

RESOLUTION NO. 1022-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVER OAKS, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of River Oaks, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the regular election for City Council members of the City of River Oaks was required to be held on May 2, 2020 at which time the voters would have elected persons to fill the offices of Mayor and City Council Place 5; and

WHEREAS, on March 18, 2020 Governor Greg Abbott issued a proclamation authorizing political subdivisions that would otherwise hold elections on May 2, 2020 to move their general elections for 2020 to November 3, 2020 due to public health and safety concerns related to the novel coronavirus (COVID-19); and

WHEREAS, the City Council with the adoption of Resolution # 1012-2020 on March 23, 2020 postponed the May 2, 2020 general election to November 3, 2020 in order to protect the health and safety of the citizens of the City of River Oaks; and

WHEREAS, pursuant to the City Charter as amended in 2009 the offices of City Council Members are for 3-year terms; and

WHEREAS, the election will be held as a joint election, conducted under the authority of Chapter 271 of the Texas Election Code; and

WHEREAS, by this Resolution, it is the intention of the City Council to designate a polling place for the election, to appoint the necessary election officers to establish and set forth procedures for conducting the election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY

OF RIVER OAKS, TEXAS, THAT:

Section 1. General Election Called. An election is hereby called to elect the offices of Mayor and City Council Member Place 5 to serve from November of 2020 until May of 2023 or until their successors are duly elected and qualified. The general election shall be held on November 3, 2020 between the hours of 7:00 a.m. and 7:00 p.m. at locations set forth in the Agreement.

Section 2. Joint Election Agreement Approved. Prior to the election, the City anticipates that it will enter into a joint election agreement and contract for election services with Tarrant County, conducted under the authority of Chapter 271 of the Election Code (the "Agreement").

Section 3. Filing Deadlines. By postponing the election date, the City is preserving all candidate filings and ballot order actions that have already taken place. This postponement does not have the effect of reopening candidate filings.

Section 4. Early Voting.

a. Early voting by personal appearance. Early Voting by personal appearance shall be conducted beginning on Tuesday, October 13, 2020 and continuing through Friday, October 30, 2020. The exact times and locations for early voting will be determined by the Tarrant County Elections Administrator in accordance with the Joint Election Agreement and will be reflected in a future revision to the original election order.

Section 5. Applications for Ballots by Mail for the May 2, 2020 Election.

(a) All applications for ballots by mail that were filed for the May 2, 2020 Election that are marked annual remain valid for the November 3, 2020 election.

(b) All single use applications for ballots by mail that were submitted for the May 2, 2020 Election for reasons of age or disability remain valid for the November 3, 2020 election.

(c) Single use applications for ballots by mail submitted for the May 2, 2020 Election that indicated the reason for voting by mail was due to absence from the county will not remain valid for the November 3, 2020 election.

Section 6. Applications for Ballots by Mail for the November 3, 2020 Election:

Applications for early voting by mail in Tarrant County may be delivered to the Early Voting Clerk, 2700 Premier Street, Fort Worth, Texas 76111, FAX: 817-831-6118, email: votebymail@tarrantcounty.com to be received not later than the close of business on October 23, 2020. Early Voting ballots for Tarrant County shall be mailed to Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas, 76161-0011. On July 27, 2020 by proclamation of the Governor suspended Section 86.006(a-1) of the Texas Election Code that for any election ordered or authorized to occur on November 3, 2020, to the extent necessary to allow a voter to deliver a marked mail ballot in person to the early voting clerk's office prior to and including on election day.

Section 7. Early voting by Ballot Board. Early voting, both by personal appearance and by mail shall be canvassed by the Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and Alternate Presiding Election Judge, appointed herein, shall serve as the presiding officer and alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board.

Section 8. Appointment of Election Judge and Alternate Election Judge. The Presiding Election Judge and Alternate Presiding Judge shall be appointed by Tarrant County as authorized by Chapter 271 of the Texas Election Code.

Section 9. Method of Voting. Early voting by personal appearance and election day voting shall be conducted using the Hart InterCivic Verity Voting System, a hybrid system

that provides a paper trail for every voter, combined with the latest advancement in digital security. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized and shall be conducted in accordance with the Agreement and the Code.

Section 10. Governing Law and Qualified Voters. The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

Section 11. Publication and Posting of Notice of Election. Notice of the election shall be given as required by Chapter 4 of the Code.

Section 12. Necessary Actions. The City Manager and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 13. Deadline to register to vote. Any individual seeking to vote in the November 3, 2020 election must register to vote by October 5, 2020.

Section 14. Effective Date. This resolution shall be effective upon its adoption.

COUNCIL MEMBER JOHN CLARIDGE, MADE THE MOTION, SECONDED BY COUNCIL MEMBER DAN CHISHOLM, TO APPROVE RESOLUTION NUMBER 1022-2020 CALLING FOR A GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING PERSONS TO THE OFFICES OF MAYOR AND CITY COUNCIL MEMBER PLACE 5. ALL VOTED AYE. MOTION PASSES.

APPROVED BY A MAJORITY VOTE OF THE CITY COUNCIL ON THIS 28TH DAY OF JULY 2020 AND IS AFFIRMED BY THE SIGNATURES AFFIXED BELOW:

CITY OF RIVER OAKS


Mayor

ATTEST:



City Secretary