



NOTICE OF AN EMERGENCY ITEM

Notice that an emergency item has been added to the Flower Mound Town Council special meeting agenda to be held this **Thursday, March 19, 2020, at 6:00 p.m.** pursuant to Section 551.045 of the Texas Government Code, which reserves the right of Town Council to hear an emergency item when there is imminent threat to public health and safety.

An urgent public necessity exists requiring immediate action of the Town Council due to an imminent threat to public health and safety arising from the COVID-19 pandemic. On March 18, 2020, the Governor of the State of Texas, issued the following proclamation:

“A proclamation suspending Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office, and suspending Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed their election to November 3, 2020, under the authority of this proclamation.”

The Denton County elections administrator has asked that the Town inform the County by no later than noon Friday, March 20th, of the Town’s decision. As a result, immediate action by the Town Council is necessary to determine whether to postpone the May 2, 2020, general election to November 3, 2020, in order to protect the public from further spread of the virus or the overwhelming of public health facilities. Action to postpone shall be by Resolution of the Town Council.

Supplemental Emergency Item

F. REGULAR ITEM

2. General Elections - Discuss and consider postponing the Town of Flower Mound May 2, 2020, General Election to Nov. 3, 2020.

I do hereby certify that the Notice of Meeting was posted on the bulletin board at the Town Hall for the Town of Flower Mound, Texas, in a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: March 18, 2020, at 3:30 p.m., at least two hours prior to the scheduled time of said meeting.

Theresa Scott, Town Secretary

TOWN OF FLOWER MOUND

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS POSTPONING THE GENERAL ELECTION CALLED FOR MAY 2, 2020, FOR THE OFFICES OF TOWN COUNCIL PLACE 2, AND PLACE 5, UNTIL NOVEMBER 3, 2020, ESTABLISHING PROCEDURES FOR THE POSTPONED ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule town 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, Section 41.001 of the Texas Election Code (the "Code") specifies that the first Saturday in May shall be a "uniform election date" and that a general election of a Town may be held on such day; and,

WHEREAS, on February 3, 2020, the Town Council called a General Election for the offices of Town Council Place 2 and Place 5 to be held on May 2, 2020; 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, Town Council desires postpone the May 2, 2020, General Election to November 3, 2020, in order to protect the health and safety of the citizens of the Town of Flower Mound.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

GENERAL ELECTION POSTPONED: The general election in the Town of Flower Mound, Texas, called for Saturday, May 2, 2020, for the purposes of electing Town Council Members Place 2 and Place 5 is hereby postponed until November 3, 2020.

SECTION 2

FILING DEADLINES FOR MAY 2, 2020, ELECTION: By postponing the election date, the Town 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.

RESOLUTION NO. _____

SECTION 3

APPLICATIONS 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 4

APPLICATIONS FOR BALLOTS BY MAIL FOR THE NOVEMBER 3, 2020, ELECTION:

- (a) Applications for early voting by mail in Denton County may be delivered to the Early Voting Clerk, P.O. Box 1720, Denton Texas 76202, FAX 940-349-3201 email: elections@dentoncounty.com to be received not later than the close of business on October 23, 2020. The Town Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Joint Election Agreement.
- (b) 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. The Town Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Joint Election Agreement.

SECTION 5

EARLY VOTING BY PERSONAL APPEARANCE: Early Voting by personal appearance shall be conducted beginning on October 19, 2020, and continuing through October 30, 2020. The exact times and locations for early voting will be determined by the Denton and Tarrant County Elections Administrators in accordance with the Joint Election Agreements and will be reflected in a future revision to the original election order.

SECTION 6

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 7

ELECTION DAY: Voting shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. on Tuesday, November 3, 2020, at the polling locations determined by the Denton and Tarrant County Elections Administrators in accordance with the Joint Election Agreements and will be reflected in a future revision to the original election order.

RESOLUTION NO. _____

SECTION 8

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 Town shall be eligible to vote at the election.

SECTION 9

PUBLICATION AND POSTING OF NOTICE OF POSTPONED ELECTION: Notice of the postponement of the election until November 3, 2020, shall be posted on the Town's website, provided to local media organizations, and provided to the Tarrant and Denton County Elections Administrators.

SECTION 10

NECESSARY ACTIONS: The Mayor and the Town Secretary of the Town, in consultation with the Town 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 11

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ON THIS THE 19th DAY OF MARCH, 2020.

APPROVED:

Steve Dixon, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY