

LOUIS RIGBY
Mayor
BRANDON LUNSFORD
Councilmember at Large A
BRENT Mc CAULLEY
Councilmember at Large B
TREY KENDRICK
Councilmember District 1



CHUCK ENGELKEN
Mayor Pro Tem
Councilmember District 2
BILL BENTLEY
Councilmember District 3
THOMAS GARZA
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6

CITY COUNCIL MEETING SPECIAL MEETING AGENDA

Notice is hereby given of a special meeting of the La Porte City Council to be held April 6, 2021, beginning at 12:00 pm, in the City Hall Council Chamber, 604 West Fairmont Parkway, La Porte, Texas,, for the purpose of considering the following agenda items. All agenda items are subject to action.

Social distancing protocols will be in effect in the Council Chambers.

Remote participation is available, also. Attend via a screen using this link:

<https://us02web.zoom.us/j/85704851368?pwd=VjQ5Q2Y2UmJDckFMTDRqMk9WMm5jUT09>.

Join by phone at 877-853-5257 or 888-475-4499. The meeting ID is 857 0485 1368. The password is 598815.

- 1. CALL TO ORDER**
- 2. CITIZEN COMMENT** *(Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*
- 3. ELECTION MATTERS**
 - (a) Presentation, discussion, and possible action to adopt Ordinance 2021-3823, canvassing the returns of the Special Election held on March 27, 2021, for the election of a Councilperson-District 6. [Louis R. Rigby, Mayor]
- 4. COUNCIL COMMENT** - *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilmembers, and City staff, for which no formal action will be discussed or taken.*
- 5. ADJOURN**

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 - consultation with counsel on legal matters; Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - implementation of security personnel or devices; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (281-470-5019), two working days prior to the meeting for appropriate arrangements.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

CERTIFICATE

I, Lee Woodward, City Secretary, do hereby certify that a copy of the April 6, 2021, City Council agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

DATE _____
TIME _____
TAKEN DOWN _____

Lee Woodward

Lee Woodward, City Secretary



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>April 6, 2021</u>
Requested By: <u>Lee Woodward, City Secretary</u>
Department: <u>City Secretary</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input checked="" type="radio"/> Yes <input type="radio"/> No

Exhibits: Election result tabulations
Proposed Ord. 2021-3823

SUMMARY & RECOMMENDATION

The District 6 special election to fill a vacancy was held on Saturday, March 27, 2021. The results of the election are unofficial until canvassed by the City Council in accordance with the Texas Election Code Ch. 67. Unofficial totals will be compiled on election night and provided on the City website; completed unofficial totals, as called for in EC 67.004, will be provided for the Council on the day of the canvass.

Following a successful canvass, the Mayor will provide the newly elected candidate with a certificate of election (to be delivered "promptly", per EC 67.016(e)).

ACTION REQUIRED BY CITY COUNCIL

Adoption of Ordinance 2021-3823, canvassing the returns of the special election held on March 27, 2021, for the Councilperson-District 6 race.

ORDINANCE 2021-3823

AN ORDINANCE CANVASSING THE RETURNS OF THE DISTRICT 6 SPECIAL ELECTION HELD WITHIN THE CITY OF LA PORTE ON THE 27TH DAY OF MARCH, 2021, FOR THE PURPOSE OF ELECTING A COUNCILPERSON DISTRICT 6; DECLARING THE RESULTS OF THE ELECTION; FINDING THAT NOTICE OF THE ELECTION WAS DULY AND PROPERLY GIVEN, THAT THE ELECTION WAS PROPERLY HELD AND RETURNS THEREOF MADE BY THE PROPER OFFICIALS IN ACCORDANCE WITH THE LAWS OF THE STATE; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; CONTAINING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Section 2.04 of the Charter of the City of La Porte, the City Council, at a regular meeting held on the 11th day of January 2021, adopted Ordinance 2021-3815, calling a special election to be held in the city on the 27th day of March 2021, for the purpose of electing a Councilperson-District 6; and

WHEREAS the election having been duly and regularly held as called and provided in said ordinance and according to law, and the returns thereof having been made and the election judges having certified the results of the election, as hereinafter set out, and the City Council having duly and regularly canvassed the returns of the election and finding that the total votes cast at the election were as follows:

<u>COUNCILPERSON-DISTRICT 6</u>	
DOLORES TARIN	XX
ROBBIE McLARRIN	XX
RANDY ROWAN	XX

WHEREAS the City Council of the City of La Porte finds that the election returns set out above to be accurate and correct.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, THAT:

SECTION 1: _____ received a majority of the votes cast at the election for the office of Councilperson-District 6, and, accordingly, _____ is declared elected to the office of Councilperson-District 6, subject to the taking of the oath as provided by the laws of the State of Texas.

SECTION 4: The City Council finds that the notice of the election was duly and properly given as required by law and as provided in the ordinance calling the election, and that the election was duly and regularly held, and the returns thereof duly and regularly made by the proper officials of the election, and in all things according to the law.

SECTION 5: Each and every provision, paragraph, sentence and clause of this ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

SECTION 7: The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

SECTION 8: This ordinance shall be in effect immediately upon its passage and approval.

PASSED, APPROVED, AND ADOPTED this, the _____ day of _____, 2021.

THE CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney