

**KENNEDALE CITY COUNCIL AGENDA
TUESDAY, MARCH 24, 2020 AT 5:00 PM
SPECIAL MEETING VIA TELECONFERENCE**

**MEMBERS OF THE PUBLIC MAY JOIN
BY DIALING 1-877-568-4106 (TOLL-FREE)
AND USING ACCESS CODE 162-956-797**

I. CALL TO ORDER

II. REGULAR SESSION

A. ROLL CALL

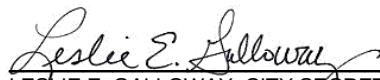
B. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider Resolution 570, supporting a grant application for a police firearms simulator system
2. Consider Resolution 571, postponing the May 2, 2020 General Election, pursuant to authorization granted via a proclamation issued by Governor Greg Abbott on March 18, 2020
3. Consider Ordinance 695 to renew the Mayor's Local Disaster Declaration in relation to Coronavirus (COVID-19)

III. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE MARCH 24, 2020 KENNEDALE CITY COUNCIL AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), IN A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES; AND THAT SAID AGENDA WAS POSTED AT LEAST SEVENTY-TWO (72) HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.



LESLIE E. GALLOWAY, CITY SECRETARY

In compliance with the Americans with Disabilities Act (ADA), the City of Kennedale will provide for reasonable accommodations for persons attending meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting by calling 817-985-2104 or (TTY) 1-800-735-2989.

**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 24, 2020

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM II.B.1.

SUBJECT

Consider Resolution 570, supporting a grant application for a police firearms simulator system

ORIGINATED BY

Tommy Williams, Police Chief

SUMMARY

The police department is submitting a grant to the Criminal Justice Division of the Governor's Office for a firearms simulator system. This is a state-of-the-art electronic system that trains officers for not only decision making skills but also de-escalation techniques.

The attached resolution of support is required as part of the grant application process.

RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

1.	R570_Police Grant for Firearms Simulator #4013301	R570_Police Grant for Firearms Simulator #4013301.pdf
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RESOLUTION NO. 570

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, DESIGNATING AN AUTHORIZED OFFICIAL AS RESPONSIBLE FOR COORDINATION WITH THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR THE PURPOSE OF PARTICIPATION IN A GRANT (#4013301) FOR A POLICE FIREARMS SIMULATOR SYSTEM; AND CERTIFYING THAT THE CITY OF KENNEDALE IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE.

WHEREAS, The City Council of the City of Kennedale, Texas, finds it in the best interest of the citizens of Kennedale that A POLICE FIREARMS SIMULATOR SYSTEM be operated for 2020/21; and

WHEREAS, the City Council of the City of Kennedale agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City Council of the City of Kennedale assures that the funds will be returned to the Criminal Justice Division in full; and

WHEREAS, the City Council of the City of Kennedale designates City Manager George Campbell as the grantee's authorized official, with the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS:

The City Council of the City of Kennedale, Texas, approves submission of the grant application for the POLICE FIREARMS SIMULATOR SYSTEM to the Office of the Governor, Criminal Justice Division (Grant Application Confirmation Number: 4013301).

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE ON THE 24TH DAY OF MARCH 2020.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

MEETING DATE: MARCH 24, 2020

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM II.B.2.

SUBJECT

Consider Resolution 571, postponing the May 2, 2020 General Election, pursuant to authorization granted via a proclamation issued by Governor Greg Abbott on March 18, 2020

ORIGINATED BY

George Campbell, City Manager

SUMMARY

As the Council is aware, the May 2, 2020 General Election for the purposes of electing the Mayor and Councilmembers Places 2 and 4 was called via adoption of Resolution 564 (attached) on January 21, 2020.

At this time the Governor's proclamation (attached) seems to suggest that the only available options are to either keep May 2, 2020 as the date of the election or to move it to Tuesday, November 3, 2020. Tarrant County Elections has suggested that there might be a possibility of asking the Governor to allow for this election to be moved to Saturday, May 26, 2020, which is the date for the Texas Primary Runoffs. However, staff does not yet know if such a request would be met with approval by the Governor's Office.

Places and Candidates that will appear on the ballot in question are as follows:

Mayor of the City of Kennedale

Brian Johnson

Jerrick "JD" Drayden

Kennedale City Council Place 2

Gary Mitchell

Chris Pugh

Kennedale City Council Place 4

Linda Rhodes (unopposed)

Assuming a delay of this election date (to either May 26 or November 3), the current officeholders would maintain their seats until such time as the winners of each seat could be determined via a canvass of the returns.

Tarrant County Elections must be notified of any action to postpone no later than Wednesday, March 25 at 3:00 p.m. to prevent the City from being invoiced for any costs in relation to the May 2, 2020 date.

An advisory issued by the Secretary of State's Office providing guidance to political subdivisions seeking to move their May 2, 2020 election date is also attached to this item.

RECOMMENDATION

Cancellation of the May 2, 2020 election date would require an official act by the governing body.

ATTACHMENTS

1.	R564	R564.pdf
2.	Governor's Proclamation	Governor's Proclamation.pdf
3.	SOS Election Advisory	SOS Election Advisory.pdf
4.	Current Consideration: Resolution 571	R571_Postponing May General Election.pdf

RESOLUTION NO. 564

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 2, 2020; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas, (the "City") 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 of the City of Kennedale is required to be held on May 2, 2020, at which time the voters will elect persons to fill the offices of Mayor and City Council Places 2 and 4; and

WHEREAS, the election will be held as a joint election, conducted under the authority of Chapter 271 of the Texas Election Code (the "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, and to authorize the Mayor to execute a contract with Tarrant County for conducting the election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS:

SECTION 1. GENERAL ELECTION CALLED.

An election is hereby called to elect the offices of Mayor and City Council Places 2 and 4 to serve from May of 2020 until May of 2022, or until their successors are duly elected and qualified. The election shall be held on Saturday, May 2, 2020, between the hours of 7:00 a.m. and 7:00 p.m. at Kennedale Community Center (in the Kennedale Public Library), 316 W. 3rd Street, Kennedale, Texas 76060.

SECTION 2. JOINT ELECTION AGREEMENT APPROVED.

The Mayor is authorized to execute a Joint Election Agreement (the "Agreement") with Tarrant County for the purpose of having Tarrant County furnish all or any portion of the election services and equipment needed to conduct the election. The Agreement and election services provided therein shall conform to Chapter 31, Subchapter D of the Code and other applicable statutes and laws. In the event of conflict between this resolution and the Agreement, the Agreement shall control.

SECTION 3. APPLICATION FOR PLACE ON BALLOT.

Qualified persons may file as candidates by filing applications in the office of the City Secretary from 8:00 a.m. to 5:00 p.m., Monday through Friday, from January 15, 2020 through February 14, 2020.

SECTION 4. EARLY VOTING.

- a. Early voting by personal appearance. Early voting by personal appearance

shall be conducted beginning April 20, 2020, and continue through April 28, 2020, at the Kennedale Community Center (in the Kennedale Public Library), 316 W. 3rd Street, Kennedale, Texas 76060, at the following times:

MONDAY, APRIL 20, 2020	8:00 A.M. – 5:00 P.M.
TUESDAY, APRIL 21, 2020	8:00 A.M. – 5:00 P.M.
WEDNESDAY, APRIL 22, 2020	8:00 A.M. – 5:00 P.M.
THURSDAY, APRIL 23, 2020	8:00 A.M. – 5:00 P.M.
FRIDAY, APRIL 24, 2020	8:00 A.M. – 5:00 P.M.
SATURDAY, APRIL 25, 2020	7:00 A.M. – 7:00 P.M.
SUNDAY, APRIL 26, 2020	11:00 A.M. – 4:00 P.M.
MONDAY, APRIL 27, 2020	7:00 A.M. – 7:00 P.M.
TUESDAY, APRIL 28, 2020	7:00 A.M. – 7:00 P.M.

Branch offices for early voting by personal appearance shall also be established as outlined in the Joint Election Agreement with Tarrant County.

- b. **Early Voting by Mail.** Heider Garcia, the Tarrant County Elections Administrator, or his successor, acting pursuant to Texas Government Code §601.002 ("Election Administrator"), is hereby designated as Early Voting Clerk for the election. Applications for early voting by mail may be delivered not later than the close of business on April 20, 2020 to the Election Administrator in any of the following ways: via mail to Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas 76161-0011; via courier or hand delivery to Tarrant County Elections, 2700 Premier St., Fort Worth, Texas 76111-3011; via fax to 817-850-2344; or via email to votebymail@tarrantcounty.com.
- c. **Early Voting Ballot Board.** Early voting, both by personal appearance and by mail, shall be canvassed by the Early Voting Ballot Board established by Tarrant County under the terms of the Agreement.

SECTION 5. 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 Code.

SECTION 6. METHOD OF VOTING; COSTS.

The Joint Election Agreement shall provide (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day, (b) notification and training for election judges and clerks, (c) an estimate and final payment terms for the election services provided, (d) agreements for early voting equipment and voting machine rental, and (e) other procedures to conduct the election. All expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Code.

SECTION 7. 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 8. PUBLICATION AND POSTING OF NOTICE OF ELECTION.

Notice of the election shall be given as required by Chapter 4 of the Code.

SECTION 9. SUBMISSIONS TO THE UNITED STATES JUSTICE DEPARTMENT.

Tarrant County is authorized to make such submissions as are necessary to the United States Justice Department to seek pre-clearance for any changes in voting practices as authorized by the Voting Rights Act of 1965, as amended.

SECTION 10. NECESSARY ACTIONS.

The Mayor and the City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 11. RUNOFF ELECTION.

The Council hereby orders that, following the canvass of the May 2, 2020 election, any runoff election required shall be held in accordance with Section 2.025(a) of the Code, and on a date as agreed to between the City of Kennedale and Tarrant County Elections Administration.

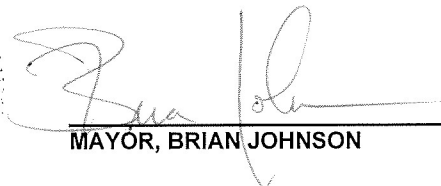
SECTION 12. EFFECTIVE DATE.

This resolution shall be effective upon its adoption.

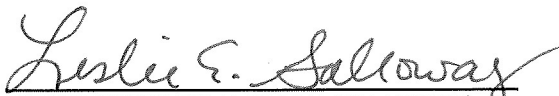
PASSED AND APPROVED THIS 21st DAY OF JANUARY, 2020.



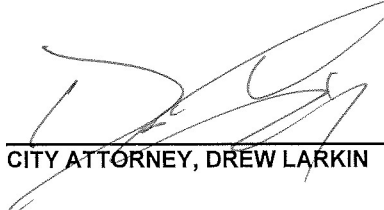
APPROVED:


MAYOR, BRIAN JOHNSON

ATTEST:


CITY SECRETARY, LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

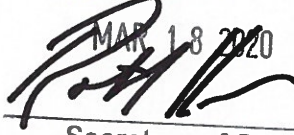

CITY ATTORNEY, DREW LARKIN



GOVERNOR GREG ABBOTT

March 18, 2020

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00 AM 'CLOCK
MAR 18 2020

Secretary of State

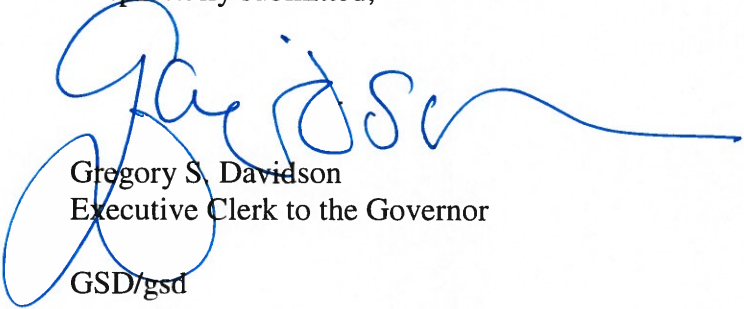
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

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 original of this proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, Section 41.001(a)(2) of the Texas Election Code provides that a general or special election in this state shall be held on a uniform election date, and the next uniform election date is occurring on May 2, 2020; and

WHEREAS, Section 49.103 of the Texas Water Code provides that certain districts governed by this provision are required to hold director elections in May of each even-numbered year; and

WHEREAS, Section 41.0052 of the Texas Election Code prescribes a procedure for a political subdivision to change a general election date, but the time for making such a change has expired; and

WHEREAS, Section 31.093 of the Texas Election Code requires a county elections administrator to enter into a contract to furnish election services upon request of a political subdivision; and

WHEREAS, Section 42.0621(c) of the Texas Election Code does not require a political subdivision to enter into a contract with a county or hold a joint election with a county on the November uniform election date; and

WHEREAS, on March 13, 2020, the Governor of Texas 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; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster.

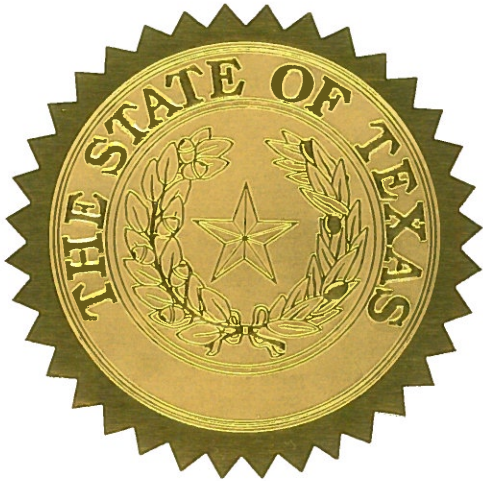
NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and Laws of the State of Texas, do hereby suspend Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions 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. I further suspend 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 authority ordering the election under Section 3.004 of the Texas Election Code is the authority authorized to make the decision to postpone its election in accordance with this proclamation.

Current office holders will hold over to the extent authorized by Article XVI, Section 17 of the Texas Constitution.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00AM O'CLOCK

MAR 18 2020



IN TESTIMONY WHEREOF, I
have hereto signed my name and
have officially caused the Seal of
State to be affixed at my office in the
City of Austin, Texas, this the 18th
day of March, 2020.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor of Texas

ATTESTED BY:

A handwritten signature in black ink that reads "Ruth R. Hughs".

RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00am O'CLOCK

MAR 18 2020

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov



Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Ruth R. Hughes
Secretary of State

ELECTION ADVISORY

N0. 2020-12

TO: Election Officials

FROM: Keith Ingram, Director of Elections

DATE: March 18, 2020

RE: Actions for May 2, 2020 Uniform Election Date

A handwritten signature in blue ink, likely of Keith Ingram, the Director of Elections.

The purpose of this advisory is to provide guidance to local political subdivisions regarding their options for any general or special elections that have been ordered for the May 2, 2020 uniform election date. Pursuant to Section 418.016 of the Texas Government Code, the Governor has issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date. Pursuant to Texas Election Code 31.003 and 31.004, our office has issued the following guidelines for entities that choose to exercise this authority and postpone their election to the November uniform election date.

Effect of Postponement of Election

- **Candidate Filings:** By postponing their election date, the political subdivision is preserving all candidate filings and ballot order actions that have already been taken. The postponement does **not** have the effect of reopening candidate filings.
 - **Deadlines related to Candidate Filings, Declarations of Ineligibility, Withdrawals or Death:** The deadlines that apply to the November 3, 2020 election would apply to all candidates who are currently on the ballot for the May 2, 2020 election.
- **Ballot By Mail Requests:** All applications for a ballot by mail (ABBM) that were filed for the May 2, 2020 election that are marked annual would apply for the November 3, 2020 election. All single use ABBMs that were submitted for reasons of age or disability would still be valid for the November 3, 2020 election. If a single use ABBM was submitted and indicated the reason for voting by mail was due to absence from the county, this ABBM would not be valid as the applicable election date has changed. However, we would recommend that the political subdivision send a letter to these voters along with a new ABBM in case the circumstances

surrounding their absence from the county are still valid or the voter is otherwise eligible to vote by mail.

- **Ballots by Mail:** If a political subdivision has already sent out mail ballots, those mail ballots that are returned would still be valid for the November 3, 2020 postponed election date.
- **Election Records:** All records, including candidate filings, applications to vote by mail, ballot proofs, and printed ballots shall be retained and preserved.
 - **Printed Ballots:** If your ballots have already been printed up, you may be able to reuse them for November. However, if you must change your ballot to reflect any corrections or changes that occur between now and November, you would treat the original ballots as you would in a traditional ballot correction and those ballots should be destroyed in accordance with Section 52.0064 of the Texas Election Code.
- **Requirement to use County Election Precincts in November 2020:** Per Section 42.002 of the Texas Election Code, county election precincts are required for all elections occurring in November 2020. You will need to work with your county election officer to determine whether you need to make any modifications to your ballot in light of this requirement.
- **Requirement for County Election Officer to contract with Local Political Subdivisions:** All county election officers are required to contract with local political subdivisions that postponed their May 2, 2020 election and that request a contract for election services or a joint election agreement with their county election officer pursuant to the Governor's suspension of certain Texas Election Code provisions.
- **Office Hours:** The relevant dates for maintaining office hours for election purposes will be based on the November uniform election date rather than the May election date. Under Section 31.122 of the Texas Election Code, those office hours will need to be maintained for at least three hours each day, during regular office hours, on regular business days between September 14, 2020 and December 13, 2020. However, these entities should post contact information for individuals to contact their office about election-related issues during the timeframe that those offices may be closed over the coming months.
- **Holdovers in Public Office:** Under Art. XVI, Sec. 17 of the Texas Constitution, the individuals who currently hold public offices that are scheduled to be on the ballot on the May uniform election date will continue to exercise the duties of those offices until the new officers take their oaths of office, following the November uniform election date.
- **Campaign Finance Filings:** Please contact the Texas Ethics Commission for further guidance on how these modified timelines will affect any campaign finance reporting requirements. Their office can be reached at (512) 463-5800.
- **Candidates on the ballot in both May and November:** For candidates that may be running for two offices (one normally occurring in May and one normally occurring in November), these candidates will not be removed from the ballot as they are separate elections that are normally not occurring on the same date.

Required Action by Governing Body to Move Election Date

In order to utilize this move, the governing body of the political subdivisions holding the elections must **order** the postponement of their election to the November 3, 2020 uniform election date. The order for this official action should contain the following items:

1. A reference to the proclamation that authorizes the entity to postpone their election date, and the fact that the political subdivision is exercising this authority.
2. Confirmation that the 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.
3. Confirmation that all ABBMs for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the postponed election, and that ABBMs for voters who submitted ABBMs based on expected absence from the county would not be valid for the postponed election.
4. The major relevant dates for the November election, including the voter registration deadline (October 5, 2020), the deadline to submit an ABBM (October 23, 2020), and the dates for early voting (October 19, 2020 – October 30, 2020).

Necessary Revisions to Order of Election

In addition, the entity will need to meet by August 17, 2020 to make any necessary revisions to the entity's original order of election. Those revisions may include:

1. The change to the date of the election;
2. Any change in location of the main early voting location;
3. Any changes to early voting dates and hours, including weekend early voting;
4. Any changes to the identity of the early voting clerk and their contact information; or
5. Any changes to branch early voting locations.

If you are holding a bond election, you may need to make additional revisions to your order of election for that bond election. If this is the case, we recommend reaching out to your bond counsel for additional guidance.

Securing Election Records

All election records should be stored and secured during the postponement period. This may require your entity to use preservation methods that are similar to the methods you would use during the preservation period after the election has occurred. This includes:

- Storing returned ballots by mail in locked, sealed ballot boxes.
- Securely storing any unused ballots.
- Securely retaining any relevant election records, including candidate applications and ABBMs.

Voting System Equipment

If you are leasing voting system equipment from the county or directly from the vendor, then you may need to contact your vendor or your county regarding any necessary modifications to those lease agreements or to modify your procedures and timelines for receiving that equipment.

Open Meeting Requirements

The Governor has suspended and modified certain open meeting requirements pursuant to his disaster declaration. These changes include allowing the entity to establish procedures for telephonic or videoconferenced meetings of governmental bodies that are accessible to the public.

These procedures must include a process for members of the public to participate and address the governmental body in those meetings, notice to the public on the means of participating remotely, and access to the public for recordings of those meetings.

For more information, please review the applicable [documentation](#) from the Governor's Office or contact the Office of the Attorney General.

Update Official Websites and Notify Media

Any entities that are exercising this authority to postpone their election date must post notice on the entity's website and should alert any local media organizations regarding this change to their election date.

The entity must also provide notice to their county election officer regarding this change, as the county is required to post the entity's notice of election on the county's website no later than the 60th day before the date of the election under Election Code 4.008. If that election date will be changing due to the entity's decision to postpone the election then the entity must provide a revised notice to the county for posting on the county's website.

If you have any questions regarding this advisory, please contact the Elections Division at 1-800-252-2216.

KI:CA:CP

RESOLUTION NO. 571

A RESOLUTION OF THE CITY OF KENNEDALE, TEXAS, POSTPONING THE GENERAL ELECTION CALLED FOR MAY 2, 2020, FOR THE OFFICES OF MAYOR AND CITY COUNCIL PLACES 2 AND 4 UNTIL NOVEMBER 3, 2020; ESTABLISHING PROCEDURES FOR THE POSTPONED ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale 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, 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 city may be held on such day; and

WHEREAS, on January 21, 2020, the City Council called a general election for the offices of Mayor and City Council Places 2 and 4 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, the City 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 City of Kennedale.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THAT:

SECTION 1.

GENERAL ELECTION POSTPONED: The general election in the City of Kennedale, Texas, called for Saturday, May 2, 2020, for the purposes of electing the offices of Mayor and City Council Places 2 and 4 is hereby postponed until November 3, 2020.

SECTION 2.

FILING DEADLINES FOR MAY 2, 2020 ELECTION: 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 3.

APPLICATIONS BALLOTS BY MAIL FOR THE MAY 2, 2020 ELECTIONS:

- (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: 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 shall be mailed to Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas, 76161-0011.

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 Tarrant County Elections Administrators in accordance with the Joint Election Agreement 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 Tarrant County Elections Administrators in accordance with the Joint Election Agreement and will be reflected in a future revision to the original election order.

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 City 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 City's website, provided to local media organizations, and provided to the Tarrant County Elections Administrator.

SECTION 10.

NECESSARY ACTIONS: The Mayor and the City Secretary, 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.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE ON THE 24TH DAY OF MARCH 2020.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

MEETING DATE: MARCH 24, 2020

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM II.B.3.

SUBJECT

Consider Ordinance 695 to renew the Mayor's Local Disaster Declaration in relation to Coronavirus (COVID-19)

ORIGINATED BY

George Campbell, City Manager

SUMMARY

Currently the City of Kennedale is covered by County Judge Glen Whitley's declaration (as well as Governor Greg Abbott's). The Mayor has, however, chosen to issue a disaster declaration in order to preserve our option to potentially seek reimbursement from FEMA for any expenses we incur related to the disaster.

Mayor Johnson's declaration mirrors the provisions of the state- and county-wide declarations, and was enacted on Friday, March 20, 2020. A declaration made by the Chair of the governing body alone can only be for a maximum term of seven days. At this time, the Council could vote to renew it for an indefinite period, however.

RECOMMENDATION

Approve

Staff would respectfully recommend renewal of Mayor Brian Johnson's declaration of a local disaster (in relation to Coronavirus (COVID-19)) for an indefinite period of time.

ATTACHMENTS

1.	State Declaration	Governor Abbott Declares State of Disaster In Texas Due To COVID-19 March 13, 2020 (PDF).pdf
2.	County Declaration + Extension	Tarrant County Declaration of Local Disaster Extension 1 March 17 2020.pdf
3.	County Declaration Amendment	Tarrant County Declaration of Local Disaster Amendment March 18 2020.pdf

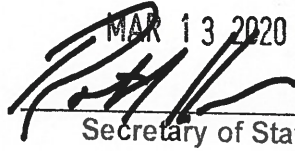


GOVERNOR GREG ABBOTT

March 13, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:20 AM O'CLOCK

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

MAR 13 2020

Secretary of State

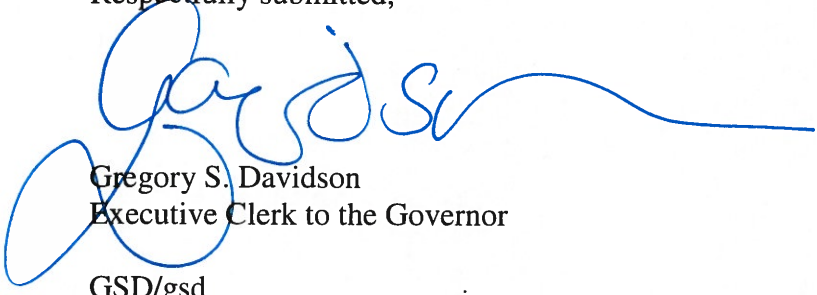
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

WHEREAS, as of March 13, 2020, there are more than 30 confirmed cases of COVID-19 located in multiple Texas counties; and

WHEREAS, there are more than 50 Texans with pending tests for COVID-19 in Texas; and

WHEREAS, some schools, universities, and other governmental entities are beginning to alter their schedules, and some venues are beginning to temporarily close, as precautionary responses to the increasing presence of COVID-19 in Texas; and

WHEREAS, costs incurred to prepare for and respond to COVID-19 are beginning to mount at the state and local levels; and

WHEREAS, the State of Texas has already taken numerous steps to prepare for COVID-19, such as increasing laboratory testing capacity, coordinating preparedness efforts across state agencies, and working with local partners to promote appropriate mitigation efforts; and

WHEREAS, it is critical to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

WHEREAS, declaring a state of disaster will facilitate and expedite the use and deployment of resources to enhance preparedness and response.

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, do hereby certify that COVID-19 poses an imminent threat of disaster. In accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I hereby declare a state of disaster for all counties in Texas.

Pursuant to Section 418.017 of the code, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

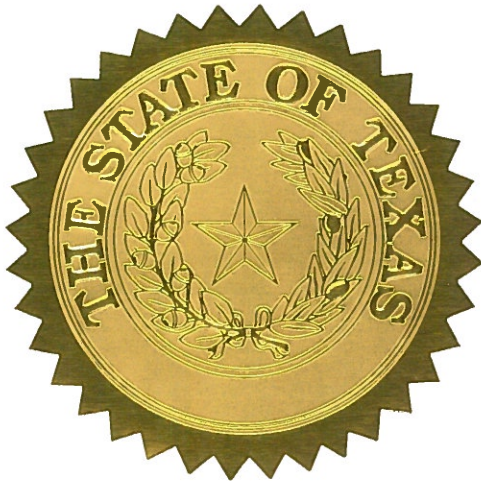
Pursuant to Section 418.016 of the code, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

In accordance with the statutory requirements, copies of this proclamation shall be filed

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:20AM O'CLOCK

MAR 13 2020

with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 13th day of March, 2020.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

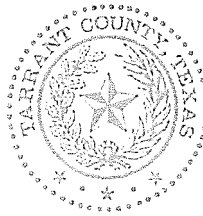
ATTESTED BY:

A handwritten signature in black ink that reads "Ruth R. Hughs".

RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:20 AM O'CLOCK

MAR 13 2020



TARRANT COUNTY

DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY

WHEREAS the World Health Organization has declared the coronavirus, now designated COVID-19, as a global pandemic on March 11, 2020; and

WHEREAS, COVID-19 was first detected in Wuhan, China in December 2019; and

WHEREAS, symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

WHEREAS, the COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action for the protection of the people of Tarrant County; and

WHEREAS, the implementation of mitigation strategies can slow the transmission of the disease; and

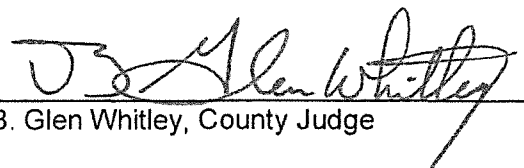
WHEREAS, this Declaration activates the County's emergency management plan; and

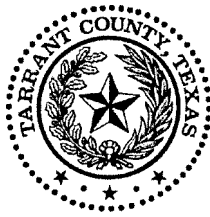
WHEREAS, the County Judge of Tarrant County has determined that extraordinary measures must be taken to mitigate the effects of this public health emergency and to facilitate the efficient, rapid, and cooperative response to the emergency;

THEREFORE, Be It Proclaimed by The County Judge of Tarrant County that:

1. A local state of disaster is hereby declared for Tarrant County, pursuant to §418.108(a) of the Texas Government Code.
2. The state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the Tarrant County Commissioners Court, pursuant to §418.018(b) of the Government Code.
3. This declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk, pursuant to §418.018(b) of the Government Code.
4. This declaration of a local state of disaster activates the Tarrant County Emergency Plan, pursuant to §418.018(b) of the Government Code.
5. This Declaration shall take effect immediately from and after its issuance.

ORDERED this the 13th day of March 2020, at 1:30 p.m.


B. Glen Whitley, County Judge



TARRANT COUNTY
RENEWAL OF DECLARATION OF LOCAL DISASTER
DUE TO PUBLIC HEALTH EMERGENCY

WHEREAS the World Health Organization has declared the coronavirus, now designated COVID-19, as a global pandemic on March 11, 2020; and

WHEREAS, COVID-19 was first detected in in Wuhan, China in December 2019; and

WHEREAS, symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

WHEREAS, the COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action for the protection of the people of Tarrant County; and

WHEREAS, the implementation of mitigation strategies can slow the transmission of the disease; and

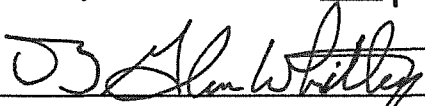
WHEREAS, this Declaration activates the Tarrant County Emergency Management Plan; and

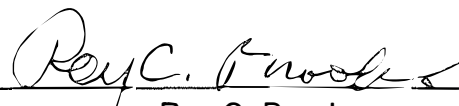
WHEREAS, the County Judge of Tarrant County has determined that extraordinary measures must be taken to mitigate the effects of this public health emergency and to facilitate the efficient, rapid, and cooperative response to the emergency;

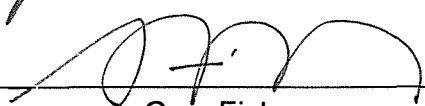
THEREFORE, Be It Proclaimed by the County Judge and Commissioners of Tarrant County that:

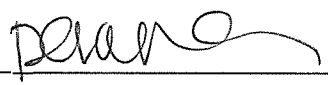
1. A local state of disaster was declared for Tarrant County, pursuant to §418.108(a) of the Texas Government Code, on March 13, 2020.
2. This Renewal of Declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.
3. This Renewal of Declaration of Local Disaster affirms the activation of the Tarrant County Emergency Management Plan and extends the Declaration of Local Disaster for a period of 90 days unless rescinded by an order of the Commissioners Court.

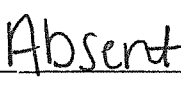
ORDERED and RENEWED this the 17th day of March 2020 at 12:05 p.m.


County Judge B. Glen Whitley


Roy C. Brooks
Commissioner, Precinct 1


Gary Fickes
Commissioner, Precinct 3


Devan Allen
Commissioner, Precinct 2


J.D. Johnson
Commissioner, Precinct 4



TARRANT COUNTY

FIRST AMENDED DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY

WHEREAS, the World Health Organization has declared the coronavirus, now designated COVID-19, as a global pandemic on March 11, 2020; and

WHEREAS, COVID-19 was first detected in Wuhan, China in December 2019; and

WHEREAS, symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

WHEREAS, the COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action for the protection of the people of Tarrant County; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, and compel persons to undergo additional health measures that prevent or control the spread of disease. These measures include isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated. A declaration allows the request of assistance from the Governor for state resources; and

WHEREAS, this Declaration activates the Tarrant County Emergency Management Plan; and

WHEREAS, the County Judge has determined that extraordinary measures must be taken to mitigate the effects of this public health emergency and to facilitate the efficient, rapid, and cooperative response to the emergency; and

WHEREAS, the County Judge issued a Declaration of Local Disaster due to Public Health Emergency on March 13, 2020 and the County Commissioners issued a Renewal of Declaration of Local Disaster due to Public Health Emergency on March 17, 2020, and the County Judge hereby issues this First Amended Declaration of Local Disaster due to Public Health Emergency to implement additional measures to ensure the protection of the residents of Tarrant County.

THEREFORE, Be It Proclaimed by the County Judge that:

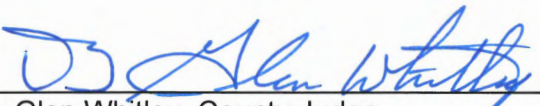
1. This First Amended Declaration of Local Disaster due to Public Health Emergency shall continue for a period of not more than seven days from March 18, 2020 unless continued or renewed by the Commissioners Court.
2. A declaration of a local state of disaster activates the Tarrant County Emergency Management Plan.

3. This Declaration authorizes the County to commandeer or use any private property as provided by law.
4. This Declaration hereby limits the size of gatherings to no more than 50 people and mandates the cancellation of all such gatherings of more than 50 people until further notice. This Declaration does not prohibit gatherings of people in multiple, separate enclosed spaces (including separate cubicles) in a single building such as different floors of a multi-level office, residential building, or hotel, so long as 50 people are not present in any single space at the same time. This Declaration also does not prohibit the use of enclosed spaces where more than 50 people may be present at different times during the day, so long as more than 50 people are not present in the space at the same time. The uses in Sections 5, 6, and 7 are not considered "gatherings," but are limited or prohibited as provided in Sections 5, 6, and 7.
5. This Declaration hereby orders that a restaurant with or without drive-in or drive-through services; drive-in restaurant; drive-through restaurant; or microbrewery, micro-distillery, or winery may only provide take out, delivery, or drive-in, or drive-through services, if permitted by law.
6. This Declaration hereby orders the closure of the following: bars, lounges, or taverns; commercial amusement establishment, bingo halls; theaters; gyms; and private clubs.
7. This Declaration hereby limits the occupancy of the following locations to 50% occupancy as set forth on the business's certificate(s) of occupancy or 125 individuals, whichever is less:
 - a. Event Centers;
 - b. Hotel Meeting Spaces, and Ballrooms;
 - c. Retail Stores;
 - d. Convenience Stores;
 - e. Plazas;
 - f. Places of Worship; and
 - g. Malls (the occupancy of a mall is limited as follows: (i) common areas in a mall to 50% occupancy as set forth in the business's certificate(s) of occupancy or 125 individuals, whichever is less, and (ii) individual retail stores within a mall to 50% occupancy as set forth in the business's certificates(s) of occupancy or 125, whichever is less).

The 50% occupancy limit does not apply to areas not listed above, including office buildings, government buildings, critical infrastructure such as airport and transit facilities, residential buildings, grocery stores, manufacturing locations, non-profit service providers, airports, homeless and emergency shelters, day cares, and medical facilities.

8. This Declaration hereby authorizes the use of all lawfully available enforcement tools.
9. This Declaration shall take effect at 12:01 a.m., March 19, 2020.

ORDERED this the 18th day of March 2020, at 4:45 p.m.



B. Glen Whitley, County Judge