

LOUIS RIGBY  
Mayor  
BRANDON LUNSFORD  
Councilperson At Large A  
BRENT MCCAULLEY  
Councilperson At Large B  
TREY KENDRICK  
Councilperson District 1  
CHUCK ENGELKEN  
Mayor Pro Tem  
Councilperson District 2



BILL BENTLEY  
Councilperson District 3  
THOMAS GARZA  
Councilperson District 4  
JAY MARTIN  
Councilperson District 5  
NANCY OJEDA  
Councilperson District 6

## CITY COUNCIL MEETING AGENDA

Notice is hereby given of a special meeting of the La Porte City Council to be held December 21, 2020, beginning at 11 a.m., in the City Hall Council Chamber, 604 West Fairmont Parkway, La Porte, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

Social distancing protocols will be in effect in the Council chamber. Remote participation will be available. Attend via a screen using the link: <https://us02web.zoom.us/j/81428620688?pwd=NThEVXFWVThQWVDVZUVF0V2VRK0dKUT09>. The meeting ID is 814 2862 0688 and the passcode is 917106. Join by phone at 877-853-5257 or 888-475-4499.

### CALL TO ORDER

1. **CITIZEN COMMENT** (*Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.*)
2. **ELECTION MATTERS**
  - a. Presentation, discussion, and possible action to adopt Ordinance 2020-3811, canvassing the returns of the 2020 General Election Runoff Election held on December 12, 2020, for the election of a Councilperson-District 6. [Louis R. Rigby, Mayor]
4. **COUNCIL COMMENTS** *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilpersons, and City staff, for which no formal action will be discussed or taken.*

### ADJOURN

Posted:  12/18/20, 5:25 a.m.



## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>Dec. 21, 2020</u>
Requested By: <u>Louis R. Rigby, Mayor</u>
Department: <u>City Council</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input checked="" type="radio"/> Yes <input type="radio"/> No

**Exhibits:** Election result tabulations  
Proposed Ord. 2020-3811

### SUMMARY & RECOMMENDATION

The District 6 runoff election was held on December 12. The results of the election are unofficial until canvassed by the City Council in accordance with the Texas Election Code Ch. 67. Below is the Harris County unofficial tabulation of December 18; completed unofficial totals, as called for in EC 67.004, will be provided for the Council by Harris County on the day of the canvass:

City of La Porte, Councilperson District 6, Vote For 1

Gary Rohr	44	59.46%	17	62.96%	29	59.18%	90	60.00%
Robbie McLarrin	30	40.54%	10	37.04%	20	40.82%	60	40.00%
<b>Cast Votes:</b>	74	100.00%	27	96.43%	49	100.00%	150	99.34%
<b>Over Votes:</b>	0	0.00%	0	0.00%	0	0.00%	0	0.00%
<b>Under Votes:</b>	0	0.00%	1	3.57%	0	0.00%	1	0.66%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	151	3,634	4.15%

Following a successful canvass, the Mayor will provide the newly elected candidate with a certificate of election (to be delivered “promptly”, per EC 67.016(e)). Section 2.06 of the City Charter of the City of La Porte provides that “the newly elected members shall qualify and assume the duties of office” “on the first Monday next following the canvassing of an election, or as soon thereafter as practicable”, expected at the January 11 meeting.

### ACTION REQUIRED BY CITY COUNCIL

**Adoption of Ordinance 2020-3811, canvassing the returns of the runoff election held on December 12, 2020, for the Councilperson-District 6 race.**

## **ORDINANCE 2020-3811**

**AN ORDINANCE CANVASSING THE RETURNS OF THE RUNOFF ELECTION FOR THE PURPOSE OF ELECTING A COUNCILPERSON DISTRICT 6, HELD ON THE 12<sup>TH</sup> DAY OF DECEMBER, 2020; DECLARING THE RESULTS OF THE ELECTION; FINDING THAT NOTICE OF THE ELECTION WAS DULY AND PROPERLY GIVEN, 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,** pursuant to Section 2.04(e) of the Charter of the City of La Porte, the City Council, at a special meeting held on the 21<sup>st</sup> day of December 2020, proceeded to canvass the returns of the runoff election held on December 12, 2020, for the purpose of electing a Councilperson-District 6; and

**WHEREAS** the election was held under and pursuant to the provisions of Ordinance 2020-3807 calling the runoff election following the canvass of the results of the November 3, 2020 general election; and

**WHEREAS** the election having been duly and regularly held as called and provided in said ordinance 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:

**COUNCILPERSON-DISTRICT 6**

GARY ROHR	90
ROBBIE McLARRIN	60

**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:** Gary Rohr received a majority of the votes cast at the election for the office of Councilperson-District 6, and, accordingly, Gary Rohr is declared elected to the office of Councilperson-District 6, subject to the taking of his oath and filing bond as provided by the laws of the State of Texas.

**SECTION 4:** 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 5:** 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 6:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

**SECTION 7:** 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 8:** This ordinance shall be in effect immediately upon its passage and approval.

PASSED, APPROVED, AND ADOPTED this, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

THE CITY OF LA PORTE, TEXAS

\_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lee Woodward, City Secretary

\_\_\_\_\_  
Clark T. Askins, Assistant City Attorney