

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
AGENDA SUMMARY FORM**

**DEPARTMENT:** MAYOR AND COUNCIL

**AGENDA DATE:** August 3, 2021

**CONTACT PERSON NAME AND PHONE NUMBER:**

City Representative Aleksandra Anello, 212-0002  
City Representative Cassandra Hernandez 915-212-0003  
City Representative Peter Svarzbein 915-212-0001

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** (Goal 6 - Set the Standard for Sound Governance and Fiscal Management)

**SUBJECT:**

**APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.**

Discussion and action to approve a resolution to call for the 87th Texas Legislature to withdraw House Bill 3 and Senate Bill 1 and instead take proactive measures to protect voting rights and promote access to voting.

**BACKGROUND / DISCUSSION:**

**Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?**

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one? N/A**

**AMOUNT AND SOURCE OF FUNDING:**

**How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer? N/A**

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

## RESOLUTION

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

**WHEREAS**, in the immortal words of the late Congressman John Lewis, there are times when we must get in good trouble, necessary trouble, and help redeem the soul of America; and

**WHEREAS**, we stand today on the shoulders of giants who have fought in hallowed halls of legislative chambers across our nation for free and fair access to the ballot box; for a voice in the electoral process we call our American democracy; and

**WHEREAS**, continuing the work of these civil rights heroes is not about left or right, but about what is right and wrong; and

**WHEREAS**, the foundational importance of the right to vote in free and fair elections justifies and requires vigilant protection and active encouragement at every level of government, necessitating the implementation of new action to eliminate barriers that intentionally abridge the franchise; and

**WHEREAS**, El Paso voters again find themselves on the brink of further disenfranchisement as Texas House Bill 3 and Texas Senate Bill 1 have been introduced during the first 2021 Special Legislative Session; and

**WHEREAS**, these bills would make it harder for El Paso communities – and especially communities of color – to vote through:

- Banning 24-hour voting;
- Banning drive-through voting;
- Prohibiting state election officials from proactively disseminating absentee ballots;
- Adding new identification requirements for voting-by-mail;
- Limiting third-party ballot collection;
- Expanding the authority and autonomy of partisan poll watchers; and
- Requiring monthly reviews of the state’s voter rolls to identify noncitizens; and

**WHEREAS**, if passed, House Bill 3 and Senate Bill 1 would exacerbate already low voter turnout rates in Texas which is ranked 50<sup>th</sup> in the nation by the Election Law Journal for ease of voting; and

**WHEREAS**, citizens of El Paso support measures to address this undemocratic reality, as evidenced by approved revisions to the City Charter in 2013 to hold municipal elections in November rather than in May; in subsequent elections, voter turnout in El Paso municipal elections increased by as much as 600 percent; and

**WHEREAS**, this resolution furthers the goals set out in the City of El Paso Strategic Plan as the successful completion of municipal elections is a key accomplishment and metric for Strategic Goal 6 “Set the Standard for Sound Governance and Fiscal Management;” and

**WHEREAS**, the legislation currently being considered by the Texas legislature – introduced under the guise of election integrity – would be a solution in search of a problem, as evidenced by the Texas Secretary of State office’s assertion that the 2020 election was “smooth and secure,” and the consistent lack of widespread voter fraud throughout Texas; and

**WHEREAS**, conversely, House Bill 3 and Senate Bill 1 are responses to historic voter participation in Texas during the 2020 election resulting from jurisdictions increasing access to the ballot box through ensuring voters felt safe (i.e., creating mobile or temporary voting locations, expanding provisions that allow curbside voting, and extending early voting); and

**WHEREAS**, proponents of this legislation seek to build on recent Supreme Court precedent eviscerating voting protections once provided by the Voting Rights Act of 1965 and on anti-voter Texas laws which have been ruled unconstitutional by lower courts and placed within the context of the state’s long history of voter suppression that has disproportionately disenfranchised Texans of color; and

**WHEREAS**, on July 12, 2021, members of the Texas House of Representatives broke quorum for the second time in as many months, preventing further consideration of House Bill 3 and adoption of Senate Bill 1; and

**WHEREAS**, the City of El Paso committed to support state legislation that improves the quality of life for its residents and provide enhanced customer service to residents; and

**WHEREAS**, House Bill 3 and Senate Bill 1 would silence many in El Paso, thus disallowing community input needed to equitably address today’s challenges; and

**WHEREAS**, these anti-democratic bills are antithetical to the values that define the City of El Paso; and

**WHEREAS**, Congressman Lewis once proclaimed, “When you see something that is not right, not fair, not just, you have to speak up. You have to say something; you have to do something;”

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

That the City of El Paso recognizes that our communities thrive when all voices are heard in our democratic processes and reaffirms support for state and federal legislation that promotes and protects voting rights and access to voting, as well as greater inclusion and civic empowerment; and

That the City of El Paso urges members of the Texas Legislature to withdraw House Bill 3 and Senate Bill 1 and instead take proactive measures to protect voting rights and promote access to voting; and

That the City Clerk’s office will make this resolution available to the Governor, Lt. Governor, Speaker of the House, the El Paso state and federal delegations, sister City Councils, and to the President of the United States, and that the Mayor’s office will email or mail a copy of such resolution to the official email address/ mailing address of these individuals.

*(Signatures to follow)*

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

**CITY OF EL PASO**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

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Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

*Ramona Frazier*  
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Ramona Frazier  
Assistant City Attorney