



Notice of Postponement of the
May 2, 2020 General Election

On March 13, 2020, the Governor of the State of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster for all counties in Texas.

On March 18, 2020, the Governor issued a Proclamation suspending certain sections of the Texas Election Code, among others, to allow political subdivisions of the State that would otherwise hold elections on May 2, 2020, to postpone General and Special Elections to the next uniform election date, which will occur on November 3, 2020.

On April 3, 2020, the City Council of the City of Floresville at an Emergency Meeting voted to approve an Ordinance to postpone the City's May 2, 2020, General Election until November 3, 2020 or to a date authorized by law or ordered by court.

FLORESVILLE



ORDINANCE NO. 2020-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLORESVILLE, TEXAS, AMENDING ORDINANCE #2020-001 TO MOVE THE DATE OF THE 2020 REGULAR MUNICIPAL ELECTION FROM THE 2ND DAY OF MAY, 2020 TO A DATE AUTHORIZED BY LAW OR ORDERED BY COURT, FOR THE PURPOSE OF ELECTING A COUNCILPERSON FOR PLACE 3, COUNCILPERSON FOR PLACE 4 AND A COUNCILPERSON FOR PLACE 5, AND REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF FLORESVILLE AT THE RATE OF ¼% TO CONTINUE PROVIDING REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; DESIGNATING THE PLACES AND MANNER OF HOLDING THE ELECTION; AND PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE, PROVIDING A SAVINGS CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 13, 2020, the City Council passed Ordinance #2020-001, which ordered an election to be held on May 2, 2020, for the purpose of electing a Councilperson for Place 3, a Councilperson for Place 4, and a Councilperson for Place 5, and for the reauthorization of the local sales and use tax in the City of Floresville at the rate of ¼% to continue providing revenue for the maintenance and repair of municipal streets; and

WHEREAS, on March 13, 2020, the Texas Governor Greg Abbott issued a Disaster Declaration for the State of Texas related to the COVID-19 pandemic; and

WHEREAS, on March 19, 2020, the Mayor of the City of Floresville issued a Disaster Declaration for the City of Floresville, which declaration was extended by the City Council for the City of Floresville on March 25, 2020;

WHEREAS, on March 18, 2020, Texas Governor Greg Abbott issued a proclamation, attached hereto as Exhibit A (the "Proclamation") suspending Section 41.0052(a) and (b) of the Texas Election Code, thereby allowing political subdivision of the state to move their general and special elections set on May 2, 2020, to the November 3, 2020, uniform election date, without otherwise adjusting the term of office; and

WHEREAS, the City Council finds that it's in the public health, safety, and interest to postpone the May 2, 2020, general municipal election for the election of Councilperson Place 3, Councilperson Place 4 and Councilperson Place 5 pursuant to the Proclamation; and

WHEREAS, the City Council seeks and will consider a date prior to the November 3, 2020, uniform election date, should one or more become available;

WHEREAS, the City Council will further seek to modify any terms which will be for the protection, safety, and welfare of the citizens of Floresville, the health and safety of voters, the election officials, and election volunteers;

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

Section 1. The findings and recitations contained in the preamble of this ordinance are true and correct and are hereby incorporated into the body of this ordinance by reference.

Section 2. Pursuant to authority extended to political subdivisions in the March 19, 2020, Proclamation of Texas Governor Greg Abbott, City of Floresville Ordinance #2020-001 is hereby amended to postpone the ordered election for the City of Floresville from May 2, 2020, to November 3, 2020. The regular municipal election of the City of Floresville, Texas, for election of members of the City Council, shall be held between seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m. on a day authorized by law or ordered by court, in the City, for the purpose of electing a Councilperson for Place 3; Councilperson for Place 4 and Councilperson for Place 5 and for the reauthorization of the local sales and use tax in the City of Floresville at the rate of ¼% to continue providing revenue for the maintenance and repair of municipal streets.

Section 3. The early election polling place for this election shall continue to be the City Hall for the City of Floresville located at 1120 D street, Floresville, Texas.

Section 4. This election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. The City Secretary is hereby authorized to perform all duties and take all actions as required and/or which may be authorized by the City Council.

Section 5. The candidate filings for the election originally ordered for May 2, 2020, will remain valid for the election to be held, on a date made available by the State or by court order, and the original filing periods that ended on February 14, 2020, at 5:00 p.m. will not be reopened.

Section 6. Each Councilperson shall each be elected by majority vote of all the votes cast for the office for which he or she is a candidate and shall hold office as set out in the Home Rule Charter for the City of Floresville.

Section 7. Each candidate for the office of City Council shall be a resident of the City of Floresville, shall be a qualified voter of the State of Texas, shall have been a resident of the City of Floresville for a period of not less than one year immediately preceding his election in accordance with Section 3.02 of the City of Floresville Home Rule Charter.

Section 8. The City of Floresville shall appoint the Early Voting Clerk, Deputy Early Voting Clerk, and any other individual necessary to ensure the safety, welfare and well being of the citizens of Floresville.

Applications for ballot by mail may be mailed, faxed, emailed, or delivered by common or contract carrier to:

Monica Veliz, City Secretary
City of Floresville
1120 D street
Floresville, Texas 78114
Phone: 830-393-3105 Fax: 830-542-3131 Email: citysecretary@floresvilletx.gov

Who shall promptly provide them to the Early Voting Clerk, per the provisions of the Texas Election Code. The deadline to submit an application for a ballot by mail (ABB) is October 23, 2020, or a date made available by the state or by court order.

All ABBMs submitted based on the applicant being over the ages of 65 or due to disability will remain valid for the November 3, 2020, election or the date made available by the state or by court order; ABBMs for voters who submitted ABBMs based on expected absence for the city regarding the May 2, 2020, election will not be valid for the November 3, 2020, election,

The City Hall for the City of Floresville shall be designated as the place at which early voting by personal appearance shall be conducted.

That the voter registration deadline for the November election shall be October 5, 2020, with the deadline to submit an ABBM being October 23, 2020, unless different dates are made available to the City of Floresville by the State or by court order.

That during the lawful early voting period, which will be from October 19, 2020 through October 30, 2020, unless a different date is made available by the state or by court order, such early voting clerk shall keep such location for early voting open for early voting as required by the Texas Election Code, at a minimum.

Section 9. Voting at such election and the ballots of said election shall conform to the Texas Election Code, as amended and/or as authorized by court order.

Section 10. The City Secretary of the City of Floresville shall forthwith issue Notice of said election to be published one time in the Wilson County News, which is hereby found and declare to be a newspaper of general circulation in said City, not less than ten (10) day nor more than thirty (30) days prior to the date of the said election; in addition, Notice of said election shall be posted on the website and/or bulletin board in the City Hall not later than twenty-first (21st) day before election day and remain posted thorough election day.

Section 11. The Mayor and/or the City Secretary of the City of Floresville are hereby authorized to execute and/or issue, for and on behalf of the City, such orders, documents, and forms as may, from time to time, be promulgated by the Secretary of State of the State of Texas in conjunction with the election herein ordained.

Section 12. Each and every provision, paragraph, sentence and clause of this ordinance has been separately considered and passed by the City Council for the City of Floresville, Texas, and each said provision would have been separately passed without any other provision; and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair

or affect the remaining portion or any part thereof, but the valid portion shall be in force just as it if had been passed alone.

Section 13. The City Council officially, finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 55, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 14. All portions of Ordinance #2020-001, not specifically amended as provided herein shall remain in full force and effect.

Section 15. This ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED, this 3 day of April, 2020.

CITY OF FLORESVILLE



Gloria Morales Cantu
Gloria Morales Cantu, Mayor Pro Tem

Attest to:

Monica Veliz

Monica Veliz, City Secretary