

ORDINANCE NO. 2199

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, ORDERING THE ELECTION SCHEDULED TO BE HELD ON SATURDAY, MAY 2, 2020, BE POSTPONED TO TUESDAY, NOVEMBER 3, 2020, AS ALLOWED BY THE MARCH 18, 2020 PROCLAMATION OF THE GOVERNOR OF THE STATE OF TEXAS; AND MAKING FINDINGS RELATED THERETO.

Whereas, on February 4, 2020, City Council adopted Ordinance No. 2190 ordering an election for Saturday, May 2, 2020, to elect a mayor, two council members to at-large Positions 1 and 2, and to vote on amendments to the City's Charter; and

Whereas, on 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 March 13, 2020, the City's Mayor issued a local disaster declaration for the City for this public health emergency; and

Whereas, on March 17, 2020, the City Council extended the local disaster declaration until March 31, 2020; and

Whereas, on 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 March 19, 2020, the Governor issued an Order regulating, among others, the gatherings of groups of 10 or more people; and

Whereas, on March 24, 2020, the County Judge of Fort Bend County issued a Stay Home and Work Safe Order until April 3, 2020; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS:

Section 1. That the facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. That the election scheduled for May 2, 2020, to elect a mayor, two council members to at-large Positions 1 and 2, and to vote on amendments to the City's Charter is hereby postponed until Tuesday, November 3, 2020 pursuant to the authority of the Governor's March 18, 2020, Proclamation, and is hereby so ordered.

Section 3. That City Council makes the following findings:

- (1) All candidate filings for the May 2, 2020, general election will remain valid;

- (2) The filing period will not be re-opened for the November 3, 2020 election;
- (3) All applications for a ballot by mail for voters who are voting by mail due to being over the age of 65 or due to a disability will remain valid for the postponed election;
- (4) All applications for a ballot by mail based on the voter's expected absence from the county will not remain valid for the postponed election; and
- (5) The major relevant dates for the November election are as follows:
 - (a) Voter registration deadline is October 5, 2020,
 - (b) Deadline to submit an application for a ballot by mail is October 23, 2020,
 - (c) Early voting will occur from October 19, 2020 – October 30, 2020.

Section 4. That the provisions of this ordinance are severable and the invalidity of any part of this ordinance does not affect the validity of the remainder of the ordinance.

Adopted on first consideration on _____, 2020, under Article II of the City Charter.

Joe R. Zimmerman, Mayor

ATTEST:

APPROVED AS TO FORM:



Thomas Harris III, City Secretary