



Wylie City Council  

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NOTICE OF MEETING

Emergency Special Called Meeting Agenda

**April 2, 2020 – 8:45 p.m.**  
**Wylie Municipal Complex**  
**Council Chambers**  
**300 Country Club Road, Building #100**  
**Wylie, Texas 75098**

**Eric Hogue** ..... Mayor  
**David R. Duke** ..... Place 1  
**Matthew Porter** ..... Place 2  
**Jeff Forrester** ..... Mayor Pro Tem  
**Candy Arrington** ..... Place 4  
**Timothy T. Wallis, DVM** ..... Place 5  
**David Dahl** ..... Place 6  
**Chris Holsted** ..... City Manager  
**Richard Abernathy** ..... City Attorney  
**Stephanie Storm** ..... City Secretary

**EMERGENCY NOTICE**

The Wylie City Council will hold an Emergency Special Called Council Meeting at 8:45 p.m., in the Council Chambers at the Wylie City Hall, located at 300 Country Club Road, Wylie, Texas on April 2, 2020. This meeting is open to the public and subject to the open meeting laws of the State of Texas.

Members of the public are permitted to attend the meeting in person at that location or members of the public also may communicate with the City Council by submitting their comments online at [wylietexas.gov/boards](http://wylietexas.gov/boards) and completing the [Citizen Comment Form](#).

Pursuant to Section 551.045 of the Texas Government Code and Due to the Urgent Public Necessity and Imminent Threat to Public Health and Safety from Covid-19, Immediate Action is Required by the City of Wylie City Council.

CALL TO ORDER

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*Announce the presence of a Quorum*

INVOCATION & PLEDGE OF ALLEGIANCE

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CITIZENS COMMENTS ON NON-AGENDA ITEMS

*Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

## REGULAR AGENDA

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- 1. Consider, and act upon, Resolution No. 2020-22(R) Postponing to the November 3, 2020 Uniform Election Date the General and Special Elections Scheduled to be held on May 2, 2020, for the purpose of electing persons to the Offices of Mayor and Councilmembers for Places 5 And 6 and the remaining term for Place 2 in response to the Covid-19 Pandemic and Public Health Emergency; Designating Polling Places; Authorizing Execution Of Joint Election Contract for the November 3, 2020 Election; and take all other appropriate action. (C. Holsted, City Manager and S. Storm, City Secretary)**

### Executive Summary

On March 18, 2020, the Governor of the State of Texas issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions such as the City of Wylie that would otherwise hold elections on May 2, 2020, to move their general and special elections to the November 3, 2020, uniform election date without otherwise adjusting the terms of office.

## EXECUTIVE SESSION

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If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

- § 551.071 – Private consultation with an attorney for the City.
- § 551.072 – Discussing purchase, exchange, lease or value of real property.
- § 551.074 – Discussing personnel or to hear complaints against personnel.
- § 551.087 – Discussing certain economic development matters.
- § 551.073 – Discussing prospective gift or donation to the City.
- § 551.076 – Discussing deployment of security personnel or devices or security audit.

*Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:*

## RECONVENE INTO OPEN SESSION

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*Take any action as a result from Executive Session.*

## ADJOURNMENT

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## CERTIFICATION

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*I certify that this Emergency Special Called Notice of Meeting was posted on April 2, 2020 at 7:45 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

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**Stephanie Storm, City Secretary**

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**Date Notice Removed**



# Wylie City Council

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## AGENDA REPORT

<b>Meeting Date:</b>	<u>April 2, 2020</u>	<b>Item Number:</b>	<u>1</u> <i>(City Secretary's Use Only)</i>
<b>Department:</b>	<u>City Manager</u>	<b>Account Code:</b>	<u></u>
<b>Prepared By:</b>	<u>City Secretary</u>	<b>Exhibits:</b>	<u>Resolution</u>
<b>Date Prepared:</b>	<u>April 2 2020</u>		

### Subject

Consider, and act upon, Resolution No. 2020-22(R) Postponing to the November 3, 2020 Uniform Election Date the General and Special Elections Scheduled to be held on May 2, 2020, for the purpose of electing persons to the Offices of Mayor and Councilmembers for Places 5 And 6 and the remaining term for Place 2 in response to the Covid-19 Pandemic and Public Health Emergency; Designating Polling Places; Authorizing Execution Of Joint Election Contract for the November 3, 2020 Election; and take all other appropriate action.

### Recommendation

Motion to approve Resolution No. 2020-22(R) Postponing to the November 3, 2020 Uniform Election Date the General and Special Elections Scheduled to be held on May 2, 2020, for the purpose of electing persons to the Offices of Mayor and Councilmembers for Places 5 And 6 and the remaining term for Place 2 in response to the Covid-19 Pandemic and Public Health Emergency; Designating Polling Places; Authorizing Execution Of Joint Election Contract for the November 3, 2020 Election; and take all other appropriate action.

### Discussion

On March 18, 2020, the Governor of the State of Texas issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions such as the City of Wylie that would otherwise hold elections on May 2, 2020, to move their general and special elections to the November 3, 2020, uniform election date without otherwise adjusting the terms of office.

Pursuant to the Governor's proclamation authorizing the City of Wylie to postpone the May 2, 2020 election date, the City Council does by this Resolution exercise its authority to move to November 3, 2020, the General and Special Elections previously ordered for May 2, 2020, for the purpose of electing persons to the offices of Mayor and Councilmembers for Places 5 and 6 and the remaining term for Place 2.

**RESOLUTION NO. 2020-22(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, POSTPONING TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE THE GENERAL AND SPECIAL ELECTIONS SCHEDULED TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF ELECTING PERSONS TO THE OFFICES OF MAYOR AND COUNCILMEMBERS FOR PLACES 5 AND 6 AND THE REMAINING TERM FOR PLACE 2 IN RESPONSE TO THE COVID-19 PANDEMIC AND PUBLIC HEALTH EMERGENCY; RESERVING THE RIGHT AND AUTHORITY TO RESCHEDULE THE GENERAL AND/OR SPECIAL ELECTIONS TO SUCH OTHER DATE AS MAY BE ALLOWED BY LAW AND APPROVED BY SUBSEQUENT ORDINANCE; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACTS FOR THE NOVEMBER 3, 2020 ELECTION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with the general laws and Constitution of the State of Texas and the Charter of the City of Wylie, Texas, and pursuant to Resolution No. 2020-06(R) and Resolution No. 2020-10(R), General and Special Elections were ordered to be held on May 2, 2020, for the purpose of electing persons to the offices of Mayor and Councilmembers for Places 5 and 6 and the remaining term for Place 2; and

**WHEREAS**, on March 18, 2020, the Governor of the State of Texas issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions such as the City of Wylie that would otherwise hold elections on May 2, 2020, to move their general and special elections to the November 3, 2020, uniform election date without otherwise adjusting the terms of office; and

**WHEREAS**, pursuant to the Governor's proclamation authorizing the City of Wylie to postpone the May 2, 2020 election date, the City Council does by this Resolution exercise its authority to move to November 3, 2020, the General and Special Elections previously ordered for May 2, 2020, for the purpose of electing persons to the offices of Mayor and Councilmembers for Places 5 and 6 and the remaining term for Place 2.

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

**SECTION 1:** That the City of Wylie General and Special Elections previously ordered for May 2, 2020, are hereby moved to November 3, 2020.

**SECTION 2:** That the candidate filings for the General and Special Elections shall remain valid for the elections to be held on November 3, 2020, and that the filing period for candidates will not be re-opened.

**SECTION 3:** That all annual applications ballot by mail (ABBM) 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 November 3, 2020, elections; and that ABBM for voters who submitted ABBM based on expected absence from the county shall not be valid for the postponed November 3, 2020 elections.

**SECTION 4:** That the voter registration deadline for the November 3, 2020, election is October 5, 2020, the deadline to submit an ABBM is October 23, 2020, and the dates for early voting are October 19, 2020, through October 30, 2020.

**SECTION 5.** That the City Manager is authorized to negotiate and execute an amendment to each existing election contract with Collin, Dallas, and Rockwall Counties, as necessary, for the purposes of conducting the postponed elections on November 3, 2020, or such other date as may be allowed by law and approved by subsequent resolution or ordinance.

**SECTION 6.** That the City Council hereby reserves the right and authority to reschedule the General and/or Special Elections which are scheduled hereunder for November 3, 2020, to such other date as may be allowed by law and approved by subsequent resolution or ordinance.

**SECTION 7.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution, which shall remain in full force and effect.

**SECTION 8.** That this Resolution shall take effect immediately from and after its passage as the law and charter in such cases provide.

*[The remainder of this page intentionally left blank.]*

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE,  
TEXAS, ON THIS THE 2ND DAY OF APRIL 2020.**

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Eric Hogue, Mayor

ATTEST:

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Stephanie Storm, City Secretary