

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT: CITY CLERK'S OFFICE**

**AGENDA DATE: 11/13/2024**

**CONTACT PERSON NAME AND PHONE NUMBER: LAURA D. PRINE, (915) 212-1212**

**DISTRICT(S) AFFECTED: All**

**STRATEGIC GOAL: GOAL 6 SET THE STANDARD FOR SOUND GOVERNANCE AND FISCAL MANAGEMENT**

**SUBGOAL: 6.8 Support transparent and inclusive government.**

**SUBJECT:**

Discussion and action to approve a Resolution canvassing the returns and declaring the results of a Bond Revocation Election held on November 5, 2024; and other matters in connection therewith.

**BACKGROUND / DISCUSSION:**

City Council ordered and adopted Ordinance No. 019661 on August 13, 2024 calling for a special election for the purpose of determining whether the resident, qualified voters of the City would revoke the City's authority to issue the remaining \$128,455,636 general obligation bonds approved by the voters in the City's November 6, 2012 Election for the Multipurpose Performing Arts and Entertainment Facility to be located in Downtown El Paso.

**PRIOR COUNCIL ACTION:**

Canvassing of the November 8, 2022 Bond Election results was conducted on November 16, 2022.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

*Laura D. Prine*

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(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

**A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS  
OF A REVOCATION OF BOND ELECTION; AND OTHER MATTERS IN  
CONNECTION THEREWITH**

WHEREAS, the City Council (the “Council”) of the City of El Paso, Texas (the “City”) previously ordered an election to be held on November 5, 2024 for the purpose of determining whether the resident, qualified voters of the City would revoke the City’s authority to issue the remaining \$128,455,636 general obligation bonds approved by the voters in the City’s November 6, 2012 Election for the Multipurpose Performing Arts and Entertainment Facility to be located in Downtown El Paso;

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and such election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the Council hereby canvasses the returns of this election, at which there was submitted to all resident, qualified voters of the City for their action thereupon, the following proposition:

**CITY OF EL PASO, TEXAS PROPOSITION A**

“To cancel the City’s authority to issues the remaining \$128,455,636 in general obligation bonds for the Multipurpose Performing Arts and Entertainment Facility to be located in Downtown El Paso which was approved by the voters in the City’s November 6, 2012 Election, resulting in the revocation of the bonds?”

WHEREAS, the Council has diligently inquired into the poll lists and the official election returns which were duly and lawfully provided to the Council by the judges, clerks and administrator holding and conducting such election; the poll lists and the official election returns showing separately the votes cast in the election; and

WHEREAS, from these returns, the Council hereby finds that the following votes were cast in the election by voters who were resident, qualified voters of the City:

**CITY OF EL PASO, TEXAS PROPOSITION A**

“To cancel the City’s authority to issue the remaining \$128,455,636 in general obligation bonds for the Multipurpose Performing Arts and Entertainment Facility to be located in Downtown El Paso which was approved by the voters in the City’s November 6, 2012 Election, resulting in the revocation of the bonds?”

	<u>For</u>	<u>Against</u>
Early Votes (including mail ballots)	74,126	57,185
Election Day Votes	23,484	20,972
TOTAL	97,610	78,157

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS HEREBY FINDS, DECLARES AND RESOLVES THAT:

SECTION 1: The Council officially finds, determines, and declares that the election was duly and properly ordered, that proper legal notice of such election was duly given, that proper election officers were duly appointed prior to the election, that the election was duly and legally held, that all resident, qualified voters of the City were permitted to vote at the election, that due returns of the results of the election have been made and delivered, and that the Council has duly canvassed such returns, all in accordance with the laws of the State of Texas and the United States of America, and the order calling the election.

SECTION 2: A MAJORITY of the resident, qualified voters of the City voting in such election, having voted FOR the revocation of the issuance of the remaining bonds as provided in Proposition A, the Council hereby finds and determines that Proposition A carried at the election, that the election was duly called, that proper notice was given, that the election was held in all aspects in conformity with the law, and that the authority to issue the remaining \$128,455,636 in general obligation bonds for the Multipurpose Performing Arts and Entertainment Facility to be located in Downtown El Paso which was approved by the voters in the City’s November 6, 2012 Election, is hereby revoked in accordance with Proposition A and applicable law.

SECTION 3: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 5: This Resolution shall be in force and effect from and after its final passage and it is so resolved.

PASSED, ADOPTED AND APPROVED on November \_\_\_\_, 2024.

CITY OF EL PASO, TEXAS

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Oscar Leeser, Mayor

*(additional signatures next page)*

ATTEST:

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Laura D. Prine, City Clerk

(SEAL)

APPROVED AS TO FORM:

*Russell Abeln*

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Russell T. Abeln  
Senior Assistant City Attorney

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WHEREAS, the City Council (the “Council”) of the City of El Paso, Texas (the “City”) previously ordered an election to be held on November 5, 2024 for the purpose of determining whether the resident, qualified voters of the City would revoke the City’s authority to issue the remaining \$128,455,636 general obligation bonds approved by the voters in the City’s November 6, 2012 Election for the Multipurpose Performing Arts and Entertainment Facility to be located in Downtown El Paso;

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and such election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the Council hereby canvasses the returns of this election, at which there was submitted to all resident, qualified voters of the City for their action thereupon, the following proposition:

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WHEREAS, the Council has diligently inquired into the poll lists and the official election returns which were duly and lawfully provided to the Council by the judges, clerks and administrator holding and conducting such election; the poll lists and the official election returns showing separately the votes cast in the election; and

WHEREAS, from these returns, the Council hereby finds that the following votes were cast in the election by voters who were resident, qualified voters of the City:

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	<u>For</u>	<u>Against</u>
Early Votes (including mail ballots)	74,030	57,093
Election Day Votes	23,433	20,939
TOTAL	97,463	78,032

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS HEREBY FINDS, DECLARES AND RESOLVES THAT:

SECTION 1: The Council officially finds, determines, and declares that the election was duly and properly ordered, that proper legal notice of such election was duly given, that proper election officers were duly appointed prior to the election, that the election was duly and legally held, that all resident, qualified voters of the City were permitted to vote at the election, that due returns of the results of the election have been made and delivered, and that the Council has duly canvassed such returns, all in accordance with the laws of the State of Texas and the United States of America, and the order calling the election.

SECTION 2: A MAJORITY of the resident, qualified voters of the City voting in such election, having voted ~~FOR/AGAINST~~ the revocation of the issuance of the remaining bonds as provided in Proposition A, the Council hereby finds and determines that Proposition A carried at the election, that the election was duly called, that proper notice was given, that the election was held in all aspects in conformity with the law, and that the authority to issue the remaining \$128,455,636 in general obligation bonds for the Multipurpose Performing Arts and Entertainment Facility to be located in Downtown El Paso which was approved by the voters in the City's November 6, 2012 Election, is ~~Council is hereby accordingly authorized to revoke the issuance of the remaining bonds with the authority granted in accordance with the~~ Proposition A and applicable law.

SECTION 3: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

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PASSED, ADOPTED AND APPROVED on November \_\_\_\_, 2024.

CITY OF EL PASO, TEXAS

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Oscar Leeser, Mayor

*(additional signatures next page)*

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Laura D. Prine, City Clerk

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