

ORDINANCE NO. 2021-3841

AN ORDINANCE AMENDING THE CITY COUNCIL'S ADOPTED RULES OF PROCEDURE AND ETHICS POLICY FOR CITY COUNCIL MEETINGS BY ADDING AN ATTENDANCE POLICY FOR MEMBERS OF CITY COUNCIL; FINDING COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF

WHEREAS, pursuant to a special election held on May 1, 2021, the La Porte Home Rule Charter was amended to provide that a member of City Council shall forfeit his or her office by failing "*to attend three consecutive regular Council meetings without being excused by the Council.*"; and

WHEREAS, the City Council Rules of Procedure and Ethics Policy does not contain rules for attendance of meetings by City Council members, and to that extent does not provide guidelines to the City Council in making a determination whether an absence is excused or unexcused; and

WHEREAS, the La Porte City Council finds that it is therefore necessary to adopt an attendance policy for members of the City Council, in light of the May 1, 2021, amendment to the La Porte Home Rule Charter providing that a member of City Council forfeits their office by failing to attend three (3) consecutive regular Council meetings without being excused by the Council; and

WHEREAS, based on authority of Section 2.07. Meetings. b. Rules. of the City Charter of the City of La Porte, which provides that "*City council shall determine its own rules and order of business*", the City Council finds that it is within its purview to amend the City Council Rules of Procedure to adopt an attendance policy for members of City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

Section 1. The City Council Rules of Procedure and Ethics Policy are hereby amended by adding a new Section 5.04. Rules for Attendance at Regular Meetings of the City Council, which shall hereinafter read as follows:

"SECTION 5.04 Rules for Attendance at Regular Meetings of the City Council

Section 2.04 (b)(4) of the City Charter provides that a member of City Council shall forfeit his or her office by failing "*to attend three consecutive regular Council meetings without being excused by the Council*".

A member of City Council who will not be able to attend a regular Council meeting shall make a reasonable effort to notify the Mayor, the City Manager's Office, or the City Secretary's Office prior to the meeting, and shall indicate the reason for his or her inability to attend.

Absences shall be considered excused if for personal illness, family illness, emergencies, funerals, military service, family events including vacations, weddings, and graduations, business obligations, official city business such as attendance at a conference for municipal officers, or for other good cause as determined by the Council. At the next regular meeting following the meeting at which the member

was absent, the City Council shall consider a vote to determine whether the member's absence is deemed excused or unexcused.

Absence from a regular meeting shall be considered unexcused if the member fails to convey the reason for his or her absence to the Mayor, City Manager or City Secretary or otherwise fails to give sufficient information to the City Council to enable it to determine the reason for the absence. Furthermore, absence due solely to the refusal of the member to participate in a meeting through telephonic or video conference call, when such measures are legally available to the member in accordance with state law, shall be considered unexcused when the member fails to show good cause why the member could not participate through such methods.

If a member is absent for more than fifty (50) percent of a meeting without being excused by the City Council in accordance with rules and procedures established herein, the member shall be considered absent from such meeting.”

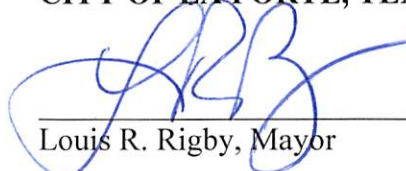
Section 2. Open Meetings Act Notice. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time 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 3. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 4. Effective Date. This ordinance shall take effect immediately upon its passage and approval.

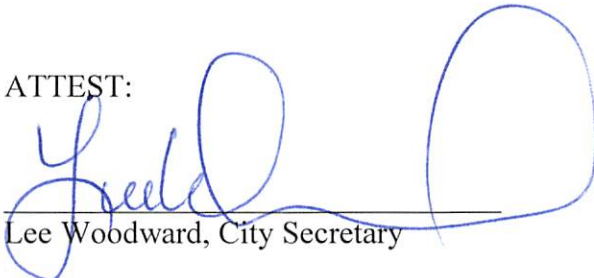
PASSED AND APPROVED, this 26th day of July, 2021.

CITY OF LA PORTE, TEXAS



Louis R. Rigby, Mayor

ATTEST:



Lee Woodward, City Secretary

APPROVED AS TO FORM:



Clark T. Askins, Assistant City Attorney