

ORDINANCE NO. 2020-008

AN ORDINANCE OF THE CITY OF WEST LAKE HILLS, TEXAS CANCELLING THE BOND ELECTION AND PROVIDING FOR OTHER MATTERS INCIDENTAL AND RELATED THERETO

WHEREAS, the City of West Lake Hills, Texas (the “*City*”) is a political subdivision of the State of Texas (the “*State*”) and on February 12, 2020, the City Council of the City (the “*City Council*”) approved that certain Ordinance Calling a Bond Election (the “*Original Ordinance*”) ordering a bond election to be held

WHEREAS, the public health risks posed by Coronavirus Disease 2019 (“*COVID-19*”) have resulted in widespread economic and social disruption, the closure of businesses and governmental decrees restricting congregation and public gatherings statewide, and such disruption, closures and restrictions are reasonably anticipated to impact the City and its residents; and

WHEREAS, pursuant to Section 418.018, Texas Government Code, the Governor issued a proclamation on March 13, 2020 certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in the State; and

WHEREAS, pursuant to Section 418.016, Texas Government Code, the Governor issued a proclamation on March 18, 2020 suspending certain provisions of the Texas Election Code to allow all local political subdivisions that were utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date (collectively with the proclamation issued on March 13, 2020, the “*Proclamation*”); and

WHEREAS, in response to the Proclamation, the Texas Secretary of State provided guidance to election officials advising and ultimately directing election officials to postpone all May 2, 2020 elections; and

WHEREAS, pursuant to the Proclamation and the Secretary of State’s advisories, on April 9, 2020, the City Council approved that certain Order Declaring Postponement of May 2, 2020 Elections (the “*Postponement Order*”), which postponed the Election until the November 3, 2020 uniform election date; and

WHEREAS, the City Council has determined that the adversity, economic disruption and turmoil caused by COVID-19 and the related measures implemented by national, state and local governmental authorities, business organizations and other stakeholders in response to COVID-19 may endure for many months and throughout the remainder of this year, resulting in operational and financial uncertainty in the nation, the State, and the City that may impact the manner in which the City provides services and the means, resources and

facilities required by the City to discharge its governmental and public purposes, and

WHEREAS, City staff and the City Council require additional time to assess and accurately determine (i) the impact of COVID-19 on the City's future needs for bond-financed improvements, including the projects identified for financing through the issuance of bonds contemplated by the Election, (ii) which projects should be financed through the issuance of bonds in accordance with the City's best interest and (iii) the impact of the aforementioned adversity, economic disruption and turmoil caused by COVID-19 on the cost of projects to be financed through the issuance of bonds; and, therefore, the City is unable to proceed with such projects at this time; and

WHEREAS, in light of the foregoing and pursuant to Section 2.081, Texas Election Code, the City Council hereby finds and determines that the measures to be presented to voters in the Election (consisting of Proposition A and Proposition B) have been rendered moot, for the time being, by virtue of the material adverse conditions caused by COVID-19 and uncertainty over when conditions will improve, resulting in the inability of City staff and the City Council to reasonably determine the City's needs for bond-financed improvements at this time;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS, TEXAS, THAT:

Section 1

The declarations, determinations and findings set forth in the recitals of this Ordinance are hereby restated and incorporated into and made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2

The measures to be submitted to voters at the Election (consisting of Proposition A and Proposition B) have been rendered moot at this time and, because such measures were the only measures to be presented to voters in the Election, the Election is hereby cancelled, and all proceedings and actions to date with respect to such Election shall be of no force or effect.

Section 3

The City Council further authorizes and directs the Mayor, the City Administrator and the City Secretary to take any and all necessary action contemplated by this Ordinance to

facilitate the cancellation of the Election, including posting notice of the cancellation of the Election on the City's website, notifying the appropriate county election officer and providing any other notices required by law or deemed appropriate by the Mayor, the City Administrator or the City Secretary in connection with cancellation of the Election.

Section 4

All ordinances 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 resolved herein.

Section 5

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

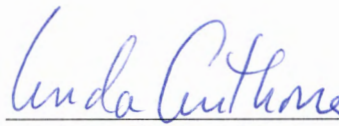
Section 6

It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was held in compliance with the advisory issued by the Governor 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, Texas Government Code as amended.

Section 7

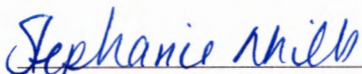
This Ordinance shall be in force and effect from and after the date of its adoption.

PASSED AND APPROVED this 8th day of July 2020.



Linda Anthony, Mayor
City of West Lake Hills, Texas

Attest:



Stephanie Mills, City Secretary
City of West Lake Hills, Texas

