



City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
Mardi Turner, Mayor Pro Tem
Bob Higley, Councilmember
Kellye Burke, Councilmember
Kevin Boyle, Councilmember

STAFF

David J. Beach, City Manager
Alan Petrov, City Attorney
Thelma Gilliam, City Secretary

City Council Special Meeting Agenda Agenda de la Reunión Especial Ayuntamiento

Notice is hereby given of a special City Council meeting of West University Place to be held on **Wednesday, May 15, 2019** beginning at **6:00 p.m.** in the **Municipal Building** located at 3800 University Boulevard, West University Place, Texas, for the purpose of considering the following agenda items:

Por la presente se da aviso de una reunión especial del Concejo Municipal de West University Place que se celebrará el miércoles 15 de mayo de 2019 a partir de las 6:00 p.m. en el Edificio Municipal ubicado en 3800 University Boulevard, West University Place, Texas, con el propósito de considerar los siguientes puntos de la agenda:

SPECIAL MEETING (beginning at 6:00 pm in the Council Conference Room)

Call to Order
Matters related to the notice of this meeting

1. Ordinance Canvassing Results of the May 4, 2019 General and Special Elections

Matters related to an ordinance canvassing the results of the May 4, 2019 General and Special Elections. *Recommended Action: Approve ordinance canvassing the results of the May 4, 2019 General and Special Elections on first and final reading. Ms. Thelma A. Gilliam, City Secretary* [see Agenda Memo 1]

Ordenanza sobre los resultados de las elecciones generales y especiales del 4 de mayo de 2019

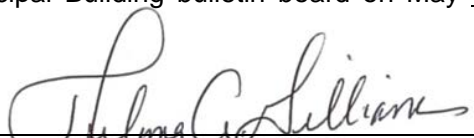
Asuntos relacionados con una ordenanza que examina los resultados de las elecciones generales y especiales del 4 de mayo de 2019. Acción recomendada: aprobar una ordenanza que recoja los resultados de las elecciones generales y especiales del 4 de mayo de 2019 en la primera y última lectura. *Sra. Thelma A. Gilliam, Secretaria de la Ciudad* [ver la Nota de la Agenda 1]

2. Adjourn

In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact City Secretary Thelma Gilliam at 713.662.5813 at least 24 hours prior to the meeting so that reasonable accommodations can be made to assist in your participation in the meeting. The Council Chambers is wheel chair accessible from the west entrance and specially marked parking spaces are available in the southwest parking area. Special seating will be provided.

I certify that the attached notice and agenda of items to be considered by the West University Place City Council on May 15, 2019 was posted on the Municipal Building bulletin board on May 9, 2019 at approximately 3:00 o'clock p.m.

(SEAL)



Thelma A. Gilliam, TRMC, CMC, City Secretary

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF WEST UNIVERSITY PLACE, TEXAS

AGENDA OF:	May 13, 2019	AGENDA ITEM:	1
DATE SUBMITTED:	May 7, 2019	DEPARTMENT:	Administration
PREPARED BY:	T. Gilliam City Secretary	PRESENTER:	T. Gilliam City Secretary
SUBJECT:	Ordinance Canvassing Results of the May 4, 2019 General and Special Elections		
ATTACHMENTS:	Ordinance		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:	N/A		
ACCOUNT NO.:	N/A		
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
ACCOUNT NO.:	N/A		

EXECUTIVE SUMMARY

The City of West University Place held a General and Special Election on Saturday, May 4, 2019.

Unofficial results were released the night of the election and included all regular ballots cast on Election Day at the polling locations and all absentee and early votes received on Election Day.

Tonight it is being requested that Council approve the ordinance canvassing the results of the May 4, 2019 Election, required by state law to be done no earlier than the 3rd day (May 7th) and no later than the 11th day (May 15th) following the election.

Canvassing is the final election report and it includes the total amount of every valid ballot cast and counted – absentee, early voting, Election Day, provisional, challenged, and overseas.

RECOMMENDATION

Staff recommends that City Council adopt the ordinance canvassing the results of the May 4, 2019 General and Special Elections on first and final reading.

**City of West University Place
Harris County, Texas**

Ordinance No. XXXX

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION AND SPECIAL ELECTION HELD IN THE CITY OF WEST UNIVERSITY PLACE, TEXAS, ON MAY 4, 2019; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY.

WHEREAS, on February 11, 2019, the City Council of the City of West University Place, Texas, (the "City") adopted Ordinance 2060, which ordered that a general election be held in the City on May 4, 2019, for the purpose of electing one Mayor and four Council Members for a two-year term; and

WHEREAS, the City Council, by the adoption of said Ordinance No. 2060 and No. 2061, also called a special election – to be conducted jointly and concurrently with the May 4, 2019 general election – for the purpose of submitting proposed City Charter amendments to the qualified voters of the City, as authorized by Section 9.004 of the Texas Local Government Code, which amendments were submitted, on the Council's own motion, to amend the City Charter as follows:

(In the text of the proposed amendments, words ~~stricken out~~ would be deleted from the Charter. All other words would be in the Charter if the amendments are adopted. Words to be added are typically shown by underlining.)

PROPOSED CHARTER AMENDMENTS

Amend Section 2.03 of the Charter as follows:

Section 2.03 – Limit on Successive Terms.

No person shall serve as Mayor for more than ~~two~~ three successive terms and no person shall serve as Council Member for more than ~~two~~ three successive terms.

Amend Section 2.05 of the Charter as follows:

Section 2.05 – Vacancies.

If at any time a vacancy exists on the Council, Council shall fill the vacancy with an appointment by a majority vote of the remaining Council members, with such appointee to serve until the next regularly scheduled election, ~~provided, however, that if such vacancy is not filled by Council within 60 days, then such vacancy shall be filled by special election.~~ Council shall fill the vacancy within 60 days. Any person appointed or elected to the Council under this provision, shall meet all qualifications to serve as a Council member under Section 2.02 as of the date of such appointment or election.

Amend Section 2.07 of the Charter as follows:

Section 2.07 – Mayor Pro Tem.

~~At its first meeting,~~ [T]he Council shall elect one of its members Mayor Pro Tem, who shall perform the duties and have the power of the Mayor during the absence or inability of the Mayor to perform the duties of that office. Election of

the Mayor Pro Tem shall be at the Council's first meeting or, in the event of a vacancy, within 60 days.

Amend Section 10.13 of the Charter as follows:

Section 10.13 – Charter Review.

a. In 1988, and every six years thereafter, the Council shall appoint, at its first regular meeting in June, a Charter Review Committee of ~~seven~~nine residents of the City. The term of office of the Charter Review Committee shall be six months unless extended by the Council.

b. Powers and Duties of Charter Review Committee. The Charter Review Committee shall:

- (1) Inquire into the operations of the City government and review this Charter to determine whether the Charter needs revision. Public hearings may be held and the Committee shall have the power to compel the attendance of City officers or employees and to require the submission of City records necessary to the inquiry and review.
- (2) Propose to Council recommendations if necessary to insure that the City government and its operations comply with this Charter.
- (3) Propose to Council recommendations if necessary to improve the effectiveness of this Charter.
- (4) Make a written report of its findings and recommendations to Council.
- (5) Present to Council proposed Charter amendments if any are considered necessary.
- (6) Meet at least once every two months during its term.

WHEREAS, said elections were called and notices were given in accordance with law, and the elections were held in all material respects in conformity with the law; and

WHEREAS, the returns of such elections have been duly and legally made and submitted to the City Council, and the City Council has examined such returns, including the tabulation attached hereto as Exhibit A and made a part hereof for all purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE:

Section 1. All of the recitals contained in the preamble to this Ordinance are found to be true and are adopted as findings of fact by this City Council and as part of its judgment, particularly the tabulation of returns of the elections set out in Exhibit A.

Section 2.

(a) The City Council now formally canvasses the returns of such elections, and it is hereby adjudged, determined and declared that:

- (1) Bob Higley, with a total of 240 votes cast for him, has been elected MAYOR of the City of West University Place, Texas; and
- (2) Kevin Trautner, with a total of 249 votes cast for him; Lauri Lankford, with a total of 228 votes cast for her; John P. Barnes, with a total of 227 votes cast for him; and Ed Sobash, with a total of 226 votes cast for him, have been elected COUNCIL MEMBERS of the City of West University Place.

- (3) 330 qualified voters of the City have voted for and approved the proposed amendment to Section 2.03 of the Charter set out in the preamble of this Ordinance; such proposed amendment has been adopted; and the Charter of the City is amended as provided in such amendment.
- (4) 330 qualified voters of the City have voted for and approved the proposed amendment to Section 2.05 of the Charter set out in the preamble of this Ordinance; such proposed amendment has been adopted; and the Charter of the City is amended as provided in such amendment.
- (5) 329 qualified voters of the City have voted for and approved the proposed amendment to Section 2.07 of the Charter set out in the preamble of this Ordinance; such proposed amendment has been adopted; and the Charter of the City is amended as provided in such amendment.
- (6) 325 qualified voters of the City have voted for and approved the proposed amendment to Section 10.13 of the Charter set out in the preamble of this Ordinance; such proposed amendment has been adopted; and the Charter of the City is amended as provided in such amendment.

(b) This Ordinance shall constitute the official act of the City Council in examining and declaring the results of the charter election of May 4, 2019, and it shall further constitute the order of the City Council required by Section 9.005 of the TEXAS LOCAL GOVERNMENT CODE. This Ordinance shall be signed and immediately entered into the records of the City, whereupon the proposed amendments to the City Charter takes effect as provided in said Section 9.005. The City Secretary shall endorse this Ordinance to indicate when this Ordinance is entered into the records of the City and takes effect. The Mayor, chief executive officer of the City, shall certify the amendment to the secretary of state as provided in Section 9.007 of the TEXAS LOCAL GOVERNMENT CODE.

(c) The City Secretary is hereby authorized and directed to make the appropriate entries of information in the election register maintained by the City in accordance with provisions of Section 67.006 of the TEXAS ELECTION CODE.

Section 3. If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance and the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances shall not be affected thereby.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 5. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Open Meetings Law, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

Section 6. The public importance of this measure and the requirement of the law create an emergency and an urgent public necessity requiring that this ordinance be passed and take effect as an emergency measure, and a state of emergency is hereby

declared. This ordinance is accordingly passed as an emergency measure and shall take effect immediately upon adoption and signature.

APPROVED AND ADOPTED on first and final reading on the 13th day of May, 2019.

(Seal)

Attest:

Signed:

Thelma A. Gilliam, City Secretary

Susan V. Sample, Mayor

Recommended:

Reviewed:

Dave Beach, City Manager

Alan Petrov, City Attorney

**City of West University Place Canvass — Total Voters — Official
Harris County, Texas — Joint Election — May 04, 2019**

Total Number of Voters: 28,188 of 708,971 = 3.98%

Number of District Voters: 334 of 11,339 = 2.95%

Precincts Reporting 296 of 296 = 100.00%

District Precincts Reporting 5 of 5 = 100.00%

City of W. University Place, PROPOSITION A

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	FOR	AGAINST	Totals
0015	15	85	100	3,021	3.31%	55	43	98
0087	19	58	77	2,887	2.67%	53	23	76
0133	14	65	79	2,761	2.86%	43	36	79
0183	7	71	78	2,643	2.95%	41	36	77
0906	0	0	0	27	0.00%	0	0	0
Totals:	55	279	334	11,339		192	138	330

**City of West University Place Canvass — Total Voters — Official
Harris County, Texas — Joint Election — May 04, 2019**

Total Number of Voters: 28,188 of 708,971 = 3.98%

Number of District Voters: 334 of 11,339 = 2.95%

Precincts Reporting 296 of 296 = 100.00%

District Precincts Reporting 5 of 5 = 100.00%

City of W. University Place, PROPOSITION B

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	FOR	AGAINST	Totals
0015	15	85	100	3,021	3.31%	69	29	98
0087	19	58	77	2,887	2.67%	62	15	77
0133	14	65	79	2,761	2.86%	46	33	79
0183	7	71	78	2,643	2.95%	57	19	76
0906	0	0	0	27	0.00%	0	0	0
Totals:	55	279	334	11,339		234	96	330

**City of West University Place Canvass — Total Voters — Official
Harris County, Texas — Joint Election — May 04, 2019**

Total Number of Voters: 28,188 of 708,971 = 3.98%

Number of District Voters: 334 of 11,339 = 2.95%

Precincts Reporting 296 of 296 = 100.00%

District Precincts Reporting 5 of 5 = 100.00%

City of W. University Place, PROPOSITION C

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	FOR	AGAINST	Totals
0015	15	85	100	3,021	3.31%	80	18	98
0087	19	58	77	2,887	2.67%	72	4	76
0133	14	65	79	2,761	2.86%	60	18	78
0183	7	71	78	2,643	2.95%	64	13	77
0906	0	0	0	27	0.00%	0	0	0
Totals:	55	279	334	11,339		276	53	329

**City of West University Place Canvass — Total Voters — Official
Harris County, Texas — Joint Election — May 04, 2019**

Total Number of Voters: 28,188 of 708,971 = 3.98%

Precincts Reporting 296 of 296 = 100.00%

Number of District Voters: 334 of 11,339 = 2.95%

District Precincts Reporting 5 of 5 = 100.00%

City of W. University Place, PROPOSITION D

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	FOR	AGAINST	Totals
0015	15	85	100	3,021	3.31%	73	24	97
0087	19	58	77	2,887	2.67%	59	14	73
0133	14	65	79	2,761	2.86%	53	26	79
0183	7	71	78	2,643	2.95%	51	25	76
0906	0	0	0	27	0.00%	0	0	0
Totals:	55	279	334	11,339		236	89	325

**City of West University Place Canvass — Total Voters — Official
Harris County, Texas — Joint Election — May 04, 2019**

Total Number of Voters: 28,188 of 708,971 = 3.98%

Number of District Voters: 334 of 11,339 = 2.95%

Precincts Reporting 296 of 296 = 100.00%

District Precincts Reporting 5 of 5 = 100.00%

City of W. University Place, Mayor (two year term)

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Bob Higley	Totals
0015	15	85	100	3,021	3.31%	79	79
0087	19	58	77	2,887	2.67%	48	48
0133	14	65	79	2,761	2.86%	58	58
0183	7	71	78	2,643	2.95%	55	55
0906	0	0	0	27	0.00%	0	0
Totals:	55	279	334	11,339		240	240

**City of West University Place Canvass — Total Voters — Official
Harris County, Texas — Joint Election — May 04, 2019**

Total Number of Voters: 28,188 of 708,971 = 3.98%

Precincts Reporting 296 of 296 = 100.00%

Number of District Voters: 334 of 11,339 = 2.95%

District Precincts Reporting 5 of 5 = 100.00%

City of W. University Place, Council Member (two year term)

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	John P. Barnes	Totals
0015	15	85	100	3,021	3.31%	74	74
0087	19	58	77	2,887	2.67%	42	42
0133	14	65	79	2,761	2.86%	51	51
0183	7	71	78	2,643	2.95%	60	60
0906	0	0	0	27	0.00%	0	0
Totals:	55	279	334	11,339		227	227

**City of West University Place Canvass — Total Voters — Official
Harris County, Texas — Joint Election — May 04, 2019**

Total Number of Voters: 28,188 of 708,971 = 3.98%

Precincts Reporting 296 of 296 = 100.00%

Number of District Voters: 334 of 11,339 = 2.95%

District Precincts Reporting 5 of 5 = 100.00%

City of W. University Place, Council Member (two year term)

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Kevin Trautner	Totals
0015	15	85	100	3,021	3.31%	79	79
0087	19	58	77	2,887	2.67%	58	58
0133	14	65	79	2,761	2.86%	58	58
0183	7	71	78	2,643	2.95%	54	54
0906	0	0	0	27	0.00%	0	0
Totals:	55	279	334	11,339		249	249

**City of West University Place Canvass — Total Voters — Official
Harris County, Texas — Joint Election — May 04, 2019**

Total Number of Voters: 28,188 of 708,971 = 3.98%

Number of District Voters: 334 of 11,339 = 2.95%

Precincts Reporting 296 of 296 = 100.00%

District Precincts Reporting 5 of 5 = 100.00%

City of W. University Place, Council Member (two year term)

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Lauri Lankford	Totals
0015	15	85	100	3,021	3.31%	78	78
0087	19	58	77	2,887	2.67%	45	45
0133	14	65	79	2,761	2.86%	51	51
0183	7	71	78	2,643	2.95%	54	54
0906	0	0	0	27	0.00%	0	0
Totals:	55	279	334	11,339		228	228

**City of West University Place Canvass — Total Voters — Official
Harris County, Texas — Joint Election — May 04, 2019**

Total Number of Voters: 28,188 of 708,971 = 3.98%

Precincts Reporting 296 of 296 = 100.00%

Number of District Voters: 334 of 11,339 = 2.95%

District Precincts Reporting 5 of 5 = 100.00%

City of W. University Place, Council Member (two year term)

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Ed Sobash	Totals
0015	15	85	100	3,021	3.31%	78	78
0087	19	58	77	2,887	2.67%	44	44
0133	14	65	79	2,761	2.86%	50	50
0183	7	71	78	2,643	2.95%	54	54
0906	0	0	0	27	0.00%	0	0
Totals:	55	279	334	11,339		226	226