

ORDINANCE NO. - 08032020

AN ORDINANCE AMENDING THE ORDINANCE PASSED ON FEBRUARY 3, 2020, BY POSTPONING, ORDERING AND PROVIDING NOTICE OF A GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020; PROVIDING FOR THE ELECTION OF THREE CITY COUNCIL MEMBERS (ALDERMEN), PLACES 3, 4, AND 5; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; PROVIDING FOR PREAMBLE INCORPORATION; CONFLICTING PROVISIONS; SEVERABILITY; PROPER NOTICE AND MEETING; AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Schulenburg, Texas (“City Council”) has previously ordered an election for Saturday, May 2, 2020; and

WHEREAS, the City of Schulenburg, Texas (“City”) must postpone the General Election for the election of three (3) city council members (Alderman) being those for Place 3, 4 and 5, due to the epidemic conditions surrounding the COVID-19 virus; and

WHEREAS, the Governor has authorized under his emergency powers the postponing of municipal elections to the November 2020 uniform election date; and

WHEREAS, the City Council finds that the epidemic created unreasonable risks to Schulenburg voters trying to participate in a May 2 election.

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

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. Ordinance passed on February 3, 2020, calling a General Election on the first Saturday in May, being the 2nd day of May, 2020, (the “Election”), for the purpose of electing three (3) council members (Alderman) being those for Place 3, 4, and 5, is hereby amended to postpone such general election to November 3, 2020.

SECTION 3. All other provisions of an Ordinance passed on February 3, 2020, shall remain in full force and effect with the exception that early voting shall be in accordance with the dates provided by state law for the November 3, 2020 election.

SECTION 4. City Council further approves a joint election agreement for election services with the Fayette County Elections Administrator and authorizes the Mayor to execute the same.

SECTION 5. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

SECTION 6. Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

SECTION 7. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 8. This Ordinance is effective immediately upon its passage and approval.

PASSED APPROVED AND EFFECTIVE on this 3rd day of August, 2020.



Elaine Kocian, Mayor

ATTEST:



Tami Walker, City Administrator/Secretary