

ORDINANCE NO. 20-027

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, POSTPONING THE MUNICIPAL ELECTION OF MAY 2, 2020 TO A DATE TO BE DETERMINED DUE TO A PUBLIC HEALTH EMERGENCY; PRESERVING ALL CANDIDATE FILINGS AND BALLOT ORDER ACTIONS ALREADY TAKEN; PROVIDING FOR HOLDOVER IN OFFICE OF CURRENT OFFICE HOLDERS, MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, May 2, 2020 is one of the uniform election dates in the State of Texas and is the date on which the City of Galveston and other municipalities in the City ordinarily conduct their municipal elections; and

WHEREAS, the Governor of the State of Texas has issued a Proclamation dated March 18, 2020 suspending Texas Election Code 41.0052 (a) and (b) to allow such municipal elections scheduled of May 2, 2020 to be conducted on November 3, 2020; and

WHEREAS, the Governor's Proclamation requires that County election officials who conduct elections on behalf of municipal entities enter into a contract with such entities to hold their elections on November 3, 2020 and

WHEREAS, the Texas Election Code allows the City to request other dates to hold their municipal elections. The City Council desires the next upcoming municipal elections to be held at a date earlier than the November 3, 2020; and,

WHEREAS, the City Council will request from the Governor, the date of July 14, 2020 to hold the next upcoming municipal election. This date coincides with the upcoming **Primary elections**; and,

WHEREAS, the Governor's Executive Order provides that the postponement of the election shall not be deemed to be an extension of the term of office and any incumbent, and they will hold their positions as holdovers, and

WHEREAS, the public health emergency resulting from the emergence of the Coronavirus and its risk of community spread in areas where people congregate in large numbers militates in favor of postponement of the May 2, 2020 election until a date to be determined, and the City Council determines postponement of the election to be in the public interest.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council hereby postpones the municipal elections scheduled for May 2, 2020 until a date to be determined.

SECTION 3. The terms of office of current office holders of the City Council is not extended by this Ordinance. Current office holders shall continue to serve as holdovers in their current position.

SECTION 4. The applications for office filed by candidates for the May 2, 2020 election are preserved for use for the next upcoming municipal election, on a date to be determined, and no additional filings for office will be permitted.

SECTION 5. Actions taken to determine the order of positions on the ballot are preserved and will be utilized in the next upcoming municipal election.

SECTION 6. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 7. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 8. In accordance with the provisions of Sections 12 and 13 of Article II of The City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 9. This Ordinance shall become effective upon its adoption and publication in accordance with the provisions of The Charter of the City of Galveston.

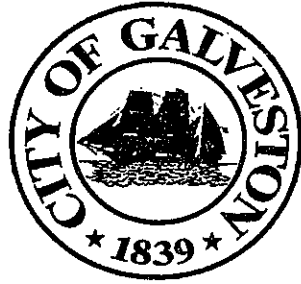
APPROVED AS TO FORM:



DONALD GLYWASKY
CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its Regular Meeting held on the 24th day of March 2020 as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 26th day of March 2020.



Janell Williams
Secretary for the City Council
of the City of Galveston