-0806A.

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

SECTION 1. Ordinance 2020-0319A is hereby repealed in its entirety and replaced with this Ordinance, Ordinance No. 2020-0806A.

SECTION 2. Pursuant to the proclamation from Governor Gregory Abbott, which authorizes the City Council to make the determination to postpone the Uniform Election Date of May 2, 2020 to the Uniform Election Date of November 3, 2020, the City Council hereby approves and votes to exercise said authority and postponing the May 2, 2020 election to November 3, 2020.

SECTION 3. All candidate filings and applications received by the deadline for the May 2, 2020 Uniform Election Date SHALL remain valid for the November 3, 2020 Uniform Election Date and candidate applications and filings shall NOT be re-opened for the November 3, 2020 Uniform Election Date.

SECTION 4. All applications for a ballot by mail (“ABBM”) for voters that are voting by mail due to being over age sixty-five (65) or due to a disability will **STILL BE VALID** for the November 3, 2020 election, and the ABBMs for voters who submitted ABBMs based upon an expected absence from the county will **NOT BE VALID** for the November 3, 2020 election.

SECTION 5. The following dates will be followed for the November 3, 2020 Uniform Election Date:

- Voter registration deadline — Monday, October 5, 2020
- Deadline to submit an application for ballot by mail — October 23, 2020
- Early voting dates – Tuesday, October 13, 2020 through Friday, October 30, 2020
Last day of Early Voting by Personal Appearance — Friday, October 30, 2020
- Last day to receive ballot by mail — Tuesday, November 3, 2020 at 7:00 PM if carrier envelope is **NOT** postmarked, **OR** Wednesday, November 4, 2020 (next business day after Election Day) at 5:00 PM if carrier envelope is postmarked by 7:00 PM at the location of the election on Election Day (subject to overseas or military voter deadlines)
- Election Day — Tuesday, November 3, 2020

SECTION 6. No later than August 17, 2020, the City Council will make any necessary revisions of this order of election. Such revisions include, but are not limited to, change the date of the election; change the location of the main early voting location; changes to the early voting dates and hours; including weekend early voting; any changes to the identity of the early voting clerk and their contact information or any changes to branch early voting locations.

SECTION 7. The City Secretary shall cause the caption of this ordinance shall be posted on the City’s website and shall be published in the City’s official newspaper.

SECTION 8. The Recitals to this ordinance are fully incorporated herein by reference.

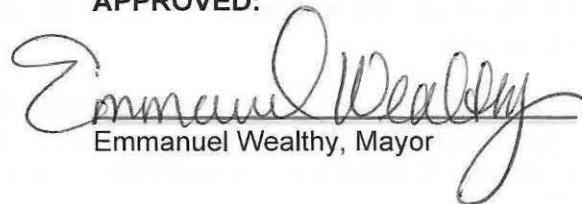
DULY PASSED and approved by the City Council of the City of Wilmer, Texas, on this the 6th day of August, 2020.

ATTEST:



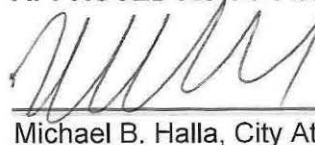
Mayra Ortiz, City Secretary

APPROVED:



Emmanuel Wealthy, Mayor

APPROVED AS TO FORM:



Michael B. Halla, City Attorney