

RESOLUTION NO. 20-08-02R

Amending Resolution 20-01-06R Call for May 2, 2020 Special Election

A RESOLUTION OF THE TOWN OF PECOS CITY, TEXAS CALLING FOR A SPECIAL ELECTION ON THE QUESTION OF AMENDMENTS TO RESOLUTION 20-01-06R; ESTABLISHING DATE OF ELECTION; DESIGNATING POLLING PLACES; PROVIDING FOR EARLY VOTING; PROVIDING FOR THE APPOINTMENT OF THE ELECTION JUDGE(S) AND AN EARLY VOTING CLERK; PROVIDING FOR BALLOTS BY MAIL AND EMAIL TO THE EARLY VOTING CLERK'S OFFICIAL MAILING ADDRESS AND/OR EMAIL ADDRESS; AUTHORIZING THE CITY SECRETARY TO PUBLISH AND/OR POST NOTICE OF THE ELECTION

WHEREAS, the Town of Pecos City is a home rule city acting under its charter to ensure continuity of government; and

WHEREAS, the City called a Special Election on the question of amendments to the City's Home Rule Charter to be held May 2, 2020; and

WHEREAS, on March 18, 2020, the Governor of the State of Texas issued a Proclamation that authorized local political subdivisions to postpone their May 2, 2020 elections because of the threat posed by COVID-19;

WHEREAS, pursuant to that Proclamation, the City of Pecos postponed the Special Election to November 3, 2020.

WHEREAS, Section 41.001(a) of the Texas Election Code calls for a Special Election to be held on November 3, 2020, being the first Tuesday in November, at which time the voters will elect persons to fill the office of Council Place Five (5); and

WHEREAS, Section 3.004(b) of the Texas Election Code provides that the governing body of a municipality shall be the authority to order a Special Election for the purposes of electing members to the governing body.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF PECOS CITY:

Section 1. Special Election Called. An election is hereby called to be held on November 3, 2020 between the hours of 7:00 AM and 7:00 PM to elect City Council Place 5 to serve from November 2020 until May 2021, or until their successors are duly elected and qualified.

Section 2. The notice of election shall be posted on the bulletin board Council uses to publish notice of the City Council meetings and be published in a newspaper off general circulation published in the City.

Section 3. Conduct of Election. The election shall be conducted according to the Texas Election Code, Texas Constitution and the Town of Pecos City, Texas City Charter.

Section 4. Joint Election Agreements Approved. The Mayor is authorized to enter into joint election agreements and contracts for election services as may be necessary for conducting this election.

Section 5. Proposed Judges, Alternate Judges, Workers, Dates and Locations.

SEE EXHIBIT "A"

Section 6. Notice of Election. Notice of election shall be published at least once in a newspaper of general circulation beginning on the 30th day before the election and no later than the 10th day of the election as required by the Texas Election Code. The notice of election will be posted on the front door/window of City Hall, two places within the City and on the City website.

Section 7. Run-off Election. Any runoff election required for the election of members of the City Council of the Town of Pecos City, Texas shall be held as prescribed in the City's Charter and at the same location as the Election Day Polling Place.

SEE EXHIBIT "A"

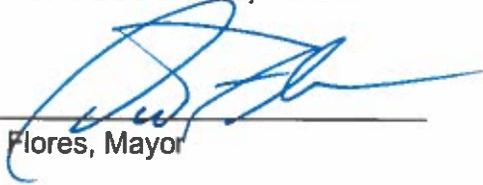
Section 8. Authorization Granted. The City Manager and City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of Federal and State law in carrying out and conducting the election, whether or not expressly authorized herein.

SEVERABILITY: If any article, section, subsection, clause, paragraph, sentence or phrase of this resolution shall, for any reason, be held to be invalid or unconstitutional, such invalid article, section, subsection, clause, paragraph, sentence or phrase is hereby declared to be severable; and any such invalid or unconstitutional article, section, subsection, clause, paragraph, sentence or phrase shall in no way affect the validity of the remaining portions of this resolution; and it is hereby declared to be the intention of the City Council to enact each section and portion thereof individually, and each such section shall stand individually if necessary, and be in force regardless of the determined invalidity or unconstitutionality of any article, section, subsection, clause, paragraph, sentence or phrase thereof.

EFFECTIVE DATE: This resolution shall be effective immediately upon passage.

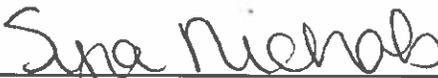
PASSED AND APPROVED THIS 13th **DAY OF** August, 2020.

TOWN OF PECOS CITY, TEXAS



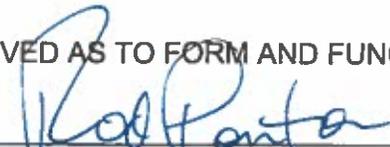
David Flores, Mayor

ATTEST:



Syra Nichols, City Secretary

APPROVED AS TO FORM AND FUNCTION:



Rod Ponton, City Attorney

