

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

DEPARTMENT: CITY CLERK'S OFFICE

AGENDA DATE: 10/10/2023

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

DISTRICT(S) AFFECTED: DISTRICT 2

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 on a Resolution of the City Council of the City of El Paso, Texas, calling for a Special Election to fill a City Council vacancy in the office of Representative for District No. 2, to be held on December 9, 2023; making provisions for the conduct of the Special Election; and authorizing a contract with El Paso County to furnish election services and equipment.

BACKGROUND / DISCUSSION:

A vacancy occurred in the office of City Council Representative for District 2 on October 3, 2023 after Representative Aleksandra Anello publicly announced her candidacy for Texas State Representative District 77. The Constitution of the State of Texas provides that a special election shall be held to fill the vacancy within one hundred and twenty (120) days after such vacancy occurs.

PRIOR COUNCIL ACTION:

A Special Election for the office of City Representative for District 6 was ordered on December 20, 2019.

AMOUNT AND SOURCE OF FUNDING:

Amount to be determined by the County of El Paso.

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Laura D. Prine

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, CALLING FOR A SPECIAL ELECTION TO FILL A CITY COUNCIL VACANCY IN THE OFFICE OF REPRESENTATIVE FOR DISTRICT NO. 2, TO BE HELD ON DECEMBER 9, 2023; AND MAKING PROVISIONS FOR THE CONDUCT OF THE SPECIAL ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT.

WHEREAS, effective October 3, 2023, a vacancy occurred in the office of City Council Representative for District No. 2 following Representative Alexandra Annello's announcement to run for a different office of honor, trust or profit; and

WHEREAS, the Constitution of the State of Texas provides that a special election shall be held to fill the vacancy within one hundred and twenty (120) days after such vacancy occurs; and

WHEREAS, the Texas Election Code, Section 201.052, provides that a special election to fill a vacancy shall be held on the first authorized uniform election date occurring on or after the 46th day after the election is ordered, and allows for an exception to the uniform date requirement if none is available within the required timeframe; and

WHEREAS, December 9, 2023, is the State's date set for runoff elections from the November 7, 2023 election and falls after the 46th day after the date of this order and falls within the 120-day constitutional mandate; and

WHEREAS, the City Council has determined that the holding of the special election to fill the unexpired term of City Council Representative for District No. 2 on December 9, 2023, is in conformity with applicable laws and is in the best interest of the citizens of El Paso.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

SECTION 1 – VACANCY, REPRESENTATIVE FOR DISTRICT NO. 2

The City Council of the City of El Paso, Texas, does hereby declare a vacancy in the position of City Council Representative, District No. 2, and orders a special election for the City of El Paso, Texas, to be held on the second Saturday in December, that being December 9, 2023, for the purpose of electing a City Council Representative to serve for the unexpired term of District No. 2.

Such election shall be held in the manner and form prescribed by the laws of the State of Texas, and at such election all qualified voters in District No. 2 of the City are authorized to vote. The candidate receiving a majority of the votes cast for City Council Representative, District No. 2 shall be declared elected to such office.

Such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other locations as may be designated prior to the election by the City Clerk, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election.

SECTION 2 – ELECTION SERVICES CONTRACT WITH COUNTY

The City Manager is hereby authorized to execute a contract with the El Paso County Elections Administrator for the purpose of having El Paso County furnish all or any portion of the election services and equipment needed by the City Clerk to conduct the election. The contract document and

election services provided therein shall conform to Chapter 31, Subchapter D, of the Texas Election Code and other applicable statutes and laws.

The election services contract shall provide (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day, (b) notification and training for election judges and clerks, (c) an estimate and final payment terms for the election services provided, (d) agreements for early voting equipment and voting machine rental, and (e) other procedures to conduct the election.

SECTION 3 – EARLY VOTING CLERK

Lisa Wise, El Paso County Elections Administrator, 500 E. San Antonio, Suite 314, El Paso, Texas, 79901, is hereby appointed as Early Voting Clerk. Applications for ballot by mail must be received no later than the close of business on November 25, 2023, sent to this address.

SECTION 4 – EARLY VOTING

Early voting by personal appearance shall be conducted at the El Paso County Courthouse, located at 500 E. San Antonio, El Paso, Texas 79901. In addition, early voting may also occur at such branch early voting polling places as are designated herein or otherwise designated by the El Paso County Elections Administrator and posted at City Hall by the City Clerk. The locations and hours for early voting by personal appearance shall be authorized for such election as set forth in Exhibit “A.”

In addition, mobile voting stations may also be authorized and used for early voting at publicly owned buildings in the City as established by the El Paso County Elections Administrator. The City Clerk is authorized to make corrections or revisions to the list of these mobile stations, including the respective hours for early voting by personal appearance at these stations, as are established by the El Paso County Elections Administrator. The City Clerk is further authorized to make corrections or revisions to the list of early voting stations as set forth above, including the respective hours for early voting by personal appearance at these stations, and revise and correct all election notices regarding the early voting locations and the mobile voting stations, and the dates and times for such voting.

For purposes of processing ballots cast in early voting, the election officers for the Early Voting Ballot Board shall be appointed and designated in accordance with the provisions of the election agreement with El Paso County.

SECTION 5 – FILING FOR PLACE ON BALLOT

Applications for candidacy to the office of City Council Representative, District No. 2 shall be made to the City Secretary of the City of El Paso beginning upon approval by City Council of this resolution and ending on October 30, 2023, at 5 p.m., in manner and form as prescribed by law.

The names of eligible and qualified candidates for such office shall be placed on the ballots for such election by the City Clerk at the time and in the manner prescribed by law.

SECTION 6 – VOTING MACHINES AND ELECTION RESULTS

Voting machines used for the conduct of the election, shall be procured, maintained, operated, sealed and the votes therefrom tabulated pursuant to procedures established and authorized by the laws of the State of Texas.

The results of the election shall be certified, canvassed, and returned in the form and manner prescribed by law.

SECTION 7 – NOTICE OF ELECTION

The notice of the election hereby ordered and called shall be promulgated, published and posted in keeping with the state and local laws. A substantial copy of this resolution shall serve as proper notice of said election.

The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish in the Office of the City Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in a newspaper in the City as required by law, not later than Wednesday, November 29, 2023.

The City Clerk shall deliver notice of this election to the county clerk and voter registrar of El Paso County, as required by law.

SECTION 8 – RUNOFF ELECTION

Any runoff election required for the election of City Council Representative, District No. 2, following the special election of December 9, 2023, shall be held on a date that is permitted by and in accordance with Section 2.025 (a) Election Code of the State of Texas. Such election, if any, shall be called by the City Council. Early voting dates and sites will be identified if such runoff election shall be held.

SECTION 9 – COMPLIANCE WITH APPLICABLE LAWS

The City Manager and the City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the election, whether or not expressly authorized herein.

APPROVED this ____ day of October, 2023.

CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

APPROVED AS TO FORM:

Laura D. Prine
City Clerk

Russell Abeln

Russell T. Abeln
Senior Assistant City Attorney

December 2023 City of El Paso Special Election



EARLY VOTING PERIOD: November 27 - December 5

EARLY VOTING LOCATIONS

(Main Early Voting Location)		Monday, Nov. 27 - Friday, Dec. 1	8am - 5pm
1. Enrique Moreno County Courthouse	500 E. San Antonio Ave. 79901	Saturday, Dec. 2 - Sunday, Dec. 3	12pm - 5pm
Third Floor, Back Lobby		Monday, Dec. 4 - Tuesday, Dec. 5	8am - 5pm
2. El Paso County Coliseum	4100 E. Paisano Dr. 79905	Monday, Nov. 27 - Friday, Dec. 1	9am - 6pm
T.B.A.		Saturday, Dec. 2 - Sunday, Dec. 3	12pm - 5pm
		Monday, Dec. 4 - Tuesday, Dec. 5	9am - 6pm
3. Mountain View-Rae Gilmore Recreation Center	8501 Diana Dr. 79904	Monday, Nov. 27 - Friday, Dec. 1	10am - 7pm
T.B.A.		Saturday, Dec. 2 - Sunday, Dec. 3	12pm - 5pm
		Monday, Dec. 4 - Tuesday, Dec. 5	10am - 7pm
4. Wellington Chew Senior Center	4430 Maxwell Ave. 79904	Monday, Nov. 27 - Friday, Dec. 1	8am - 5pm
T.B.A.		Saturday, Dec. 2 - Sunday, Dec. 3	12pm - 5pm
		Monday, Dec. 4 - Tuesday, Dec. 5	8am - 5pm

Note: Early Voting Locations, dates, and times are subject to change at any time. Any registered voter may vote at any Early Voting Location. Click on an address for a street view via Google Maps or click on a location name to view a picture to that specific site. For more information visit epcountyvotes.com or call (915) 546-2154.

Elección Especial de Diciembre 2023 de la Ciudad de El Paso



PERÍODO DE VOTACIÓN TEMPRANA: 27 de Noviembre - 5 de Diciembre

UBICACIONES DE VOTACIÓN TEMPRANA

(Ubicación Principal de Votación Temprana)			
1. Enrique Moreno County Courthouse Tercer Piso, Área de Espera	500 E. San Antonio Ave. 79901	Lunes, Nov. 27 - Viernes, Dic. 1 Sábado, Dic. 2 - Domingo, Dic. 3 Lunes, Dic 4 - Martes, Dic. 5	8am - 5pm 12pm - 5pm 8am - 5pm
2. El Paso County Coliseum T.B.A.	4100 E. Paisano Dr. 79905	Lunes, Nov. 27 - Viernes, Dic. 1 Sábado, Dic. 2 - Domingo, Dic. 3 Lunes, Dic 4 - Martes, Dic. 5	9am - 6pm 12pm - 5pm 9am - 6pm
3. Mountain View-Rae Gilmore Recreation Center T.B.A.	8501 Diana Dr. 79904	Lunes, Nov. 27 - Viernes, Dic. 1 Sábado, Dic. 2 - Domingo, Dic. 3 Lunes, Dic 4 - Martes, Dic. 5	10am - 7pm 12pm - 5pm 10am - 7pm
4. Wellington Chew Senior Center T.B.A.	4430 Maxwell Ave. 79904	Lunes, Nov. 27 - Viernes, Dic. 1 Sábado, Dic. 2 - Domingo, Dic. 3 Lunes, Dic 4 - Martes, Dic. 5	8am - 5pm 12pm - 5pm 8am - 5pm

Nota: Las Ubicaciones de Votación Temprana, fechas y horarios están sujetos a cambios en cualquier momento. Cualquier votante registrado puede votar en cualquier Ubicación de Votación Temprana. Para ver mapa del lugar, presione en la dirección de la ubicación de su preferencia via Google Maps o para ver una imagen del lugar, presione en el nombre de la ubicación de su preferencia. Para más información visite es.epcountyvotes.com o llame al (915) 546-2154.

December 2023 City of El Paso Special Election

Elección Especial de Diciembre de 2023 de la Ciudad de El Paso



Election Day: Saturday, December 9, 2023
Día de Elección: Sabado, 9 de Diciembre de 2023
7:00 a.m. - 7:00 p.m.

You can now vote at any Vote Center on Election Day.
Ahora puede votar en cualquier Centro de Votación el Día de la Elección.

Vote Center Centro de Votación	Address Dirección
Enrique Moreno County Courthouse	500 E. San Antonio Ave. 79901
Fire Station #7	3200 Pershing Dr. 79903
Magoffin Middle School	4931 Hercules Ave. 79904
Logan Elementary School	3200 Ellerthorpe Ave. 79904
Park Elementary School	3601 Edgar Park Ave. 79904
Fire Station #16	3828 Hercules Ave. 79904
El Paso County Coliseum	4100 E. Paisano Dr. 79905
Hawkins Elementary School	5816 Stephenson Ave. 79905
Dr. Josefina Villamil Tinajero Pk-8 School	301 Lisbon St. 79905
**Replaced Clardy Elementary School	
El Paso County Ascarate Annex	301 Manny Martinez Dr. 79905
H.R. Moye Elementary School	4825 Alps Dr. 79904
**Replaced Whitaker Elementary School	
Coach Wally Hartley PK- 8 School	6201 Hughey Dr. 79925
**Replaced Ross Middle School	
Travis Elementary School	5000 N. Stevens St. 79930
Paul C. Moreno Elementary School	2300 San Diego Ave. 79930
Memorial Park Senior Citizen Center	1800 Byron St. 79930
Austin High School	3500 Memphis Ave. 79930

Note: Vote Centers are subject to change at any time. Click on an address for directions via Google Maps or click on a location name to view a picture to that specific site. For more election information visit epcountyvotes.com or call (915) 546-2154.

Nota: Centros de Votación están sujetos a cambio en cualquier momento. Para ver mapa del lugar, presione en la dirección del Lugar de Votación de su preferencia via Google Maps o para ver una imagen del lugar, presione en el nombre del Centro de Votación de su preferencia. Para más información visite es.epcountyvotes.com o llame al (915) 546-2154.