



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** March 23, 2020

SUBJECT: Consider Resolution No. 2020-015, moving the May 2, 2020 Special Election to the next uniform election date, occurring on November 3, 2020.

PRESENTER: Paulette Hartman, Deputy City Manager

GENERAL DESCRIPTION:

The City Council, at its February 10, 2020 meeting, approved Resolution No. 2020-006. The resolution called a special election for the purpose of authorizing the issuance of General Obligation Bonds, in the aggregate principal amount of not more than \$49,875,000, to be held on May 2, 2020.

In less than one month since the City Council approved Resolution No. 2020-006, calling the special election, the World Health Organization, on March 11, 2020, declared Coronavirus Disease (COVID-19) a worldwide pandemic. Symptoms of COVID-19 include fever, cough, and shortness of breath, and outcomes have ranged from mild to severe illness and in some cases death.

Subsequently, on March 13, 2020, Texas Governor Greg Abbott, Tarrant County Judge Glen Whitley, and President Donald Trump declared state, county and national emergencies due to COVID-19. Texas Government Code Section 418.108 authorizes the Mayor to declare a state of local emergency in the event a disaster has occurred or is imminent. On March 13, 2020, the Mayor of North Richland Hills declared a local disaster to prevent and alleviate the suffering of the citizens of North Richland Hills and to protect the public health and safety.

On March 18, 2020, Governor Abbott issued a proclamation (Attachment A) suspending Sections 41.0052(a) and (b) of the Texas Election Code to the extent necessary to allow political subdivisions to move their general or special elections to be held on May 2, 2020 to the next uniform election date—November 3, 2020. The proclamation further provides to the extent necessary a requirement that all county election officers, if requested by an affected political subdivision, enter into a contract to furnish election services with any political subdivision who postponed its election to November 3, 2020.



Should City Council wish to postpone the May 2, 2020 special election to November 3, 2020, the Texas Secretary of State has indicated the governing body must take the following action.

- Order the postponement of the May 2, 2020 special election to the November 3, 2020 uniform election date. The order to include the following official action:
 - Include reference to Governor Abbott's proclamation that authorizes the entity to postpone its election date, and the fact that the political subdivision is exercising the authority.
 - Confirmation that candidate filings for the election will remain valid for the election held on the November date and that the filing period will not be re-opened for the November election date. (not applicable, North Richland Hills canceled the general election for officers)
 - Confirmation that all applications for ballot by mail (ABBM) for voters that are voting by mail due to being over the age of 65 or due to a disability will still be valid for the postponed election, and that ABBMs for voters who submitted based on expected absence from the county are not valid for the postponed election.
 - Include relevant dates for the November election, to include voter registration deadline (October 5, 2020), deadline to submit an ABBM (October 23, 2020), and the dates for early voting (October 19, 2020 – October 30, 2020).

Should City Council chose to move the May 2, 2020 bond election to November 3, 2020, staff will work with bond counsel to amend the original election order to include, but not be limited to the following, as additional requirements may be needed for the bond election.

- Change date of the election;
- Change in location of main early voting location;
- Changes to early voting dates and hours, including weekend early voting;
- Changes to the identity of the early voting clerk and their contact information; or
- Changes to branch early voting locations.

Resolution No. 2020-015, has been prepared for City Council's discussion and action. The resolution exercises the governing body's authority, pursuant to Governor Abbott's proclamation to move the May 2, 2020 special election to November 3, 2020.

Should it not be the desire of City Council to move the May 2, 2020 special election to November 3, 2020, the resolution can be denied.

Tarrant County has been in touch with municipalities holding elections on May 2, 2020 to determine if they will be postponing their election to November 3, 2020. Tarrant County asked municipalities to advise of their governing body's decision no later than March 25, 2020. Tarrant County will waive any costs to date that are associated with the election if municipalities respond by March 25, 2020.



RECOMMENDATION:

Discuss and take action on Resolution No. 2020-015.