

ORDINANCE NO. 2018-20

AN ORDINANCE ORDERING A GENERAL-SPECIAL ELECTION FOR THE CITY OF LEAGUE CITY, TEXAS ON TUESDAY, NOVEMBER 6, 2018, TO ELECT PERSONS TO THE OFFICES OF MAYOR AND COUNCIL POSITIONS 1, 2, 6 AND 7; ORDERING A RUNOFF ELECTION ON DECEMBER 18, 2018, IF NECESSARY; PROVIDING FOR THE REGISTERED VOTERS OF THE CITY TO VOTE ON SEPARATE PROPOSITIONS FOR THE AMENDMENT OF THE CITY CHARTER; AND ESTABLISHING PROCEDURES THEREFOR IN ACCORDANCE WITH LAW

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 2018 falls on November 6, 2018, (the first Tuesday after the first Monday in November) and there is therefore required to be elected, on November 6, 2018, the following officials for the City:

Mayor, currently for a four-year term ending November 2022; and
Council Position 1, currently for a four-year term ending November 2022; and
Council Position 2, currently for a four-year term ending November 2022; and
Council Position 6, currently for a four-year term ending November 2022; and
Council Position 7, currently for a four-year term ending November 2022; 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:

<u>Position</u>	<u>Name</u>	<u>Date Elected</u>	<u>Term (years)</u>	<u>Date Term Expires</u>
Mayor	Pat Hallisey	March 2016	4	November 2018
Position #1	Dan Becker	November 2014	4	November 2018
Position #2	Hank Dugie	March 2016	4	November 2018
Position #3	Larry Millican	November 2016	4	November 2020
Position #4	Todd Kinsey	November 2016	4	November 2020

Position #5	Greg Gripon	November 2016	4	November 2020
Position #6	Keith Gross	December 2014	4	November 2018
Position #7	Nick Long	November 2014	4	November 2018

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; and for the purpose of submitting to the registered voters separate propositions for the amendment of the City Charter on Tuesday, November 6, 2018, which is a uniform election date.

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 attached Election Order (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 6, 2018, and a Runoff Election be held on December 18, 2018, 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 the following propositions for the amendment of the City Charter shall be separately submitted to the qualified and registered voters of the City:

Proposition A. *-Shall Article I, Section 4 of the League City Charter, relating to the City's authority to extend its boundaries, be amended to replace the listing of detailed steps from state law with a provision that states that the City's boundaries may only be modified in accordance with state law; which will read as follows:*

Article I, Section 4. - Adjustment of Boundaries. (NEW LANGUAGE)

The boundaries of the City of League City may be extended or adjusted by any methods allowed under state law. Existing uses on newly annexed land shall be permitted to continue, but new uses may only be commenced in conformance with the City's zoning ordinances.

Article 1, Section 4. - ~~Extension~~ Adjustment of Boundaries. (REDLINED CHANGES)

The boundaries of the City of League City may be ~~enlarged and extended~~ or adjusted by the ~~annexation of additional territory, irrespective of size and configuration, in any of the methods allowed under state law. Hereinafter designated:~~ Existing uses on newly annexed land shall be permitted to continue, but new uses may only be commenced in conformance with the City's zoning ordinances.

~~(a) Extending limits in accordance with State law: Where such additional territory adjoins the corporate limits of the City and contains three (3) or more inhabitants qualified to vote for members of the State Legislature, such adjacent territory may be annexed to the City in the manner and in conformance with the procedure set forth in Chapter 43, Local Government Code, or as the same may hereafter be amended.~~

~~(b) Extending limits by action of city council: The City Council shall have power by ordinance to fix the boundary limits of the said City and to provide for the extension of said boundary limits and~~

~~the annexation of additional territory lying adjacent to said City, with or without the consent of the owners of and/or the inhabitants of the territory annexed. Upon the introduction of an ordinance before the City Council providing for the annexation of such territory without the consent of the inhabitants thereof, same shall be considered by the City Council and may be passed upon the first reading thereof. If passed by the affirmative vote of a majority of the City Council, it shall then be published in the official newspaper of the City of League City one (1) time, and shall not thereafter be finally passed until at least thirty (30) days have elapsed after said publication, and when said ordinance is finally passed, the said territory so annexed shall be a part of the City, and the inhabitants thereof shall be entitled to all the rights and privileges of other citizens, and shall be bound by the acts, ordinances, resolutions, and regulations of the said City.~~

~~(c) Annexation of unoccupied lands by petition of owners: The owner, or owners of any land which is without residents, contiguous and adjacent to the City may, by petition in writing to the governing body, request the annexation of such contiguous and adjacent land, describing it by metes and bounds. The governing body shall thereafter, and not less than five (5) and not more than thirty (30) days after the filing of such petition, hear such petition and the arguments for or against the same, and grant or refuse such petition as the governing body may see fit.~~

~~If the governing body grants such petition, it may, by proper ordinance, receive and annex such territory as a part of the City.~~

~~(d) Annexation by amendment to charter: The boundary limits of the City may be fixed and additional territory added or annexed thereto by Amendment to the Charter of the City.~~

~~(e) Annexation by any other method provided by law: Additional territory may also be annexed to the City in any manner and in any procedure that may now be provided by law or that may be hereafter provided by law. Same shall be in addition to the methods hereinabove provided.~~

~~(f) Annexed territory to become part of the City: Upon completion of any one of the procedures hereinabove provided, the territory so annexed shall become a part of the City, and said land and its inhabitants and future inhabitants shall be entitled to all the rights and privileges of other citizens of the City and shall be bound by the acts, ordinances, resolutions, and regulations of the City.~~

Proposition B - Shall Article II, Section 2.B of the League City Charter be amended to clarify that no person shall serve more than two full consecutive terms as Mayor nor more than two full consecutive terms in any Council Position regardless of position number; which will read as follows:

Article II, Section 2. – Qualifications of Mayor and Council Members (NEW LANGUAGE)

B. No person shall serve more than two full consecutive terms as Mayor nor more than two full consecutive terms in any Council Position, regardless of position number.

Article II, Section 2. – Qualifications of Mayor and Council Members (REDLINED CHANGES)

B. No person shall ~~be a candidate for any Council Position who is presently serving a second consecutive full term as a Council Member of the~~ serve more than two full consecutive terms as Mayor nor more than two full consecutive terms in any Council Position, regardless of position number.

Proposition C -Shall Article II, Section 7 of the League City Charter, which provides that a member of the Council automatically vacates the member's office for missing three consecutive meetings of the City Council without valid excuse, be amended to clarify that the vacancy becomes effective thirty days after the third missed meeting to allow the City Council the opportunity to excuse the absence if the Council finds that a justifiable reason for the absence exists; which will read as follows:

Section 7. - Failure to attend meetings. (NEW LANGUAGE)

Any member of the City Council remaining absent for three (3) consecutive meetings of the City Council of any kind, including regular meetings, special meetings or workshops, unless absence is excused by a simple majority the City Council for a reason found to be justifiable by the City Council, shall be determined to have vacated his office, which vacancy shall be filled in accordance with the Charter. The vacancy shall become effective thirty (30) days after the date of the third consecutively missed meeting of the City Council. Without limiting the grounds for justifiable absence, sickness or leave of absence obtained in advance at a regular meeting, shall be deemed justifiable grounds for failure to attend a meeting.

Article 2, Section 7. - Failure to attend meetings. (REDLINED CHANGES)

Any member of the City Council remaining absent for three (3) consecutive meetings of the City Council of any kind, including regular meetings, special meetings or workshops, unless absence is excused by a simple majority the City Council for a reason found to be justifiable by the City Council, shall be determined to have vacated his office, which vacancy shall be filled in accordance with the Charter. The vacancy shall become effective thirty (30) days after the date of the third consecutively missed meeting of the City Council. Without limiting the grounds for justifiable absence, sickness or leave of absence obtained in advance at a regular meeting, shall be deemed justifiable grounds for failure to attend a meeting.

Proposition D -*Shall Article II, Section 8 of the League City Charter be amended to clarify that the Mayor Pro Tem shall be elected for a one-year term by the City Council at its second regularly scheduled meeting every November; which will read as follows:*

Article II, Section 8. – Mayor pro tem. (NEW LANGUAGE)

The City Council shall, at its second meeting in November of every year or as soon as possible after November if there is not a second Council meeting in November, elect by simply majority one (1) of its members as Mayor Pro Tem, who shall perform the duties of the Mayor in case of his absence or inability to perform the duties of this office, and who shall for such time, be vested with all the powers of the Mayor.

Article II, Section 8. – Mayor pro tem. (REDLINED CHANGES)

The City Council shall, at its first meeting at its second meeting in November of every year or as soon as possible after November if there is not a second Council meeting in November, elect one (1) of its members as Mayor Pro Tem, who shall perform the duties of the Mayor in case of his absence or inability to perform the duties of this office, and who shall for such time, be vested with all the powers of the Mayor.

Proposition E -*Shall Article II, Section 12 of the League City Charter be amended to clarify that all actions taken by the City Council, not just adoption of ordinances and resolutions, require a majority vote of the members present; which will read as follows:*

Article II, Section 12. – Voting on Ordinances and Resolutions. (NEW LANGUAGE)

The votes upon all ordinances, resolutions, and other action of the City Council shall be recorded and entered upon the minutes of the proceedings of the City Council; and every ordinance, resolution, and any other action item shall require a final passage the affirmative vote of a majority of the members present, except where otherwise specifically provided in this Charter or by other law.

Article II, Section 12 – Voting on Ordinances and Resolutions (REDLINED CHANGES)

~~The ayes and noes votes upon shall be taken upon the passage of all ordinances, and resolutions, and other action of the City Council shall be recorded and entered upon the minutes of the proceedings of the City Council; and every ordinance, and resolution, and any other action item shall require a final passage the affirmative vote of a majority of the members present, except where otherwise specifically provided in this Charter or by other law.~~

Proposition F - Shall Article II, Section 17 of the League City Charter be amended to delete all references to the City Secretary also serving as "Treasurer and Assessor and Collector of Taxes" since the City Secretary does not serve in that role for the City, given that the City uses the county tax assessors/collectors for that function; which will read as follows:

Article II, Section 17. - Appointive officers. (NEW LANGUAGE)

The City Council shall appoint a competent person to be City Secretary to perform such duties as the City Council may prescribe. He shall, before entering upon the duties of his office, give a good and sufficient bond of not less than five thousand dollars (\$5,000.00), the amount thereof to be fixed by the City Council, and said bond to be approved by said City Council and filed and recorded in the minutes thereof. Said City Secretary shall be invested and charged with, and shall exercise all the powers, rights, and duties conferred upon the imposed by the General Laws of Texas, upon the City Secretary, except such powers, rights and duties as the City Council may by ordinance delegate to another and shall exercise such other power and rights and perform such other duties as may be prescribed by ordinance of the City Council.

The City Council shall also have the power and authority by ordinance to create such boards, commissions, agencies and offices, in addition to those specially provided for by this Charter, or by the laws of the State of Texas, and to provide for the expense and operation of same and the compensation to be paid such members, officers, and/or employees, as it may deem advisable. Such boards, commissions, agencies, and officers shall have all the powers and privileges and perform the duties that may be prescribed by ordinance, and the City Council may abolish, at any time it may see fit, any board, commission, agency or office which it creates, and may discharge any appointed officer, member, or employee; provided the offices of City Secretary may not be abolished under the terms of this section.

Article II, Section 17. - Appointive officers (REDLINED CHANGES)

The City Council shall appoint a competent person to be City Secretary, ~~who may also be Treasurer and Assessor and Collector of Taxes of the City and may perform such other duties as the City Council may prescribe to perform such duties as the City Council may prescribe.~~ He shall, before entering upon the duties of his office, give a good and sufficient bond of not less than five thousand dollars (\$5,000.00), the amount thereof to be fixed by the City Council, and said bond to be approved by said City Council and filed and recorded in the minutes thereof. Said City Secretary shall be invested and charged with, and shall exercise all the powers, rights, and duties conferred upon the imposed by the General Laws of Texas, ~~upon the Clerk, Treasurer, and Assessor and Collector of Taxes of cities and towns upon the City Secretary,~~ except such powers, rights and duties as the City Council may by ordinance delegate to another and shall exercise such other power and rights and perform such other duties as may be prescribed by ordinance of the City Council.

The City Council shall also have the power and authority by ordinance to create such boards, commissions, agencies and offices, in addition to those specially provided for by this Charter, or

by the laws of the State of Texas, and to provide for the expense and operation of same and the compensation to be paid such members, officers, and/or employees, as it may deem advisable. Such boards, commissions, agencies, and officers shall have all the powers and privileges and perform the duties that may be prescribed by ordinance, and the City Council may abolish, at any time it may see fit, any board, commission, agency or office which it creates, and may discharge any appointed officer, member, or employee; provided the offices of City Secretary may not be abolished under the terms of this section

Proposition G Shall Article II, Section 22 of the League City Charter be amended to state that a record of all votes of the City Council, not just those involving ordinances and resolutions, is to be maintained; which will read as follows:

Article II, Section 22. - Passage of ordinances and resolutions. (NEW LANGUAGE)

Ordinances and resolutions shall be introduced in the Council only in written or printed form. Each ordinance shall be confined to one (1) subject. No ordinance shall be passed until it has been read on two (2) separate days, unless the requirements for reading it on two (2) separate days be dispensed with by the affirmative vote of a four-fifths (4/5) majority of the voting members of City Council present at the meeting. The final reading of each ordinance shall be in full, unless a written or printed copy thereof shall have been furnished to each member of the Council prior to such reading. Ordinances will be adopted on final reading by majority vote. The votes taken upon all action items shall be entered upon the Journal of the Proceedings of the Council. It shall not be necessary that an ordinance be written in full upon the Journal of the City Council, but it shall be sufficient to refer therein to the number assigned to such ordinances in the Record of Ordinances to be maintained by the City Secretary. The enacting clause of all ordinances shall be "Be it ordained by the City Council of City of League City"; but the same may be omitted when published in book or pamphlet form. Nothing herein is intended to change the mandatory provisions of the Law of Texas with respect to the manner of adopting and publishing particular ordinances or to repeal provisions of this Charter relating to particular ordinances.

Article II, Section 22. - Passage of ordinances and resolutions. (REDLINED CHANGES)

Ordinances and resolutions shall be introduced in the Council only in written or printed form. Each ordinance shall be confined to one (1) subject. No ordinance shall be passed until it has been read on two (2) separate days, unless the requirements for reading it on two (2) separate days be dispensed with by the affirmative vote of a four-fifths (4/5) majority of the voting members of City Council present at the meeting. The final reading of each ordinance shall be in full, unless a written or printed copy thereof shall have been furnished to each member of the Council prior to such reading. Ordinances will be adopted on final reading by majority vote. ~~The years [yeas] and nays shall be votes taken upon the passage of all ordinances and resolutions~~ action items and shall be entered upon the Journal of the Proceedings of the Council. It shall not be necessary that an ordinance be written in full upon the Journal of the City Council, but it shall be sufficient to refer therein to the number assigned to such ordinances in the Record of Ordinances to be maintained by the City Secretary. The enacting clause of all ordinances shall be "Be it ordained by the City Council of City of League City"; but the same may be omitted when published in book or pamphlet form. Nothing herein is intended to change the mandatory provisions of the Law of Texas with respect to the manner of adopting and publishing particular ordinances or to repeal provisions of this Charter relating to particular ordinances.

Proposition H - Shall Article VII, Section 5 of the League City Charter be amended to clarify that the City Council may transfer appropriations from one directorate to another; which will read as follows:

Article VII, Section 5. – Transfer of appropriations. (NEW LANGUAGE)

The Council may transfer any unencumbered appropriation balance or portion thereof from one directorate, department, division or agency to another, at any time. The City Manager shall have authority, without Council authority, to transfer appropriation balances from one expenditure account to another within a single directorate, department, division or agency.

Article VII, Section 5. – Transfer of appropriations. (REDLINED CHANGES)

The Council may transfer any unencumbered appropriation balance or portion thereof from one ~~office~~ directorate, department, division or agency to another, at any time. The City Manager shall have authority, without Council authority, to transfer appropriation balances from one expenditure account to another within a single ~~office~~ directorate, department, division or agency.

Proposition I - Shall Article VIII, Section 2 of the League City Charter be amended to delete all reference to the “City Tax Assessor and Collector” since the City does not employ a person in that position and instead uses the county tax assessors/collectors for that function; which will read as follows:

Article VIII, Section 2. - Assessment of property for tax purposes. (NEW LANGUAGE)

All property, real, personal, or mixed, having a situs within the corporate limits of the City of League City on January 1st of each year, not expressly exempted by law, shall be subject to taxation by the City of League City for such year. The City hereby requires the county tax assessor and collector for each county in which the City of League City’s corporate limits extend to assess and collect the taxes on property within such corporate limits within that county in the manner in which that county assesses and collects its taxes. The mode and manner of making renditions, tax lists, assessments, and tax rolls shall be determined by state law.

Article VIII, Section 2. - Assessment of property for tax purposes. (REDLINED CHANGES)

All property, real, personal, or mixed, having a situs within the corporate limits of the City of League City on January 1st of each year, not expressly exempted by law, shall be subject to taxation by the City of League City for such year. The City shall designate a county tax assessor to assess and collect the taxes on property within such corporate limits in the manner that the county tax assessor and collector assesses and collects its taxes. ~~The Council may prescribe the mode and manner of making renditions, tax lists, assessments, and tax rolls~~ shall be determined by state law.

~~Every person, partnership, association, or corporation holding, owning or controlling property within the limits of the City, shall, by April 15 of each year, file with the City Tax Assessor and Collector a full and complete sworn inventory of such property held, owned or controlled within said limits on January 1st of each year. The Council may prescribe by ordinance the mode and manner of making such inventories, and penalties for failing or refusing to submit the same. The City Tax Assessor and Collector shall review all renditions made to him and determine the value of the property rendered and fix the value thereof for tax purposes. If the Assessor fixes a value higher than that shown on the owner's rendition, he shall give written notice thereof to such owner at his last known address by depositing the same, postage paid, in the United States mail, notifying him of such change and advising him that he may appear before the Board of Equalization to protest such change. In all cases where no rendition of real and personal property is made by the owner~~

thereof, the City Tax Assessor and Collector shall ascertain the amount and value of such property and assess the same, and such assessment shall be as valid and binding as if the property involved had been rendered by such owner, provided that if the City Tax Assessor and Collector shall assess any such property which has not previously been assessed, or if he shall assess any such property at a higher valuation from that shown on the last preceding tax roll, he shall give notice of such assessment, or such change in assessment, as above provided.

~~All assessments of real property, whether rendered by the owner or assessed by the City Tax Assessor and Collector shall list the value of land and improvements separately and the total values; and describe such property sufficiently to identify it, giving the name of the last known owner thereof. If the ownership of any property should be unknown to the City Tax Assessor and Collector, he shall state that fact. The City Designated Tax Assessor and Collector shall assess all property which has been omitted from assessment in prior years upon a current supplemental assessment roll. The taxes upon such supplemental assessments shall be due at once and if not paid within sixty (60) days thereafter, shall be deemed delinquent and shall be subject to the same penalty and interest as other delinquent taxes for such year. In addition to the powers granted by this section, he shall have the same power as County Tax Assessors and Collectors in Texas to make reassessments, all at the same value and tax rates as such property should have been assessed and taxed for past years and indicating the year or years for which it is assessed.~~

Proposition J -*Shall Article VIII, Section 3 of the League City Charter, which provides for a 3-person Board of Directors to adjust assessed property values, be deleted since the City has never utilized such a board but instead uses the county appraisal districts for that function; which will read as follows:*

Article VIII, Section 3. - Reserved. (NEW LANGUAGE)

Article VIII, Section 3. - ~~Board of directors~~ Reserved. (REDLINED CHANGES)

~~The Council shall each year prior to June 1st appoint a Board of Directors composed of three (3) members, none of whom shall be employees, officers, or members of the Council of the City of League City. Each member of said Board shall be a qualified tax paying voter in the City, and shall be well informed upon property values within the City. Said Board shall choose from its membership the chairman, who shall preside at all meetings of the Board. Members of the Board during their period of service shall receive such compensation as may be provided by the Council, and shall perform no other duties for the City. The Board of Directors shall convene as soon as practicable after June 1st, and shall give notice of its time and place of meeting as provided by ordinance or the Laws of the State of Texas. The Board shall adjust assessed values, and, in addition to the powers herein granted, shall have all the powers of a County Commissioners Court in regard to the equalization of assessed values of property for taxation. Whenever the Board shall find it necessary to increase the rendered or assessed value of any property appearing on the assessment rolls, it shall give immediate notice to the owner of such property, or the person rendering the same, and provide said owner an opportunity to appear and show cause why the value of such property should not be changed. The notice herein required may be served by mailing the same to the last known address of the owner, postage paid. The Board shall have the same powers to subpoena property owners of the City, witnesses, books, and records as are granted by the Laws of the State to the County Board of Directors and shall have the power to administer oaths and to punish for contempt as provided by ordinance. The Board shall be governed by such rules and regulations and shall have such additional powers as may be prescribed by ordinance, but it may adopt such further rules and regulations of its own which are not in conflict with any City Ordinance or Law of the~~

State of Texas. The Board shall cause a record of its proceedings to be made, and such record shall be preserved to the same extent and in the same manner as other tax records shall certify its approval of the assessment rolls and forward the same to the Council. The Council shall thereupon approve the assessment rolls, and they shall thereby become the assessment rolls of the City for that tax year.

Proposition K -*Shall Article VIII, Section 4 of the League City Charter be amended to delete all reference to the "City Tax Assessor and Collector" since the City does not employ a person in that position and instead uses the county tax assessors/collectors for that function; which will read as follows:*

Article VIII, Section 4. – Taxes: when due and payable. (NEW LANGUAGE)

All taxes due the City of League City shall be payable at the office of the County Tax Assessor and Collector that has been designated by the City. Due dates, delinquencies, and related matters shall be governed by state law.

Article VIII, Section 4. – Taxes: when due and payable. (REDLINED CHANGES)

All taxes due the City of League City shall be payable at the office of the City/County Tax Assessor and Collector that has been designated by the City. Due dates, delinquencies, and related matters shall be governed by state law.

and may be paid before February 1st, of the fiscal year, and all such taxes not paid prior to such date shall be deemed delinquent and shall be subject to such penalty and interest as the City Council may provide by ordinance.

Proposition L -*Shall Article VIII, Section 6 of the League City Charter, which discusses how property owners communicate with the appraisal district in situations where there is a joint interest in property, be deleted since this section provides no rule for or pertain in any way to the City or its officials or employees; which will read as follows:*

Article VIII, Section 6. –Reserved. (NEW LANGUAGE)

Article VIII, Section 6. – Joint Interest in Property Reserved. (REDLINED CHANGES)

~~The appraisal district for the county in which any real property in the city is located shall not be required to make separate assessments of joint or conflicting interests in any real estate. It is provided, however, that the owner of any such interest may furnish to the appraisal district for the county at any time before April 1st of each year a written description of any parcel of land in which he has an interest less than the whole, showing the amount of his interest therein, and the appraisal district for the county may thereupon assess such interest as a separate parcel.~~

~~The appraisal district for the county may receive the taxes on part of any lot or parcels of real estate or an undivided interest therein, but no such taxes shall be received until the person rendering the same shall have furnished the appraisal district for the county a full description of the particular part or interest on which payment is rendered.~~

Proposition M - *Shall Article IX, Section 8 of the League City Charter be amended to remove the reference to the City's previous red-light camera vendor; which will read as follows:*

Article IX, Section 8. – Photographic traffic enforcement prohibited (NEW LANGUAGE)

The deployment of photographic traffic enforcement systems, and any contracts or franchises or renewals related thereto on City public rights-of-way shall be prohibited.

Article IX, Section 8. – Photographic traffic enforcement prohibited (REDLINED CHANGES)

~~Effective with the expiration of the City's contract with Redflex Traffic Systems Inc., t~~ The deployment of photographic traffic enforcement systems, and any contracts or franchises or renewals related thereto on City public rights-of-way shall be prohibited.

Proposition N -*Shall Article X, Section 17 of the League City Charter be amended to remove the requirement that the City Secretary pay the premium for his/her bond since the City is required to pay the premiums for all bonds required for its other officers and employees; which will read as follows:*

Article X, Section 17. – Official Bond (NEW LANGUAGE)

The City Secretary and such other officers or employees as the City Council may by general ordinance require to do, shall give bond in such amount and with a solvent surety company as may be approved by the City Council. The premiums on such bonds shall be paid by the City.

Article X, Section 17. – Official Bond (REDLINED)

The City Secretary and such other officers or employees as the City Council may by general ordinance require to do, shall give bond in such amount and with a solvent surety company as may be approved by the City Council. The premiums on such bonds shall be paid by the City. ~~excepting the premium on the bond of the City Secretary.~~

Proposition O -*Shall Article X, Section 21 of the League City Charter, which requires that all warrants or claims for payment be approved by the City Manager and City Council before payment may be issued, be deleted since such requirement slows the transaction of City business and state laws and other controls already exist to ensure that only lawful claims are paid; which will read as follows:*

Article X, Section 21. – Reserved (NEW LANGUAGE)

Article X, Section 21. – ~~Payment of Claims Reserved~~ (REDLINED CHANGES)

~~No warrant for the payment of any claims shall be issued by the City, unless such claim shall be evidenced by an itemized account approved by the City Manager and audited and allowed by the Council at a regular or special meeting, and all warrants shall be signed by the City Manager and countersigned by the party acting as City Secretary.~~

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 10th day of July, 2018.


APPROVED second reading the _____ day of _____, 2018.

PASSED and ADOPTED the 10th day of July, 2018.



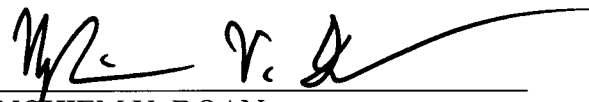
PAT HALLISEY,
Mayor

ATTEST:



DIANA M. STAPP,
City Secretary

APPROVED AS TO FORM:



NGHIEM V. DOAN,
City Attorney

SUSPENDED THE RULE AND ADOPTED ON FIRST AND FINAL READING

EXHIBIT "A"

ELECTION ORDER

WHEREAS, the laws of the State of Texas and Sections 1 and 6 of Article III of the City Charter, as amended, require the City to hold a general and, as necessary, a special election in the City on the uniform election date for the month of November 2018 for Mayor and Councilpersons whose terms are expiring and, and providing for the registered voters of the City to vote on separate propositions for the amendment of the City Charter; and

WHEREAS, the uniform election date for the month of November 2018 falls on November 6, 2018, and there is therefore required to be elected, on November 6, 2018, the following officials for the City:

Mayor, currently for a four-year term ending November 2022; and
Council Position 1, currently for a four-year term ending November 2022; and
Council Position 2, currently for a four-year term ending November 2022; and
Council Position 6, currently for a four-year term ending November 2022; and
Council Position 7, currently for a four-year term ending November 2022; and

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

WHEREAS, the proposed propositions to amend the Charter of the City of League City as proposed in Section 2 of this ordinance shall be submitted to the registered voters at this General-Special Election on November 6, 2018, on the ballot and in the form of the following propositions. The words "for" and "against" shall be printed below each proposition on the ballot:

City of League City Proposition A - Shall Article I, Section 4 of the League City Charter be amended to remove the steps that detail the City's procedure for adjusting its boundaries according to state law since the procedure is already detailed in state law and City must comply with state law regardless of the language of the City Charter?

City of League City Proposition B - Shall Article II, Section 2.B of the League City Charter be amended to clarify that no person shall serve more than two full consecutive terms as Mayor nor more than two full consecutive terms in a Council Position regardless of position number?

City of League City Proposition C - Shall Article II, Section 7 of the League City Charter be amended clarify that a vacancy on the City Council due to three consecutive absences of meetings of the City Council becomes effective thirty days after third missed meeting so that the City Council has an opportunity to excuse the absence if a justifiable reason for the absences(s) exists?

City of League City Proposition D - Shall Article II, Section 8 of the League City Charter be amended to clarify that the Mayor Pro Tem will serve for a one-year period and he shall be appointed at the second regularly scheduled City Council meeting in November?

City of League City Proposition E - Shall Article II, Section 12 of the League City Charter be amended to state that all actions of the City Council, not just ordinances and resolutions, requires a majority vote of the members present?

City of League City Proposition F - Shall Article II, Section 17 of the League City Charter be amended to delete the reference of "Treasurer and Assessor and Collector of Taxes" from the office of the City Secretary since the City Secretary has never served in the role of Treasurer Assessor/Collector for the City and the City uses the County tax assessor (in Galveston and Harris Counties) for that function?

City of League City Proposition G - Shall Article II, Section 22 of the League City Charter be amended to state that all actions of the City Council, not just ordinances and resolutions, requires a majority vote of the members present?

City of League City Proposition H - Shall Article VII, Section 5 of the League City Charter be amended to clarify that appropriations may be transferred from one "director" to another?

City of League City Proposition I - Shall Article VII, Section 2 of the League City Charter be amended to delete all reference to the "City Tax Assessor and Collector" since the City does not employ a person in that position and instead uses the county tax assessors/collectors for that function?

City of League City Proposition J - Shall Article VIII, Section 3 of the League City Charter, which requires that the City Council appoint a 3-person Board of Directors to adjust assessed property values thereby functioning as an appraisal district, be deleted since the city has never created such a board, nor has it appointed any members to such a board and instead uses the County appraisal districts (in Galveston and Harris Counties) for that function?

City of League City Proposition K - Shall Article VIII, Section 4 of the League City Charter be amended to delete the reference to a "City" Tax Assessor/Collector since the City does not employ such a position and the City uses the County tax assessor (in Galveston and Harris Counties) for that function?

City of League City Proposition L - Shall Article VIII, Section 6 of the League City Charter, which discusses how property owners communicate with the appraisal district in situations where there is a joint interest in property, be deleted since this section imposes no rule or limitation on the City or its officers/employees?

City of League City Proposition M - Shall Article IX, Section 8 of the League City Charter be amended to remove the reference to the City's previous red-light vendor?

City of League City Proposition N - Shall Article X, Section 17 of the League City Charter be amended to remove the requirement that the City Secretary shall pay the premium for his/her bond since the City currently pays the bond premiums for all executive level employees and city officials?

City of League City Proposition O - Shall Article X, Section 21 of the League City Charter, which requires that all warrants or claims for payment be approved by the City Manager and City Council before payment may be issued, be deleted since there are state laws and internal policy controls that dictate how the City issues warrants or pays its claims and the City Council maintains

additional oversight when it creates and approves the city budget every year.

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

Section 1. The City Secretary is hereby authorized and directed to prepare the election ballots to conduct the General-Special Election and, if necessary, the Runoff Election, in accordance with the provisions of the City Charter, the Texas Constitution and Texas Election Code. On such election ballot, the voters shall select from properly filed candidates, Mayor and Council Position 1, 2, 6 and 7 and shall select "for" or "against" on separate propositions for the amendment of the City Charter.

Section 2. All independent candidates at the election to be held on November 6, 2018 (the "General-Special Election"), for Mayor and Council Position 1, 2, 6 and 7 shall file their applications to become candidates with the City Secretary at City Hall, 300 West Walker Street, League City, Texas 77573, not earlier than July 21, 2018 and not later than 5:00 p.m. on August 20, 2018; however, because July 21, 2012 falls on a Saturday and the City's normal business hours are Monday through Thursday, 8:00 a.m. to 6:00 p.m., and Friday 8:00 a.m. to 12:00 p.m., the earliest date to file applications to become candidates is Monday, July 23, 2018. All such applications shall be on a form as prescribed by Section 141.031 of the Texas Election Code (the "Code"). All candidates shall file with such application the loyalty affidavit required by Section 141.031 of the Code. A filing fee of One Hundred Dollars (\$100.00) shall be paid at the time of filing for each candidate for Mayor, and Fifty Dollars (\$50.00) shall be paid at the time of filing by each candidate for Council Position 1, 2, 6 and 7; however, in lieu of the filing fee, any candidate may present a petition, requesting that his or her name be placed on the ballot, that must be signed by the greater of either twenty-five (25) registered voters of the City or one-half of one percent of the total votes received in the territory from which the office is elected by all candidates for mayor in the most recent mayoral general election.

Section 3. Persons wishing to run as write-in candidates shall declare their intent with the City Secretary in order to be entitled to have their votes counted, not later than 5:00 p.m. on the 74th day before the General Election, as denoted in Section 146.054 of the Code, to-wit: August 24, 2018. Only the votes for those write-in candidates that appear on the City Secretary's certified list of write-in candidates shall be counted. Gag votes and/or protest votes shall not be tallied on election night, as stipulated in Sections 146.051 through 146.055 of the Code.

Section 4. If no candidate for any office shall receive a majority of all votes cast for such office at the General-Special Election as required by the City's home-rule Charter, a runoff election between the two (2) highest vote-getters for such office shall be held on Tuesday, December 18, 2018 (the "Runoff Election"), as permitted by the Code.

Section 5. The order in which the names of the candidates for Mayor and Council Positions 1, 2, 6 and 7 are to be printed on the ballot for the General Election or for the Runoff Election, if required, shall be determined by drawings by the City Secretary as provided by Section 52.094 of the Code. The City Secretary shall provide notice of such drawings as provided by Section 52.094 of the Code.

Section 6. The General-Special Election and the Runoff Election, if required (collectively, the "Elections"), shall be held under the provisions of the Charter of the City, the Texas Constitution and the laws of the State of Texas, and of this Ordinance. All qualified and registered voters residing in the City shall be allowed to vote at the Elections.

Section 7. The County of Galveston has been approved to conduct Vote Center elections on Election Day. This process allows voters to cast their votes at any Vote Center location within the County. Listed below are the locations within the City that the County of Galveston is proposing:

Regal Estates, 500 Enterprise Ave., League City; and

Hometown Hero's Park, 2015 Dickinson Ave., League City; and

League City Intermediate, 2588 Webster St., League City; and

North County Annex, 174 Calder Road, League City; and

League City Civic Center, 400 West Walker Street; and

CCISD Admin Building, 2425 E. Main, League City

Section 8. All voting locations shall be open from 7:00 a.m. to 7:00 p.m. on Election Day.

Section 9. The City will contract with the County of Galveston to conduct a joint election, and runoff election if necessary, for those voters residing within Galveston County. The City will contract with Harris County to conduct a joint election for those voters residing within Harris County. Therefore officers and clerks for the Elections shall be appointed by the appropriate County.

Section 10. Direct Recording Electronic (DRE) voting machines shall be used for voting in all polling places. Tabulation of all votes cast within Galveston County will be done at the Central Counting Station located at the Galveston County Clerk's Office at 600 59th Street, Galveston, Texas. Tabulation of all votes cast with Harris County will be done at the Central Counting Station located at the Harris County Clerk's Office at 1001 Preston, 4th Floor, Houston, Texas.

Section 11. Dwight D. Sullivan, County Clerk is hereby appointed Counting Station Manager at the Galveston County Clerk's Office. Stan Stanart, County Clerk is hereby appointed Counting Station Manager at the Harris County Clerk's Office. Diana M. Stapp is hereby appointed as general custodian of election records for the City of League City. Such officers and their designees shall have all the authority, duties and responsibilities as denoted in the Code.

Section 12. The City, in accordance with Section 32.002 of the Texas Election Code, may appoint one member of the Signature Verification Committee, the Early Voting Ballot Board, and the Ballot Resolution Board (BRB). The BRB is a non-statutory board that assists the Central Counting Station with the duplication of damaged ballots and email ballots submitted by members of the U.S. armed forces overseas and, where necessary, assists the Presiding Judge of the Central Counting Station in determining the intent of the voter in cases of over votes on mail ballots.

Section 13. The early voting location within the City for the General Election shall be at the North Galveston County Building, 174 Calder Road, League City, Texas 77573, and any additional locations as may be determined by the County of Galveston. Such place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, October 22, 2018 through October 26, 2018, between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, October 27, 2018, between the hours of 1:00 p.m. and 6:00 p.m. on Sunday, October 28, 2018, and between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, October 29, 2018 through November 2, 2018 for early voting.

Section 14. The early voting location for the General election for those voters who reside in Harris County shall be determined by Harris County. Such place of voting shall remain open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, October 22, 2018 through October 26, 2018, between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, October 27, 2018, between the hours of 1:00 p.m. and 6:00 p.m. on Sunday, October 28, 2018, and between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, October 29, 2018 through November 2, 2018 for early voting.

Section 15. Early voting for a Runoff election will be held at the League City Civic Center, 400 West Walker Street, League City, Texas 77573. Such place of voting shall remain open between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, December 10, 2018 through December 14, 2018.

Section 16. Pursuant to Section 9 above, the City has contracted with Galveston County and Harris County for the performance of election services on the City's behalf. Exact locations and times for voting each in each county shall be established pursuant to such contracts. Such times and locations shall be automatically amended without further action of the City Council to include additional or different early voting polling places and times designated by the respective election administrator of the Counties, and to conform to the respective election services agreements, the notices of the election shall be conformed to such final lists provided to the City by the respective election administrator.

Section 17. Early voting by personal appearance shall be by Direct Recording Electronic voting machines in accordance with Section 61.012 of the Texas Election Code.

Section 18. The early voting clerk's address to which ballot applications and ballots voted by mail for Galveston County residents may be sent is Dwight D. Sullivan, County Clerk, Galveston County Justice Center, 600 59th Street, 2nd Floor, Galveston, Texas 77551. Applications for ballots by mail must be received no later than close of business on October 26,

2018.


Section 19. The early voting clerk's address to which ballot applications and ballots voted by mail for Harris County residents may be sent is Stan Stanart, Harris County Clerk, P.O. Box 1148, Houston, Texas 77251-1148. Applications for ballots by mail must be received no later than close of business on October 26, 2018.

Section 20. The Mayor shall give notices of the Elections in accordance with the terms and provisions of Section 4.002, et seq., of the Code. Such notices shall state the nature and the date of the Elections, the location of the polling places for each precinct, the hours that the polls will be open and other information required by law. The Mayor shall issue all necessary orders and writs for such Elections, and returns of such Elections shall be made to the City Council and City Secretary immediately after the closing of the polls.

Section 21. The City Attorney shall take such actions as required to have the City in compliance with the Federal Voting Rights Act.

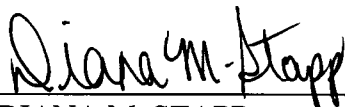
Section 22. It is further found and determined that in accordance with the order of this governing body, the City Secretary posted written notice of the date, place, and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and such notice having been so posted and remaining posted, continuously for at least seventy-two (72) hours preceding the scheduled time of such meeting. A copy of the return of such posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

SIGNED on this the 26th day of July, 2018.



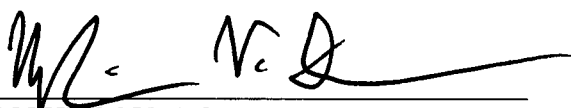
PAT HALLISEY,
Mayor

ATTEST:



DIANA M. STAPP,
City Secretary

APPROVED AS TO FORM:



NGHIEM V. DOAN,
City Attorney