



## ORDINANCE NO. 2020-10

**AN ORDINANCE OF THE CITY OF RICHMOND, TEXAS, POSTPONING THE GENERAL ELECTION TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF ELECTING A MAYOR FOR A TERM OF OFFICE FROM 2020 TO 2023 TO NOVEMBER 3, 2020 PURSUANT TO PROCLAMATION FROM GOVERNOR GREGORY ABBOTT; PROVIDING FOR A JOINT ELECTION WITH OTHER ENTITIES CONTRACTING WITH FORT BEND COUNTY FOR THIS JOINT ELECTION; PROVIDING FOR ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT**

**WHEREAS**, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubel Province, China. Symptoms of COVID-10 include fever, cough and shortness of breath. Outcomes have ranged from mild to severe illness; and

**WHEREAS**, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern ("PHEIC"), and advised countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

**WHEREAS**, the identification of "community spread" cases of COVID-19 in the United States could potentially signal transmission of the virus may no longer be limited to travel to China, or contact with travelers who have visited China; and

**WHEREAS**, the Governor has issued 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; **Now, Therefore,**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RICHMOND, TEXAS:**

Section 1. Pursuant to the proclamation from Governor Gregory Abbott, which authorizes the City Commission to make the determination to postpone the Uniform

Election Date of May 2, 2020 to the Uniform Election Date of November 3, 2020, the City Commission hereby approves and votes to exercise said authority and postponing the May 2, 2020 election to November 3, 2020.

Section 2. All applications for a ballot by mail ("ABBM") for voters that are voting by mail due to being over age sixty-five (65) or due to a disability will **STILL BE VALID** for the November 3, 2020 election, and the ABBMs for voters who submitted ABBMs based upon an expected absence from the county will **NOT BE VALID** for the November 3, 2020 election.

Section 3. The following dates will be followed for the November 3, 2020 Uniform Election Date:

- Voter registration deadline - Monday, October 5, 2020
- Deadline to submit an application for ballot by mail - October 23, 2020
- Early voting dates - Monday, October 19, 2020 through Friday, October 30, 2020
- Last day of Early Voting by Personal Appearance - Friday, October 30, 2020
- Last day to receive ballot by mail - Tuesday, November 3, 2020 at 7:00 PM if carrier envelope is **NOT** postmarked, **OR** Wednesday, November 4, 2020 (next business day after Election Day) at 5:00 PM if carrier envelope is postmarked by 7:00 PM at the location of the election on Election Day (subject to overseas or military voter deadlines)
- Election Day-November 3, 2020.

Section 4. No later than August 17, 2020, the City Commission will make any necessary revisions of this order of election. Such revisions include, but are not limited to, change the date of the election; change the location of the main early voting location; changes to the early voting dates and hours; including weekend early voting; any changes to the identity of the early voting clerk and their contact information or any changes to branch early voting locations.

Section 5. The City Secretary shall cause the caption of this ordinance to be posted on the City's website and shall be published in the City's official newspaper.

Section 6. This Ordinance shall be and become effective immediately upon and after its passage and approval.

Section 7. Repeal. Any ordinance or other part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 8. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Commission of the City of Richmond, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED AND APPROVED on this the 30<sup>th</sup> day of March, 2020.

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Carl Drozd, Mayor Pro Tem

ATTEST:

APPROVED AS TO FORM:

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Laura Scarlato, City Secretary

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Gary W. Smith, City Attorney