



PRESIDENT'S OFFICE

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: March 30, 2020
Subject: Agenda Item for COM Board of Trustees Meeting

AGENDA ITEM DESCRIPTION:

Discussion and possible action on exercising the Board of Trustees' authority to postpone its May 2, 2020 bond election until November 3, 2020.

PURPOSE:

To order the postponement of the refunding bond election to November 3, 2020.

FUNDING SOURCE:

FY21 operating budget (GL account 11-0-0000-5104-5504)

PROPOSED MOTION:

Suggested motion: "I move the Board of Trustees approve the Order postponing the May 2, 2020 Bond Election to the November 3, 2020 uniform election due to the COVID-19 Virus."

BACKGROUND

On February 13, 2020 the Board of Trustees passed and approved an Order Calling a Bond Election to be held on May 2, 2020. On March 18, 2020, Texas Governor Greg Abbott issued a proclamation suspending certain provisions of the Texas Election Code to allow political subdivisions to postpone elections to the November 3, 2020 uniform election date in response to the COVID-19 virus.

ATTACHMENTS:

1. Order to Postpone Bond Election

ORDER TO POSTPONE BOND ELECTION

STATE OF TEXAS §
COUNTY OF GALVESTON §
COLLEGE OF THE MAINLAND §

WHEREAS, on February 13, 2020 the Board of Trustees (the “Board”) of College of the Mainland (the “College District”) passed and approved an Order Calling a Bond Election to be held on May 2, 2020; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, Texas Governor Greg Abbott issued a proclamation suspending certain provisions of the Texas Election Code to allow political subdivisions to postpone elections to the November 3, 2020 uniform election date in response to the COVID-19 virus; and

WHEREAS, the Board finds and declares it is exercising its authority to postpone its election until November 3, 2020 and to contract with the Galveston County Clerk for election services; and

WHEREAS, the Board finds and declares that the meeting at which this Order to Postpone Bond Election (the “Election Postponement Order”) is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended; Now Therefore,

BE IT ORDERED BY THE BOARD OF TRUSTEES OF COLLEGE OF THE MAINLAND:

Section 1. The statements contained in the preamble of this Election Postponement Order are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. That pursuant to Governor Abbott’s proclamation issued March 18, 2020 authorizing political subdivisions to postpone elections in response to the COVID-19 virus, College of the Mainland is exercising its authority to postpone its May 2, 2020 bond election until November 3, 2020.

Section 3. Candidate filings for the election will remain valid for the election held on the November date and the filing period will not be re-opened for the November election date.

Section 4. All ABBMs 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 postponed election.


Section 5. ABBMs for voters who submitted ABBM’s based on expected absence from the county will not be valid for the postponed election.

Section 6. The major relevant dates for the November election are as follows: voter registration deadline is October 2, 2020, the deadline to submit an ABBM is October 23, 2020, and the dates for early voting are October 19, 2020 – October 30, 2020.

Section 7. Severability. If any provision, section, subsection, sentence, clause or phrase of this Election Postponement Order, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Election Postponement Order nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the College District in adopting this Election Postponement Order that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Order are declared to be severable for that purpose.

Section 8. Effective Date. This Election Order is effective immediately upon its passage and approval.

PASSED AND APPROVED the ____ day of March, 2020.



Kyle Dickson
Chair, Board of Trustees
College of the Mainland

ATTEST:



Melissa Skipworth
Secretary, Board of Trustees
College of the Mainland

(SEAL)