

## ORDINANCE NO. 2020-08

**AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS AMENDING ORDINANCE NO. 2020-01 TO ORDER THE NEXT GENERAL ELECTION OF THE VILLAGE, FOR THE PURPOSE OF ELECTING THE MAYOR AND TWO (2) ALDERMEN FOR TWO (2) YEAR TERMS EACH; MODIFYING SUCH ORDER TO POSTPONE THE ELECTION FROM MAY 2, 2020. TO NOVEMBER 3, 2020, AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; AMENDMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.**

**WHEREAS,** the Board of Aldermen ("Board") of the Village of Salado ("Village") has ordered a general election of the Village to be held on May 2, 2020, and has accepted candidate filings for the three positions on the ballot of such election; and

**WHEREAS,** on March 13, 2020, the Governor 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 for all counties in Texas, and on March 23, 2020, the County Judge of Bell County issued an order to all residents to shelter and not engage in non-essential business; and

**WHEREAS,** pursuant to Section 418.016 of the Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster; and

**WHEREAS,** on March 18, 2020, the Governor of Texas issued a Proclamation pursuant to his powers under Texas law to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office; and

**WHEREAS,** the Proclamation was further echoed in Election 2020-12 by the Texas Secretary of State, which stated that pursuant to Texas Election Code 31.003 and 31.004, guidelines were issued for entities, such as the Village, that choose to exercise this authority and postpone their election to the November uniform election date; and

**WHEREAS,** this Proclamation further notes that the authority ordering the election under Section 3004 of the Texas Election Code is the authority authorized to make the decision to postpone its election in accordance with said Proclamation, and that current office holders will hold over to the extent authorized by Article XVE, Section 17 of the Texas Constitution; and

**WHEREAS,** the Board of Aldermen, finds that it is necessary and proper for the good government, peace or order of the Village of Salado, and the preservation of the integrity of the electoral system.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:**

### **1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

### **2. AMENDMENT**

The Board of Aldermen of the Village of Salado hereby amends its call and order for a general election to be held in the Village of Salado for the purpose of electing the Mayor and two (2) Aldermen of the Board of Aldermen, for two (2) year terms each. The Board of Aldermen of the Village of Salado *hereby postpones* the date of the election *from May 2, 2020, to November 3, 2020.*

This Ordinance and Order of Election are pursuant to the Proclamation of Governor Greg Abbott issued March 18, 2020, and the Village, by postponing the date of the election is exercising its authority pursuant to this Proclamation. The additional necessary revisions to this Ordinance and Order of Election, as established by the Texas Secretary of State in Election Advisory No 2020-12, are incorporated in the provisions set forth below and in Article II of this Ordinance.

The "Order of Election," notice form of the Texas Secretary of State is additionally attached hereto as "*Attachment A*" and is incorporated fully herein.

The candidate filings, as have been submitted for the election will remain valid for the election to be held on November 3, 2020, and the filing period will not be re-opened. All election records, including these candidate filings shall be retained and preserved.

### **3. REPEALER**

This Ordinance, upon its enactment and effective date, shall repeal all conflicting provisions that may be contained in other Village ordinances or regulations, except to the extent they apply to obligations and violations arising prior to the enactment of this Ordinance.

### **4. SEVERABILITY**

In the event that any one or more of the sections, provisions, clauses, or words of this Ordinance or the application thereof to any situation or circumstance shall for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other sections, provisions, clauses, or words of this Ordinance or the application thereof to any other situations or circumstance and it is intended that this Ordinance shall be severable and that it

shall be construed and applied as if such invalid or unconstitutional section, provision, clause, or word had not been included herein.

## 5. CODIFICATION

The Village Secretary is hereby directed to record and publish the attached rules, regulations and policies in the Village's Code of Ordinances as authorized by Section 51.001 of the Texas Local Government Code.

## 6. EFFECTIVE DATE

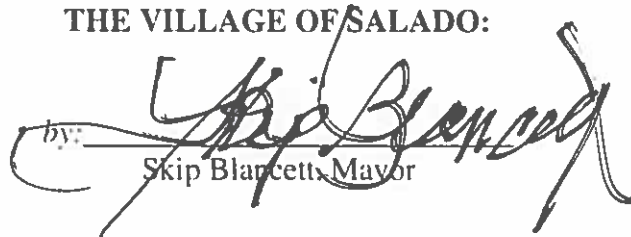
This ordinance shall take effect upon passage and publication.

## 7. PROPER NOTICE AND MEETING

That the meeting at which this Ordinance was enacted was open to the public as required by the Texas Open Meetings Act, and that notice of the time, place, and subject matter of the meeting was given as required by the Texas Open Meeting Act.

**PASSED & APPROVED ON FIRST READING & FINAL READING this, the 6th day of April 2020, by a vote of 4 (ayes) to 1 (nays) and 0 (abstentions) of the Board of Aldermen of the Village of Salado, Texas.**

THE VILLAGE OF SALADO:

by:   
Skip Blawett, Mayor

ATTEST:

  
Cara McPartland, Village Secretary

