

ORDINANCE 2024-3992

AN ORDINANCE CANVASSING THE RETURNS OF THE RUNOFF TO THE SPECIAL MUNICIPAL ELECTION HELD WITHIN THE CITY OF LA PORTE, TEXAS, ON THE 15TH DAY OF JUNE, 2024, FOR THE PURPOSE OF ELECTING A COUNCILPERSON DISTRICT 4 TO FILL AN UNEXPIRED TERM; DECLARING THE RESULTS OF THE ELECTION; FINDING THAT NOTICE OF THE ELECTION WAS DULY AND PROPERLY GIVEN, AND 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 the general and special municipal elections of the City of La Porte, Texas, for election of members of the City Council as prescribed by Section 2.03 of the City Charter, was held on the 4th day of May 2024, in the city, for the purpose of electing a Mayor At-Large, Councilperson District 2, Councilperson District 3, and to fill the unexpired term of Councilperson District 4; and

WHEREAS the elections were held under and pursuant to the provisions of Ordinances 2024-3964 calling the general election for a Mayor At-Large, Councilperson District 2, and a Councilperson District 3, and 2024-3967 calling the special election to fill the unexpired term of Councilperson District 4, respectively; and

WHEREAS no candidate in the special election for a Councilperson District 4 received a majority of the votes cast at the special election held on May 4, 2024, and a runoff election was held on June 15, 2024; and

WHEREAS the election having been duly and regularly held as called and provided in said ordinances 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 4</u>	
JOHN GUYON	77
ROBERT GUERRA	110

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: That the facts and recitations set forth in the preamble of this ordinance are true and correct.

SECTION 2: Robert Guerra received a majority of the votes cast at the election for the office of Councilperson District 4, and, accordingly, Robert Guerra is declared elected to the office of Councilperson District 4 to fill the unexpired term of said Councilperson District 4, subject to the taking of the oath provided by the laws of the State of Texas.

SECTION 3: 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 4: 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 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

SECTION 6: 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 7: This ordinance shall be in effect immediately upon its passage and approval.

PASSED, APPROVED, AND ADOPTED this, the 24th day of June, 2024.

THE CITY OF LA PORTE, TEXAS

Rick Helton, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, City Attorney