

**NOTICE OF MEETING
CITY COUNCIL OF THE CITY OF GALVESTON
THURSDAY - MAY 13, 2021 - 9:30 A.M.
ZOOM VIRTUAL MEETING**

Members of the public may participate in the meeting in the following ways:

(1) Attend the zoom meeting by registering in advance. Click here to register:
https://us02web.zoom.us/webinar/register/WN_3DmvfkRCR1mMuZ-lvsDfow

(2) Submit a written comment in advance of the meeting. <https://forms.galvestontx.gov/Forms/PublicComment>

SPECIAL MEETING AGENDA

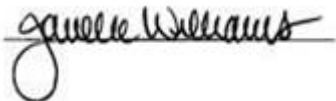
1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER
2. ROLL CALL
3. ACTION ITEMS
 - 3.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Directed To The Honorable Gregg Abbott, Governor Of The State Of Texas, Requesting The Governor Issue An Order To Allow A Special Election In The City Of Galveston For The Purpose Of Filling A Vacancy On City Council; Requesting The Governor Specify In His Order That The Election Be Conducted On The Non-Uniform Election Date Of August 28, 2021; Noting That An Emergency Exists To Justify A Special Election On A Non-Uniform Election Day; Providing For Findings Of Fact And Providing For An Effective Date.

Documents:

[RESOLUTION REQUESTING THE GOVERNOR ORDER A SPECIAL ELECTION ON A NON UNIFORM DATE -V4.DOC](#)

4. ADJOURNMENT

I certify that the above Notice of Meeting was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on May 6, 2021 at 10:20 A.M.



Janelle Williams, City Secretary

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE (3) DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY SECRETARY'S OFFICE, SUITE 201, 823 ROSENBERG, GALVESTON, TEXAS 77550 (409-797-3510).

RESOLUTION NO. 21-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS, DIRECTED TO THE HONORABLE GREGG ABBOTT, GOVERNOR OF THE STATE OF TEXAS, REQUESTING THE GOVERNOR ISSUE AN ORDER TO ALLOW A SPECIAL ELECTION IN THE CITY OF GALVESTON FOR THE PURPOSE OF FILLING A VACANCY ON CITY COUNCIL; REQUESTING THE GOVERNOR SPECIFY IN HIS ORDER THAT THE ELECTION BE CONDUCTED ON THE NON-UNIFORM ELECTION DATE OF AUGUST 28, 2021; NOTING THAT AN EMERGENCY EXISTS TO JUSTIFY A SPECIAL ELECTION ON A NON-UNIFORM ELECTION DAY; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Galveston, Texas, a Home Rule City, consists of six members of Council each elected on a District basis as well as a Mayor who is elected at large by the entire City; and

WHEREAS, members of City Council are elected for two years term at elections conducted every even numbered year on the May uniform election date; and

WHEREAS, the elected representative for Galveston Council District No. 1, the Rev. E.R. Johnson, passed away on April 26, 2021 creating a vacancy on the Council seat. District One has traditionally been the only minority majority Council District in the City of Galveston; and

WHEREAS, pursuant to the City Charter Art. II Section 3 "[I]f a seat on the 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 City election is to be held within one hundred twenty (120) days from the time of such vacancy"; and

WHEREAS, pursuant to Texas Election Code §41.001(b)(2) the next regularly scheduled election date for the City of Galveston is the uniform election date on Saturday, May 7, 2022; and

WHEREAS, because the next regular election day for the City of Galveston is in excess of one hundred twenty (120) days from the date of the creation of the vacancy, a special election is required under the City Charter to fill the vacancy on Council for the unexpired term of the Reverend Johnson; and

WHEREAS, Texas Election Code §201.051 provides that if a vacancy in office is to be filled by special election, the "election shall be ordered as soon as practicable after the vacancy occurs..."; and

WHEREAS, Texas Election Code §41.0011 provides the governor may permit a special election to be conducted on an earlier nonuniform date if an emergency exists; and

WHEREAS, the City Council has retained a consultant to guide its redistricting process to ensure that Council Districts are redrawn consistent with state and federal law, with a goal for completion of December 31, 2021 to allow potential candidates for newly configured Council Districts to assess their desire to run for office well in advance of the filing deadline of February 18, 2022 for the May 7, 2022 election; and

WHEREAS, the City Council finds that an emergency exists within the meaning of Texas Election Code 41.0011 that justifies a special election since the citizens within the only traditionally minority majority District in the City would be without an elected voice as the City conducts the redistricting of its Council District seats and any potential disenfranchisement of voters during this critical political process should be avoided ; and

WHEREAS, the nature of the emergency prevents the City from conducting its special election on November 2, 2021 because, were the November election to result in a runoff, the runoff would be conducted in December 2021 and the redistricting process would be completed before the results of the runoff election were canvassed and a winner declared; and

WHEREAS, it appears to the City Council of the City of Galveston that a special election date of August 28, 2021 would allow time: 1) for the Governor to review this request and act on it; 2) for the City Council to pass its Order of Election; 3) for the City to enter into a contract to conduct the election with the Galveston County Clerk's Office; and 4) provide for a candidate filing period prior to the filing deadline of 62 days before the election as required under Texas Election Code 143.007; and

WHEREAS, the City Council of the City of Galveston finds that due to the reasons stated herein, an emergency exists such to allow Governor Gregg Abbott to allow and order a special election on August 28, 2021 for the purpose of filling a vacancy in the position of Councilmember for District 1, in the City of Galveston.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council of the City of Galveston, Texas, for the reasons stated herein, hereby requests that Governor Gregg Abbott issue his Order to allow a special election to be conducted in the City of Galveston on August 28, 2021 for the purpose of electing a representative to Galveston City Council District 1.

SECTION 3. The City Council of the City of Galveston, Texas, hereby directs the City Secretary to send certified copies of this Resolution to Governor Gregg Abbott as the official request of this body to conduct a special election on August 28, 2021.

SECTION 4. This Resolution shall be and become effective upon its adoption.

DR. CRAIG BROWN
MAYOR, CITY OF GALVESTON

APPROVED AS TO FORM:

DONALD S. GLYWASKY
CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Galveston at its regular meeting held on the 13th day of May, 2021, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this _____ day of _____, 2021.

JANELLE WILLIAMS
SECRETARY FOR THE CITY COUNCIL
OF THE CITY OF GALVESTON