

ORDINANCE NO. O-2020-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, POSTPONING THE GENERAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2020, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCIL MEMBERS AT LARGE TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE; DESIGNATING POLLING PLACES; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACT FOR THE NOVEMBER 3, 2020 ELECTION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, in accordance with the general laws and Constitution of the State of Texas and the City of Magnolia, Texas, and pursuant to Ordinance No. O-2020-004, a general election was ordered to be held on May 2, 2020, for the purpose of electing a Mayor and two (2) Council Members at large; and;

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, the Governor of the State of Texas signed a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their elections to the November 3, 2020, uniform election date; and

WHEREAS, pursuant to the Governor's proclamation authorizing the City of Magnolia to postpone the May 2, 2020 election date, the City Council does by this Ordinance exercise its authority to postpone the General Election ordered for May 2, 2020, for the purpose of electing a Mayor and two (2) Council Members at large to November 3, 2020;

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

Section 1: That the general election previously ordered for May 2, 2020, for the City of Magnolia, Texas, for the purpose of electing a mayor and two (2) Council Members at large is hereby postponed to November 3, 2020.

Section 2: That the candidate filings for the general election for May 2, 2020, for the City of Magnolia, Texas, for the purpose of electing a mayor and two (2) Council Members at large shall remain valid for the election to be held on November 3, 2020, and that the filing period for candidates will not be re-opened for the election to be held on November 3, 2020.

Section 3: That all annual applications ballot by mail (ABBM) 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 November 3, 2020, election; and that ABBMs for voters who submitted ABBMs based on expected absence from the county shall not be valid for the postponed November 3, 2020 election.

Section 4: That the voter registration deadline for the November 3, 2020, election is October 5, 2020, the deadline to submit an ABBM is October 23, 2020, and the dates for early voting are October 19, 2020, through October 30, 2020.

Section 5. That the City Administrator is authorized to negotiate and execute an election contract with Montgomery County for the purposes of conducting the postponed election on November 3, 2020.

Section 6. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

Section 7. This Ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS, ON THIS THE 14th DAY OF APRIL 2020.



THE CITY OF MAGNOLIA

Todd Kana, Mayor

ATTEST:

Lynne George, TRMC, City Secretary

APPROVED AS TO FORM:

Leonard Schneider, City Attorney