

## **NOTICE OF CITY COUNCIL SPECIAL MEETING**

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, WILL MEET IN SPECIAL SESSION OPEN TO THE PUBLIC AS FOLLOWS:**

**DATE:** Tuesday, June 23, 2015

**TIME:** 6:00 p.m.

**PLACE:** Rosenberg City Hall  
City Hall Council Chamber  
2110 4<sup>th</sup> Street  
Rosenberg, Texas 77471

**PURPOSE:** City Council Special Meeting, agenda as follows.

Call to order: City Hall Council Chamber

### **AGENDA**

1. Consideration of and action on Ordinance No. 2015-20, an Ordinance canvassing the returns and declaring the results of a Special Municipal Election held on June 13, 2015, within the City for the purpose of filling a position on the City Council of the City of Rosenberg, to-wit: Council Member District 3. (Linda Cernosek, City Secretary)
2. Administration of Oath of Elected Office to newly elected City Council Member, District 3. (Cynthia McConathy, Mayor)
3. Hold reception honoring newly elected official, City Council Member, District 3.
4. Hold Executive Session to deliberate the appointment, employment, evaluation, reassignment, duties or dismissal of the Municipal Court Judge pursuant to Section 551.074 of the Texas Government Code.
5. Adjourn Executive Session, reconvene Special Session, and take action as necessary as a result of Executive Session.
6. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the \_\_\_\_\_ day of \_\_\_\_\_ 2015, at \_\_\_\_\_ m.

by \_\_\_\_\_.

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Attest:  
Linda Cernosek, TRMC, City Secretary

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Approved for Posting:  
Robert Gracia, City Manager

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Approved:  
Cynthia McConathy, Mayor

**Reasonable accommodation for the disabled attending this meeting will be available; persons with disabilities in need of special assistance at the meeting should contact the City Secretary at (832) 595-3340.**



# CITY COUNCIL COMMUNICATION

June 23, 2015

ITEM #	ITEM TITLE
1	Ordinance No. 2015-20 – Results of Special Runoff Election
<b>ITEM/MOTION</b>	

Consideration of and action on Ordinance No. 2015-20, an Ordinance canvassing the returns and declaring the results of a Special Municipal Election held on June 13, 2015, within the City for the purpose of filling a position on the City Council of the City of Rosenberg, to-wit: Council Member District 3.

FINANCIAL SUMMARY	ELECTION DISTRICT
<b>Annualized Dollars:</b> <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> District 1 <input type="checkbox"/> District 2 <input type="checkbox"/> District 3 <input type="checkbox"/> District 4 <input checked="" type="checkbox"/> City-wide <input type="checkbox"/> N/A
<b>Budgeted:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A  <b>Source of Funds:</b> N/A	

**SUPPORTING DOCUMENTS:**

<b>MUD #:</b> N/A
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1. Ordinance No. 2015-20
2. Canvass Results

**APPROVALS**

<b>Submitted by:</b>   Linda Cernosek City Secretary	<b>Reviewed by:</b> <input type="checkbox"/> Exec. Dir. of Administrative Services <input type="checkbox"/> Asst. City Manager of Public Services <input checked="" type="checkbox"/> City Attorney <b>DNRBHZ/ic</b> <input type="checkbox"/> City Engineer <input type="checkbox"/> (Other)	<b>Approved for Submittal to City Council:</b>   Robert Gracia City Manager
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**EXECUTIVE SUMMARY**

As Presiding Officer of the June 13, 2015 Special Runoff Election, the Mayor is required to hold a canvass of the election ballots, and she and the City Council must declare the election results. The proposed Ordinance No. 2015-20 would confirm that the runoff election for the City Council Member District 3 was held, the proper procedures were followed as mandated by law, the results have been filed with the City Council, the number of votes each candidate received, and declaration of the winning candidate, Lisa M. Wallingford.

A copy of the proposed Ordinance No. 2015-20 is included as a supporting document for City Council's approval.

**ORDINANCE NO. 2015-20**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A SPECIAL MUNICIPAL ELECTION HELD ON JUNE 13, 2015, WITHIN THE CITY FOR THE PURPOSE OF FILLING A POSITION ON THE CITY COUNCIL OF THE CITY OF ROSENBERG, TO-WIT: COUNCIL MEMBER DISTRICT 3.**

**WHEREAS**, heretofore previously a General Municipal Election (Election) in the City of Rosenberg, Texas, was held on the 9<sup>th</sup> day of May 2015, and at said election no candidate received a majority of the votes cast for Council Member, District 3 position; and,

**WHEREAS**, a special election was called by Ordinance No. 2015-03; adopted at a regular City Council meeting February 17, 2015, and Ordinance No. 2015-16, adopted at a regular City Council meeting May 19, 2015, and a special election was duly held in the City of Rosenberg on Saturday, the 13<sup>th</sup> day of June 2015, in accordance with the requirements of law and the Texas Election Code; and,

**WHEREAS**, after such election the Presiding Judge and other officials holding such election made their returns of the results thereof to the City Council, and such returns being according to law, and duly authenticated, and it being shown that notice of such election was given in the manner provided by law, and all other proceedings pertaining to such election having been shown to have been done and performed at and within the time and in the manner provided by law, and all papers pertaining hereto having been returned and filed with the City Council and no protest or objection being made to or regarding any matter pertaining to such election; and,

**WHEREAS**, the City Council has examined such returns and opened and canvassed the votes of such election; and,

**WHEREAS**, it is further found and determined that the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located at City Hall, a place convenient and readily accessible to the general public, and such notice has been posted continuously for at least 72 hours preceding the scheduled time of this meeting; and,

**WHEREAS**, there were cast at such election a total of 352 votes, and each of the candidates in such election received the following votes:

**FOR COUNCIL MEMBER, DISTRICT 3:**

Joe Vera	147
Lisa M. Wallingford	203

**WHEREAS**, the City's Home-Rule Charter requires that candidates be elected by a majority of votes cast for each position and a runoff election, if necessary, in any case in which no candidate received a majority of the votes cast for a position; and,

**WHEREAS**, Lisa M. Wallingford received a majority of the votes cast in the race and no further runoff election is necessary.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:**

Section 1. That the City Council of the City of Rosenberg finds and determines that a special election was duly held on Saturday, June 13, 2015, in the City of Rosenberg in accordance with the provisions of the Texas Election Code.

Section 2. That Lisa M. Wallingford was duly elected to the position of Council Member, District 3 and she is hereby declared duly elected to the office, subject to the taking of the oath of office.

Section 3. That a certificate of election be issued to Lisa M. Wallingford.

**PASSED AND APPROVED** by a vote of \_\_\_\_\_ "ayes" in favor and of \_\_\_\_\_ "noes" against on this first and final reading in full compliance with Section 3.10 of the City Charter of the City of Rosenberg, Texas, on this the 23rd day of June 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Linda Cernosek  
**City Secretary**

\_\_\_\_\_  
Cynthia McConathy  
**Mayor**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Scott M. Tschirhart, **City Attorney**  
**Denton Navarro Rocha Bernal Hyde & Zech, PC**



**Office of Elections Administration  
Fort Bend County, Texas**

*John Oldham  
Elections Administrator*

(281) 341-8670  
Fax (281) 341-4418

**CANVASS**

I, John Oldham, Elections Administrator for Fort Bend County Texas, do certify that the following are a true and accurate statement of the votes cast in the various precincts of Fort Bend County for the Runoff Election for Council District 3 held on June 13, 2015 in the City of Rosenberg.

Dated: June 16, 2015

A handwritten signature in black ink, appearing to read "John Oldham", is written over a horizontal line.

John Oldham  
Elections Administrator  
Fort Bend County, Texas

Fort Bend County Rosenberg Annex Building  
Physical: 4520 Reading Road, Suite A, Rosenberg, Texas 77471  
Mailing: 301 Jackson Street, Suite 101, Richmond, Texas 77469  
e-mail address: vote@co.fort-bend.tx.us

**City of Rosenberg Runoff Election - Canvass Report — Total Voters — Official  
Fort Bend County, TX — City Runoff Election — June 13, 2015**

Total Number of Voters : 352 of 3,308 = 10.64%

Precincts Reporting 2 of 2 = 100.00%

**Council Member, District No. 3 City of Rosenberg**

Precinct	Absentee Ballots Cast	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Joe Vera	Lisa M. Wallingford	Totals
1013 R3	25	34	23	82	563	14.56%	27	55	82
1037 R3	72	100	98	270	2745	9.84%	120	148	268
<b>Totals</b>	<b>97</b>	<b>134</b>	<b>121</b>	<b>352</b>	<b>3308</b>		<b>147</b>	<b>203</b>	<b>350</b>

**City of Rosenberg Runoff Election - Cumulative Report — Official  
Fort Bend County, TX — City Runoff Election — June 13, 2015**

Total Number of Voters : 352 of 3,308 = 10.64%

Precincts Reporting 2 of 2 = 100.00%

Party	Candidate	Absentee		Early		Election		Total	
<b>Council Member, District No. 3 City of Rosenberg, Vote For 1</b>									
	Joe Vera	34	35.05%	46	34.33%	67	56.30%	147	42.00%
	Lisa M. Wallingford	63	64.95%	88	65.67%	52	43.70%	203	58.00%
	<b>Cast Votes:</b>	97	100.00%	134	100.00%	119	98.35%	350	99.43%
	<b>Over Votes:</b>	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	<b>Under Votes:</b>	0	0.00%	0	0.00%	2	1.65%	2	0.57%

**City of Rosenberg Runoff Election - Precinct Report — Official  
Fort Bend County, TX — City Runoff Election — June 13, 2015**

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Total Number of Voters : 352 of 3,308 = 10.64%

Precincts Reporting 2 of 2 = 100.00%

Party	Candidate	Absentee	Early	Election	Total
<b>Precinct 1013 - R3 (Ballots Cast: 82)</b>					
<b>Council Member, District No. 3 City of Rosenberg, Vote For 1</b>					
	Joe Vera	6 24.00%	12 35.29%	9 39.13%	27 32.93%
	Lisa M. Wallingford	19 76.00%	22 64.71%	14 60.87%	55 67.07%
	<b>Cast Votes:</b>	<b>25 100.00%</b>	<b>34 100.00%</b>	<b>23 100.00%</b>	<b>82 100.00%</b>
	<b>Over Votes:</b>	<b>0 0.00%</b>	<b>0 0.00%</b>	<b>0 0.00%</b>	<b>0 0.00%</b>
	<b>Under Votes:</b>	<b>0 0.00%</b>	<b>0 0.00%</b>	<b>0 0.00%</b>	<b>0 0.00%</b>

**City of Rosenberg Runoff Election - Precinct Report — Official**  
**Fort Bend County, TX — City Runoff Election — June 13, 2015**

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Total Number of Voters : 352 of 3,308 = 10.64%

Precincts Reporting 2 of 2 = 100.00%

Party	Candidate	Absentee		Early		Election		Total	
<b>Precinct 1037 - R3 (Ballots Cast: 270)</b>									
<b>Council Member, District No. 3 City of Rosenberg, Vote For 1</b>									
	Joe Vera	28	38.89%	34	34.00%	58	60.42%	120	44.78%
	Lisa M. Wallingford	44	61.11%	66	66.00%	38	39.58%	148	55.22%
	<b>Cast Votes:</b>	<b>72</b>	<b>100.00%</b>	<b>100</b>	<b>100.00%</b>	<b>96</b>	<b>97.96%</b>	<b>268</b>	<b>99.26%</b>
	<b>Over Votes:</b>	<b>0</b>	<b>0.00%</b>	<b>0</b>	<b>0.00%</b>	<b>0</b>	<b>0.00%</b>	<b>0</b>	<b>0.00%</b>
	<b>Under Votes:</b>	<b>0</b>	<b>0.00%</b>	<b>0</b>	<b>0.00%</b>	<b>2</b>	<b>2.04%</b>	<b>2</b>	<b>0.74%</b>

# **ITEM 2**

**Administration of Oath of Elected Office to  
newly elected City Council Member, District 3.**

# **ITEM 3**

**Hold reception honoring newly elected official, City Council Member, District 3.**

# **ITEM 4**

**Hold Executive Session to deliberate the appointment, employment, evaluation, reassignment, duties or dismissal of the Municipal Court Judge pursuant to Section 551.074 of the Texas Government Code.**

# **ITEM 5**

**Adjourn Executive Session, reconvene into Special Session, and take action as necessary as a result of Executive Session.**

# **ITEM 6**

**Adjournment.**