

ORDINANCE NO. 2020-101 - A

AN AMENDED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, ORDERING THAT THE GENERAL ELECTION SCHEDULED TO BE HELD ON SATURDAY, MAY 2, 2020, BE POSTPONED TO TUESDAY, NOVEMBER 3, 2020; MAKINGS FINDINGS RELATED THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, on or about 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 in every county in the State of Texas; and

WHEREAS, on or about 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, November 3, 2020; and

WHEREAS, on January 28, 2020, the City Council of the City of Roanoke, Texas, previously ordered the general election for Saturday, May 2, 2020; and

WHEREAS, on February 25, 2020, the City Council of the City of Roanoke, Texas, approved Ordinance No. 2020-104, declaring unopposed candidates in the May 2, 2020, City General Election for the office of Councilmember for Ward 2 and Councilmember for Ward 3; and

WHEREAS, it is pursuant to the authority of the Governor's March 13, 2020, disaster declaration and the March 18, 2020, proclamation that this Ordinance is adopted postponing the City Council general election in the City for Ward 1 from Saturday, May 2, 2020, to Tuesday, November 3, 2020, and the early voting and election day polling place from Roanoke City Hall, 500 S. Oak Street, Community Room # 132, Roanoke, Texas, to the Roanoke Public Library, 308 S. Walnut Street, Rooms A & B, Roanoke, Texas; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Section 551.043 of the Texas Government Code.

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

Section 1. Election Order, Election Date and Purpose of Election.

That a General Election previously scheduled for Saturday, May 2, 2020, for Ward 1 on the Roanoke City Council is hereby postponed until Tuesday, November 3, 2020, pursuant to the authority referenced in the Preamble to this Ordinance, and it is hereby so ordered. Said election shall be held on Tuesday, November 3, 2020, between the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.), at the Roanoke Public Library, 308 S. Walnut Street, Rooms A & B, Roanoke, Texas, for the following purposes:

- (a) A General Election shall be held to elect a City Council Member for Ward 1 for three (3) year term of office, as prescribed by the Home-Rule Charter. The candidate for Council Member for the applicable Ward receiving a majority number of votes from the applicable Ward shall be deemed elected as Council Member from said Ward to a three-year term of

office.

Section 2. Voting System.

That the voting on the date of the Election, and early voting therefore, shall be by the use of a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the Election shall conform to the Texas Election Code, as amended, so as to permit the qualified voters from Ward 1 to elect one (1) City Council Member from said Ward 1. Said ballots shall have printed therein such provisions, markings, and language as may be required by law, and the Candidates shall be set forth on said ballots in substantially the following form and language:

**GENERAL ELECTION
City of Roanoke, Texas
November 3, 2020**

OFFICIAL BALLOT

In Ward 1:

Council Member, Ward # 1

Section 3. Election Precincts; Polling Place.

That the City of Roanoke hereby designates one (1) Election Day polling location for the voters of the City of Roanoke. The Election Day polling place and election officials shall be as administered by the Denton County and Tarrant County Elections Administrators:

Polling Place

Officials

Denton County Elections
701 Kimberly Drive, Suite A101
Denton, Texas 76208

Denton County Elections Administrator
701 Kimberly Drive, Suite A101
Denton, Texas 76208

_____ - Judge

Tarrant County Elections
2700 Premier Street
Fort Worth, Texas 76111

Tarrant County Elections Administrator
2700 Premier Street
Fort Worth, Texas 76111

_____ - Judge

The Election Judge may appoint such other clerks as needed to serve and assist in the conduct of the election. The Election Judge and Alternate Judge for the general election shall also serve as the Presiding Judge and Alternate Judge of the Early Voting Ballot Board, and are hereby directed to perform the duties required by the Texas Election Code, as amended.

Section 4. Early Voting; Early Voting Polling Place.

That early voting shall commence on Monday, October 19, 2020, and shall close on Friday, October 30, 2020, or as otherwise prescribed by state law. During the lawful early voting by personal appearance period (October 19, 2020, through October 30, 2020), the City Secretary shall keep such place for early voting open for early voting on the dates and times as depicted in ***Exhibit A***, which is attached hereto and incorporated herein for all purposes.

Section 5. Election Compliance.

That this election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. In all City elections, the Mayor, City Secretary, or City Council shall perform each act as is required to be performed, in connection with the holding and consummation of such election, and to give effect to the intent of this Ordinance.

Section 6. Voting Qualification; Voting Materials.

That all registered, qualified voters of the City shall be permitted to vote at the election. In addition, the election materials enumerated in the Texas Election Code, as amended, shall be printed in English and Spanish for use at the polling places and for early voting for the Election.

Section 7. Compensation for Services.

That the Election Judges shall be paid the sum of twelve dollars (\$12.00) per hour for services provided in conducting the election. The Election Clerks shall be paid the sum of ten dollars (\$10.00) per hour for services provided in conducting the election.

Section 8. Notices.

That the City Secretary is hereby ordered and directed to give notice of the election as follows or as otherwise prescribed by law:

- (a) Publishing the notice of the election at least once, not more than thirty (30) days nor less than ten (10) days before the election in the official newspaper of the City, or between October 4, 2020 and October 24, 2020;
- (b) Filing with the City Secretary, a copy of the notice of the election;
- (c) Posting a copy of the notice on the bulletin board used for posting notices of the meetings of the City Council at least twenty-one (21) days before the election, by October 13, 2020; and
- (d) Delivering notice of the election to the Denton and Tarrant County clerks not later than the 60th day before election day, or September 4, 2020.

The City Secretary shall file with the City Secretary a copy of the Publisher's Affidavit, which complies with the Texas Election Code, as amended, that the notice was published, with the name of the newspaper and the dates of publication.

Section 9. Run-Off Election.

If a run-off election becomes necessary, the Denton and Tarrant County Election Administrator's offices will conduct the run-off election. Should any candidate for any one of said offices fail to receive a majority of all votes cast for such office, a run-off election is hereby ordered as provided for by the Texas Election Code.

Section 10. Severability Clause.

That if any word, section, article, phrase, paragraph, sentence, clause, or portion of this ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this ordinance; and the City Council hereby declares it would have passed such remaining portions of this ordinance despite such invalidity which remaining portions shall remain in full force and effect.

Section 12. Effective Date.

That this Ordinance shall take effect from and after its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Roanoke, Texas on this the **24th** day of **March, 2020**.

APPROVED:



Carl E. Gierisch, Jr., Mayor

ATTEST:



April S. Hill, City Secretary

APPROVED AS TO FORM:



Jeff Moore, City Attorney



Exhibit A

[Early Voting Times and Locations]