

ORDINANCE 2020-14

AN ORDINANCE CANCELLING THE BOND ELECTION TO BE HELD IN THE CITY OF DALHART, TEXAS ON NOVEMBER 3, 2020; AND ADDRESSING OTHER MATTERS INCIDENTAL THERETO

* * * * *

WHEREAS, pursuant to an ordinance adopted by the City Council (the *Council*) of the City of Dalhart, Texas (the *City*) on February 11, 2020, a bond election was ordered to be held in the City on May 2, 2020 (the *Election*), which Election was postponed until November 3, 2020; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas (the *Governor*) 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 (the *Disaster Proclamation*); and

WHEREAS, in furtherance of the Disaster Proclamation, the Governor issued an order on March 16, 2020 (the *Open Meetings Order*) temporarily suspending certain provisions of the Open Meetings Act, Chapter 551 of the Texas Government Code; and

WHEREAS, pursuant to Section 2.081 and Section 2.082 of the Texas Election Code, as amended, the City may cancel a moot bond election; and

WHEREAS, the Council hereby finds and determines that the Election has been rendered moot by the Disaster Proclamation and changes in local circumstances due to COVID-19; and

WHEREAS, the early voting period for the Election has not begun; and

WHEREAS, the Council hereby finds and determines that all proceedings and actions to date with respect to the Election have been proper and appropriate; and

WHEREAS, the Council hereby finds and determines that cancelling the Election is in the best interests of the residents of the City; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALHART, TEXAS THAT:

SECTION 1. The Election is hereby cancelled as moot pursuant to the findings above and is subject to recall by ordinance of the Council should circumstances change.

SECTION 2. The City Secretary of the City will post notice or cause to be posted a copy of this ordinance (a) on the City’s website; (b) on the City’s bulletin board where notice of Council meetings is routinely made; and (c) at each polling place that would have been used for the Election during early voting by personal appearance and on election day in compliance with Section 2.081 of the Election Code, as amended.

SECTION 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 4. All ordinances, orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public, and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code, and as modified by the Open Meetings Order.

SECTION 7. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 8. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

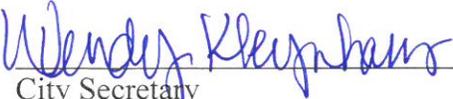
PASSED AND APPROVED on the 28th day of July, 2020.

CITY OF DALHART, TEXAS



Mayor

ATTEST:



City Secretary

