

ORDINANCE NO. 2022-

AN ORDINANCE AMENDING THE ORDER CALLING A GENERAL ELECTION FOR THE CITY OF LEAGUE CITY, TEXAS ON TUESDAY, NOVEMBER 8, 2022, TO ELECT PERSONS TO THE OFFICES OF MAYOR AND COUNCIL POSITIONS 1, 2, 6 AND 7; BY AMENDING ORDINANCE 2022-24 TO ORDER A SPECIAL ELECTION TO ELECT A PERSON TO COUNCIL MEMBER POSITION 3 FOR THE REMAINDER OF THE UNEXPIRED TERM; ORDERING A RUNOFF ELECTION ON DECEMBER 6, 2022, IF NECESSARY

WHEREAS, the City of League City, Texas (the "City"), pursuant to the laws of the State of Texas and Article III, Section 2 of the Charter of League City, which provides that all elections shall be held in accordance with the laws of the State of Texas regulating the holding of municipal elections in accordance with the ordinances adopted by the City Council for the conduct of such elections; and

WHEREAS, by state law, Section 41.001 of the Texas Election Code, the uniform election date for the month of November 2022 falls on November 8, 2022, (the first Tuesday after the first Monday in November) and there is therefore required to be elected, on November 8, 2022, the following officials for the City:

Mayor, currently for a four-year term ending November 2026; and
Council Position 1, currently for a four-year term ending November 2026; and
Council Position 2, currently for a four-year term ending November 2026; and
Council Position 6, currently for a four-year term ending November 2026; and
Council Position 7, currently for a four-year term ending November 2026; and

WHEREAS, the City of League City, Texas (the "City"), pursuant to the laws of the State of Texas and Section 6 of Article III of the City Charter, as amended, may hold a special election in the City, fix the time and place of holding same, and provide all means for holding such special election provided that such special election be called and held as nearly as practicable according to the provisions governing general elections; and

WHEREAS, the Home Rule Charter for the City in Article II, Section 5, and Section 201.023 of the Texas Election Code provides that if a councilmember submits a resignation, whether it's effective immediately or at a future date, a vacancy occurs on 1) the date the resignation is formally accepted by the City Council or 2) on the eighth day after the date of its receipt by the authority, whichever is earlier; and

WHEREAS, the Home Rule Charter for the City in Article II, Section 6 provides that if a seat on the City Council becomes vacant, it shall be filled for the remainder of the unexpired term at a special election called for such purpose, unless the next regular election is to be held within one hundred and twenty (120) days from the time of such vacancy; and

WHEREAS, the Texas Constitution, Article 11, Section 11(b) provides that any vacancy in a municipality with terms exceeding two (2) years but not exceeding four (4) years must be filled by majority vote of the qualified voters at a special election called for such purpose within 120 days after such vacancy occurs; and

WHEREAS, on July 15, 2022 Council Member Millican formally announced his resignation effective when his successor is duly qualified; and

WHEREAS, the next uniform election date occurs on November 8, 2022, within the 120 day period under which the State Constitution requires the City to call a special election; and

WHEREAS, the laws of the State of Texas and Section 4 of Article II of the City Charter, as amended, provide for a Runoff Election as hereinafter described; and

WHEREAS, the present composition of the City Council is as follows:

Position	Name	Date Elected	Term (years)	Date Term Expires
Mayor	Pat Hallisey	November 2018	4	November 2022
Position #1	Andy Mann	November 2018	4	November 2022
Position #2	Hank Dugie	November 2018	4	November 2022
Position #3	Larry Millican	November 2020	4	November 2024
Position #4	John Bowen	December 2020	4	November 2024
Position #5	Justin Hicks	December 2020	4	November 2024
Position #6	Chad Tressler	December 2018	4	November 2022
Position #7	Nick Long	November 2018	4	November 2022

WHEREAS, the City Council has determined to proceed with the ordering of such general-special election for the purpose of electing persons to Mayor and Council Position 1, 2, 6 and 7 on Tuesday, November 8, 2022, which is a uniform election date; and

WHEREAS, the City Council wishes to proceed with the ordering of such special election for the purpose of electing a person to the position of Council Position Three on November 8, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble to this Ordinance are true and correct.

Section 2. The amended Election Order (attached as Exhibit "A") is herein adopted, which declares and orders that a general-special election (the "Election") be held in and throughout the City of League City on Tuesday, November 8, 2022, and a Runoff Election be held on December 6, 2022, if necessary, to elect persons to Mayor and Council Positions 1, 2, 6, and 7 for a four-year term for each such position; and Council Position 3 for an unexpired term .

Section 3. All ordinances and parts of ordinances in conflict herewith are herein repealed to the extent of the conflict only.

Section 4. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

APPROVED first reading the 26th day of July, 2022.

PASSED and ADOPTED the _____ day of _____, 2022.

PAT HALLISEY,
Mayor

ATTEST:

DIANA M. STAPP,
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN,
City Attorney