

RESOLUTION NO. 2020- 0020-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
CANCELING THE MAY 2, 2020 PARKS BOND SPECIAL ELECTION; AND
PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on February 13, 2020, the City Council ordered a Special Election for the voters to consider a measure on the ballot authorizing Parks Bonds (the “Parks Bond Special Election”); and

Whereas, since the date the election was called, the country has experienced an unprecedented health emergency related to COVID-19—on March 13, 2020, the Governor of the State of Texas declared a state of disaster in Texas, on March 18, 2020, the Bell County Judge issued a Disaster Declaration for Bell County, and on March 20, 2020, the Commissioner of the Department of State Health Services issued a Disaster Declaration for the State of Texas and Mayor Davis issued a Declaration of Local State of Disaster Due to Public Health Emergency for the City of Temple (collectively, the “Disaster Declarations”); and

Whereas, on March 16, 2020, Governor Abbott postponed the special election for the Texas State Senate District 14 seat, also scheduled for May 2, 2020, declaring that “holding the special election on that date would prevent, hinder, or delay necessary action in coping with the declared disaster by placing the public’s health at risk and threatening to worsen the ongoing public health crisis”; and

Whereas, on March 18, 2020, Governor Abbott issued a proclamation (the “Election Proclamation”) suspending Sections 41.0052(a) and (b) of the Texas Election Code to the extent necessary to allow political subdivisions to move their previously ordered special elections from May 2, 2020 to the next uniform election date, which occurs on November 3, 2020; and

Whereas, on March 19, 2020, Governor Abbott issued an Executive Order acknowledging that “COVID-19 continues to spread and pose an increasing, imminent threat of disaster throughout Texas” and restricting gatherings of more than 10 people in order to limit the spread of COVID-19; and

Whereas, section 2.081(a) of the Texas Election Code gives the City Council the authority to determine that the action to be authorized by the voters may not be taken, declare the measure moot and remove the measure from the ballot; and

Whereas, the early voting period for the Parks Bond Special Election has not begun; and

Whereas, based upon the March 19, 2020 order issued by Governor Abbot that gatherings of more than 10 people shall not take place for the foreseeable future, and Governor Abbott’s declaration that holding an election during this COVID-19 crisis would place the public’s health at risk, the City Council has determined that the May 2, 2020 Parks Bond Special Election may not be taken, and that it is in the best interest of the health and safety of City of Temple voters to declare the Parks Bond Special Election moot and cancel the Parks Bond Special Election;