

OSCAR LEESER
MAYOR

DIONNE MACK
CITY MANAGER



CITY COUNCIL
BRIAN KENNEDY, DISTRICT 1
JOSH ACEVEDO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
ART FIERRO, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CHRIS CANALES, DISTRICT 8

SPECIAL CITY COUNCIL MEETING MINUTES
November 13, 2024
Council Chambers, City Hall, 300 N. Campbell and Virtually
4:00 P.M.

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The City Council of the City of El Paso met at the above place and date. Meeting was called to order at 4:00 p.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Brian Kennedy, Josh Acevedo, Joe Molinar, Art Fierro, Henry Rivera, and Chris Canales. Cassandra Hernandez joined virtually at 4:08 p.m. Isabel Salcido requested to be excused.
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AGENDA

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1. **RESOLUTION CANVASSING RETURNS
OF THE ELECTIONS FOR THE
2024 GENERAL AND SPECIAL ELECTIONS FOR
MAYOR, DISTRICTS 1, 2, 3, 4, 5 AND 7;
MUNICIPAL COURT JUDGES COURT NOS. 1, 2, 3, 4, 5, AND
THE JUDGE OF THE MUNICIPAL COURT OF APPEALS**

WHEREAS, the City Council of the City of El Paso ordered a general and special elections to be held in said City on November 5, 2024, for the purposes of filling the expired terms in the office of the Mayor, four District Representatives from Single-Member District Nos. 2, 3, 4, and 7, and the Judges for the Municipal Courts Nos. 1, 2, 3, 4, 5, and the Judge of the Municipal Court of Appeals and the vacancies in the office of District Representatives from Single-Member District Nos. 1 and 5 for the terms as established by and in accordance with the Charter of the City of El Paso and the laws of the State of Texas;
and,

WHEREAS, the elections officers who held said general and special elections have duly made returns of the results thereof, and said returns have been duly delivered to said City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council officially finds and determines that said general and special elections were duly given, that proper notice of said general and special elections were duly given, that proper elections officers were duly appointed prior to said general and special elections, that said general and special elections were duly held, that due returns of the results of said general and special elections have been duly made and delivered, that the elections returns have properly been made out and fully certified by the officers of said general and special elections in the different voting precincts of the City, and that the City Council had duly canvassed said returns, all in accordance with law and the resolution and thereto calling said general and special elections.

2. That the City Council officially finds and determines that the following votes were cast at said general and special elections for the following officers by the resident, qualified electors of said City, who voted at the general and special elections:

MAYOR

Steven B. Winters	<u>15,843</u>
Renard U. Johnson	<u>59,698</u>
Cassandra Hernandez	<u>19,025</u>
Elizabeth Cordova	<u>10,773</u>
Isabel Salcido	<u>13,631</u>
Brian Kennedy	<u>44,516</u>
Marco Antonio Contreras	<u>11,925</u>
Ben Mendoza	<u>8,462</u>

DISTRICT REPRESENTATIVE NO. 1

Sam Armijo	<u>4,158</u>
Tom Handy	<u>5,878</u>
Alejandra "Ale" Chávez	<u>10,605</u>
Monica Reyes	<u>7,729</u>

DISTRICT REPRESENTATIVE NO. 2

Josh Acevedo	<u>10,791</u>
Isabel Ceballos Otten	<u>6,792</u>

DISTRICT REPRESENTATIVE NO. 3

Deanna Maldonado-Rocha	<u>4,820</u>
Jose Rodriguez	<u>5,862</u>
Fabiola H. Arellano	<u>4,064</u>
Kenneth Bell	<u>4,406</u>
Jesse Romero	<u>2,566</u>

DISTRICT REPRESENTATIVE NO. 4

Joe "Chief" Molinar	<u>8,123</u>
Cynthia Boyar Trejo	<u>5,939</u>
Dorothy "Sissy" M. Byrd	<u>3,200</u>
Wesley Lawrence	<u>3,900</u>

DISTRICT REPRESENTATIVE NO. 5

Amanda Cunningham	<u>4,531</u>
Ivan Niño	<u>7,000</u>
Tamara Lantigua Davis	<u>1,569</u>
Felix J. Muñoz	<u>3,583</u>

Sean "Kowalski" Orr	1,209
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DISTRICT REPRESENTATIVE NO. 7

Alan Serna	3,350
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Chris Hernandez	4,669
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Fabiola Campos Lopez	4,482
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Lily Limón	8,752
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JUDGE, MUNICIPAL COURT NO. 1

Michelle Morales	132,934
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JUDGE, MUNICIPAL COURT NO. 2

Kristin Romero	131,411
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JUDGE, MUNICIPAL COURT NO. 3

David A. Bonilla	132,166
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JUDGE, MUNICIPAL COURT NO. 4

Felix Castañon	33,944
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Samuel Flores	64,649
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Lauren Ferris	53,264
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JUDGE, MUNICIPAL COURT NO. 5

Mike Herrera	86,037
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Daniel "Danny" Robledo	67,369
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JUDGE, MUNICIPAL COURT OF APPEALS

Maria B. Ramirez	99,130
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Luis Yanez	52,493
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3. That in the case of the following offices of Mayor and Representatives for District Nos. 1, 3, 4, 5, and 7, and the Judge for Municipal Court No. 4, no person received more than a 50% majority of all votes cast for candidates for such offices, and accordingly no one for these offices is declared elected and a runoff election is to be called by the City Council in accordance with the Texas Election Code; and that the number of votes cast for each person who was a candidate for such offices, according to the returns, is shown in paragraph 2 hereof:

4. That in the case of the following offices, the following persons who received more than a 50% majority of the votes cast for candidates for such offices are hereby declared elected to such offices for the ensuing terms, or until the elections and qualification of their successors, subject to the proper issuance of certificates of elections by the presiding officer, and that the number of votes cast for each person who was a candidate for such offices, according to the returns, is shown in paragraph 2 hereof:

DISTRICT REPRESENTATIVE NO. 2

Josh Acevedo

JUDGE, MUNICIPAL COURT NO. 1

Michelle Morales

JUDGE, MUNICIPAL COURT NO. 2

Kristin Romero

JUDGE, MUNICIPAL COURT NO. 3

David A. Bonilla

JUDGE, MUNICIPAL COURT NO. 5

Mike Herrera

JUDGE, MUNICIPAL COURT OF APPEALS

Maria B. Ramirez

5. That on file in the City Clerk’s Office and made a part hereof by reference are copies of the mechanical precinct tabulations of the votes cast at the November 5, 2024 Elections to elect the Mayor, Representatives for Districts 1, 2, 3, 4, 5, and 7, and five Municipal Court Judges Court Nos. 1, 2, 3, 4, 5 and the Judge for the Municipal Court of Appeals showing the number of votes cast in each precinct for each candidate.

6. That this Resolution is adopted subject to the right of any candidate to contest such elections in any way provided by law.

7. That this Resolution were acted upon in accordance with the law by the presiding officer and the City Council and were deemed by said City Council that upon passage of the Resolution, it shall take effect immediately.

8. This Resolution shall be spread upon the minutes of the City Council, and the City Clerk shall record the amendments so adopted in the separate book kept in her office for such purpose.

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Rivera, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Salcido

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2. 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.

Motion made by Representative Canales, seconded by Representative Molinar, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Salcido

3. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS CALLING FOR A RUNOFF ELECTION TO BE HELD ON DECEMBER 14, 2024 FROM THE 2024 GENERAL AND SPECIAL CITY ELECTIONS HELD NOVEMBER 5, 2024, TO FILL THE VACANCIES FOR DISTRICT REPRESENTATIVES NO. 1 AND 5; TO FILL THE EXPIRED TERMS OF MAYOR AND DISTRICT REPRESENTATIVES 3, 4 AND 7, AND JUDGE FOR MUNICIPAL COURT NO. 4; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT.**

WHEREAS, following its General and Special City Elections held on November 5, 2024, the City of El Paso ("City") has found it necessary under the City of El Paso Charter and the laws of the State of Texas to hold a runoff election to fill the positions of Mayor, five District Representatives from Single-Member District Nos. 1, 3, 4, 5 and 7, and Judge for the Municipal Court No. 4; and

WHEREAS, the City will hold a runoff election on December 14, 2024, to fill the aforementioned positions, to be elected by a majority of the votes cast.

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

SECTION 1 – OFFICIAL POSITIONS TO BE FILLED WITH RUNOFF ELECTION

A runoff election of the City of El Paso is hereby called to take place on December 14, 2024, for the purpose of electing the following named officers of the City of El Paso:

Mayor
District Representative No. 1
District Representative No. 3
District Representative No. 4
District Representative No. 5
District Representative No. 7
Judge for Municipal Court No. 4

Such runoff election shall be held in the manner and form prescribed by the laws of the State of Texas. At such runoff election, all qualified voters of the City will be permitted to vote, and shall vote at the polling place designated for the election precinct in which they reside, or as allowed by applicable State Law, to elect the Mayor, their Representatives, and Judge for Municipal Court No. 4. The qualified voters who reside in the Representative District Nos. 1, 3, 4, 5 and 7 shall vote for the Representative in their respective district. The candidate receiving a majority of the votes cast for each position 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 El Paso County Elections Administrator or 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, joint or otherwise, with 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 runoff election. The contract document and election services provided therein shall conform to Chapter 31, Subchapter D, of the Texas Election Code and all 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 necessary to conduct the election.

SECTION 3 – EARLY VOTING CLERK FOR THE RUNOFF ELECTION

Lisa Wise, El Paso County Elections Administrator, 500 E. San Antonio, Suite 314, El Paso, Texas, 79901, is hereby appointed as Early Voting Clerk.

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 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. 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 – VOTING MACHINES AND ELECTION RESULTS

Voting machines used for the conduct of the runoff 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 runoff election shall be certified, canvassed, and returned in the form and manner prescribed by law.

SECTION 6 – NOTICE OF RUNOFF ELECTION

The notice of the runoff 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 runoff election by posting a notice of such election in English and Spanish in the Office of the City/Municipal 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.

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

SECTION 7 – 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 runoff election, whether or not expressly authorized herein.

*Exhibit available at the City Clerk's Office.

Mayor Leeser and Representative Acevedo commented.

Ms. Laura Prine, City Clerk, commented.

Motion made by Representative Rivera, seconded by Representative Canales, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Salcido

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ADJOURN

Motion made by Representative Rivera, seconded by Representative Canales, and unanimously carried to **ADJOURN** the meeting at 4:19 p.m.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Salcido

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk