



**NOTICE OF SPECIAL MEETING
CITY OF PILOT POINT
CITY COUNCIL MEETING**

NOTICE IS HEREBY GIVEN THAT CITY COUNCIL OF THE CITY OF PILOT POINT, TEXAS, WILL HOLD A SPECIAL MEETING ON:

May 11, 2021

AT 6:30 PM - PILOT POINT CITY HALL - COUNCIL CHAMBERS

102 EAST MAIN STREET, PILOT POINT, TX

A. VIDEO CONFERENCE

1. **Please join my meeting from your computer, tablet or smartphone.**
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AGENDA

B. ROLL CALL/CALL TO ORDER

C. PLEDGE TO FLAGS

1. United States of America
2. Texas Flag

*Honor the Texas Flag, I pledge allegiance to thee,
Texas, one state under God, one and indivisible*

D. INVOCATION

E. ITEMS OF COMMUNITY INTEREST

F. PUBLIC FORUM, PRESENTATIONS AND RECOGNITION:

Public Forum:*(Citizens are allowed 3 minutes to speak. If the issue is on the agenda, the City Council may choose to discuss and consider the item. If the issue is not on the agenda, the Council is not permitted by state law to respond to or discuss the item other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry. The Council may request the issue to be placed on a future agenda for action in accordance with state law. This forum is not the appropriate place to address complaints against Public Officials and/or Staff. Complaints of this nature should be made in writing and filed with the City Manager.)*

G. CONSENT AGENDA

H. EXECUTIVE SESSION

The City Council of the City of Pilot Point will recess into Executive Session (Closed Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to discuss the following:

1. Section 551.071 - Consultation with Attorney to seek advice of the City's attorney about pending or contemplated litigation; or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Profession Conduct of the State Bar of Texas clearly conflicts with this Chapter regarding: May 2021 Election Canvass.

I. RECONVENE INTO REGULAR SESSION

The City Council of the City of Pilot Point will reconvene into Regular Session (Open Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding the following items discussed in Executive Session.:

1. Section 551.071 - Consultation with Attorney to seek advice of the City's attorney about pending or contemplated litigation; or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Profession Conduct of the State Bar of Texas clearly conflicts with this Chapter regarding: May 2021 Election Canvass.

J. REGULAR AGENDA

1. Discuss, consider, and possible action on an Ordinance of the City Council of the City of Pilot Point, Texas canvassing returns and declaring the results of the General Election held on May 1, 2021 for the purpose of electing a Council Member for Place 2 and Council Member for Place 5; providing a repealer and severability clause; and providing an effective date.

ORDINANCE 443-13-2021

2. Presentation of Certificate of Election and administer the Oath of Office to Dean Cordell for being duly elected as Council Member Place No. 5.
3. Discuss, consider, and possible action on approving an Ordinance of the City Council of the City of Pilot Point, Texas, canvassing returns and declaring the results of the Special Election held on May 1, 2021.

ORDINANCE 444-13-2021

K. FUTURE AGENDA ITEMS/REQUESTS BY COUNCILMEMBERS TO BE ON NEXT AGENDA

Councilmembers shall not comment upon, deliberate, or discuss any item that is not on the agenda. Councilmembers shall not make routine inquiries about operations or project status on an item that is not posted. Any Councilmember may, however, state an issue and a request that this issue be placed on a future agenda.

L. ADJOURN

The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including 551.071 (private consultation with the attorney for the

City); 551.072 (discussing purchase, exchange, lease or value of real property); 551.074 (discussing personnel or to hear complaints against personnel); and 551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting. A quorum will be physically present at the posted meeting location of City Hall.

In compliance with the Americans with Disabilities Act, the City of Pilot Point will provide reasonable accommodations for disabled persons attending this meeting. Requests should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at 940-686-2165.

I the undersigned authority do hereby certify this notice was posted on the official bulletin board for the City of Pilot Point, Texas on , and shall remain posted for at least 72 hours preceding the scheduled time of said meeting.

Lenette Cox, City Secretary



**City Council Agenda
May 11, 2021**

Agenda Item: A.1.

(Action Item)

Agenda Description:

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Background Information:

Financial Information:

City Contact and Recommendations:



**City Council Agenda
May 11, 2021**

Agenda Item: H.1.

(Action Item)

Agenda Description:

Section 551.071 - Consultation with Attorney to seek advice of the City's attorney about pending or contemplated litigation; or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Profession Conduct of the State Bar of Texas clearly conflicts with this Chapter regarding: May 2021 Election Canvass.

Background Information:

Financial Information:

City Contact and Recommendations:



**City Council Agenda
May 11, 2021**

Agenda Item: I.1.

(Action Item)

Agenda Description:

Section 551.071 - Consultation with Attorney to seek advice of the City's attorney about pending or contemplated litigation; or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Profession Conduct of the State Bar of Texas clearly conflicts with this Chapter regarding: May 2021 Election Canvass.

Background Information:

Financial Information:

City Contact and Recommendations:



**City Council Agenda
May 11, 2021**

Agenda Item: J.1.

Ordinance

(Action Item)

Agenda Description:

Discuss, consider, and possible action on an Ordinance of the City Council of the City of Pilot Point, Texas canvassing returns and declaring the results of the General Election held on May 1, 2021 for the purpose of electing a Council Member for Place 2 and Council Member for Place 5; providing a repealer and severability clause; and providing an effective date.

ORDINANCE 443-13-2021

Background Information:

Financial Information:

City Contact and Recommendations:

Lenette Cox, City Secretary

ATTACHMENTS:

Description	Type	Upload Date
Ordinance 443-13-2021	Ordinance	5/4/2021

**CITY OF PILOT POINT
ORDINANCE NO. 443-13-2021**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PILOT POINT, TEXAS, CANVASSING RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 1, 2021, FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER FOR PLACE 2 AND COUNCIL MEMBER FOR PLACE 5; PROVIDING A REPEALER AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Council (the “City Council”) of the City of Pilot Point, Texas (the “City”) on February 11, 2021, ordered that a General Election (the “Election”) be held within the City on May 1, 2021, for the purpose of electing a Council member for Place 2 and a Council member for Place 5 for three (3) year terms each to serve as members of the Pilot Point City Council; and

WHEREAS, The City Council has investigated all matters pertaining to the Election, including 1) Ordinance No. 430-13-2021 calling the General Election, giving notice, appointing officers, holding and making returns of the Election; 2) the election officers who held the Election have duly made the returns of the results thereof; and 3) said returns have been duly delivered to the City Council to conduct the official canvass of the returns thereof; and

WHEREAS, Upon the consideration of the returns of the Election, it is hereby found and determined that the same was held in accordance with the authorized proceedings and was in all respects legally held after due notice had been given, and the returns duly and legally made, along with other instruments; and

WHEREAS, section 67.003 of the Texas Election Code provides that each local canvassing authority shall convene not earlier than the eighth (8th) day or later than the eleventh (11th) day after election day for the purpose of canvassing the election results; and

WHEREAS, section 67.004(a) of the Texas Election Code also provides that only two members of City Council are needed and constitute a quorum for the purpose of canvassing election results; and

WHEREAS, the official returns, including returns of early voting ballots cast, of the presiding judges of the General Election have been presented and delivered; and the City Council acting in capacity as the Canvassing Board, met on May 11, 2021, and duly canvassed such returns in accordance with the law; and

WHEREAS, the City Council previously adopted Ordinance No. 430-13-2021 on February 11, 2021, ordering a runoff election to be held, if needed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PILOT POINT, TEXAS:

**SECTION 1
INCORPORATION OF PREMISES**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein, and are adopted by the City Council as part of its legislative findings.

**SECTION 2
ELECTION PROPERLY ORDERED AND HELD**

The City Council, having canvassed the returns of said General Election and all election procedures heretofore occurring, finds the election was duly and properly ordered; that due and proper notice of the election was given; that the election was in all respects regularly and lawfully held, and that said returns thereof have been duly and legally made as presented herein.

**SECTION 3
CONFIRMATION OF VOTE TABULATION**

The City Council officially finds and determines that only qualified resident voters of the City were allowed to vote at said Election, that the following votes were cast at the General Election, and that the canvass of the votes cast in said Election and returns thereof were made in accordance with the law. Further, the City Council officially finds that the returns of the General Election, including the returns of the early voting ballots, duly and legally made, are as follows and has determined that each candidate for Council member for Place 2 and a Council member for Place 5, each having a three (3) year term of office to serve as members of the Pilot Point City Council, have received the following votes:

Name of Candidate	Absentee Votes	Total Number of Early Votes	Total Number of Votes Received on Election Day	Total Number of Votes Received
Everett Cummings, Place 2	0	68	48	116
Brad Wooley, Place 2	1	17	21	39
Steve Keith, Place 2	1	77	51	129

Brian Ingram, Place 2	0	26	34	60
Dean Cordell, Place 5	1	133	107	241
Shaun Hopkins, Place 5	1	45	46	92

**SECTION 4
CANVASS**

The City Council, acting as the canvassing board of the General Election, has verified that figures on the tally sheets correspond to the figures on the returns and at the General Election held on May 1, 2021, the following candidate as elected to office:

City Council Place 5 Dean Cordell Three (3) Years

**SECTION 5
RUNOFF ELECTION**

No one person received a majority of the votes cast at the General Election for Council Member for Place 2. In accordance with section 2.023(a) of the Texas Election Code, Everett Cummings and Steve Keith are entitled to have their names placed on a runoff election ballot for Council Member for Place 2.

A run-off election will be held on June 5, 2021, between the hours of 7:00 a.m. and 7:00 p.m. at which all qualified voters of the City may vote for the purpose of electing a Council Member for City Council Member, Place 2. The early voting period will begin on May 24, 2021 and continue through June 1, 2021, at 310 S. Washington Street, Pilot Point, TX. The dates and times for early voting shall be as follows:

May 24 – May 27	Monday-Thursday	8:00 a.m. – 5:00 p.m.
May 28	Friday	7:00 a.m. – 7:00 p.m.
May 29	Saturday	8:00 a.m. – 5:00 p.m.
June 1	Tuesday	7:00 a.m. – 7:00 p.m.

**SECTION 6
REPEALER**

All provisions of any ordinance in conflict with this Ordinance are hereby repealed. Any remaining portions of conflicting ordinances shall remain in full force and effect.

**SECTION 7
SEVERABILITY**

Should any section, subsection, sentence, clause or phrase of this Ordinance be

declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 8
EFFECTIVE DATE

This Ordinance shall become effective from and after its adoption and publication.

PASSED AND APPROVED by the City Council of the City of Pilot Point, Texas, on this the **11th** day of **MAY 2021**.

CITY OF PILOT POINT, TEXAS

SHEA DANE-PATTERSON
MAYOR

ATTEST:

Reviewed/Prepared/Approved by law offices of
Messer, Fort & McDonald

LENETTE COX
CITY SECRETARY



**City Council Agenda
May 11, 2021**

Agenda Item: J.2.

(Action Item)

Agenda Description:

Presentation of Certificate of Election and administer the Oath of Office to Dean Cordell for being duly elected as Council Member Place No. 5.

Background Information:

Financial Information:

City Contact and Recommendations:

Lenette Cox, City Secretary



**City Council Agenda
May 11, 2021**

Agenda Item: J.3.

Ordinance

(Action Item)

Agenda Description:

Discuss, consider, and possible action on approving an Ordinance of the City Council of the City of Pilot Point, Texas, canvassing returns and declaring the results of the Special Election held on May 1, 2021.

ORDINANCE 444-13-2021

Background Information:

Financial Information:

City Contact and Recommendations:

Lenette Cox, City Secretary