

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

**DEPARTMENT:** Communications and Public Affairs

**AGENDA DATE:** January 31, 2023

**PUBLIC HEARING DATE:** February 7, 2023

**CONTACT PERSON NAME AND PHONE NUMBER:** Laura Cruz-Acosta, (915) 212-1061

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** Goal 6 – Set the Standard for Sound Governance and Fiscal Management

**SUBGOAL:** 6.8 – Support Transparent and Inclusive Government

**SUBJECT:**

An Ordinance of the City Council of the City of El Paso, Texas, ordering a Special Election for the submission of Charter Amendments to Section 3.1 to allow District Representatives to appoint and remove District Office Staff; 3.18 to allow City Council to authorize leases for 40 years or less by Resolution or Ordinance; Section 3.5A to allow Council to reschedule meetings for holidays and allow the Mayor to cancel a Council meeting if required due to Declared Emergency; Section 3.9B, 3.10B, and 6.1-12 to align to State law and update obsolete references; Section 3.11 to remove the requirement for a second petition in initiatives, and provide a procedure for citizens to Initiate City Ordinances; Section 6.1-4 to authorize the City to create a policy regarding membership on the Civil Service Commission to reflect the community and City Workforce; Section 6.7-1 and 6.8-1 to allow the City to establish more flexible policies in hiring employees; Section 6.13-11D to establish the City contribution to the Police and Fire Pension Fund of no less than 18% of the wages of the participants, and remove the limit on the City's contribution; Section 3.20B to change the reporting structure for the Chief Internal Auditor to report directly to City Council; such election to be held within the City, on May 6, 2023; making provisions for the conduct of the election; and authorizing a contract with El Paso County to furnish election services and equipment; providing for severability and setting an effective date.

**BACKGROUND / DISCUSSION:**

On January 18, 2022, City Council approved a Resolution creating the Ad Hoc Charter Advisory Committee with the purpose of reviewing proposed Charter amendments by a majority vote of the City Council. The Committee's final recommendations were presented on July 18, 2022. An Ordinance calling for the election was postponed for 12 weeks by Council on August 8, 2022 and deleted from the agenda on October 25, 2022. An overview presentation of the Charter Amendments took place on January 14, 2023, at which time the final amendments were approved. City Council is moving forward with changes to sections as listed in the ordinance.

**PRIOR COUNCIL ACTION:**

Last Ordinance ordering a Special Election to amend the charter was approved on July 10, 2018.

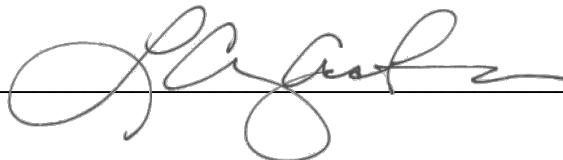
**AMOUNT AND SOURCE OF FUNDING:**

111-1000-11020-522030 Election Contracts

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

**DEPARTMENT HEAD:**



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, ORDERING A SPECIAL ELECTION FOR THE SUBMISSION OF CHARTER AMENDMENTS TO SECTION 3.1 TO ALLOW DISTRICT REPRESENTATIVES TO APPOINT AND REMOVE DISTRICT OFFICE STAFF; 3.18 TO ALLOW CITY COUNCIL TO AUTHORIZE LEASES FOR 40 YEARS OR LESS BY RESOLUTION OR ORDINANCE; SECTION 3.5A TO ALLOW COUNCIL TO RESCHEDULE MEETINGS FOR HOLIDAYS AND ALLOW THE MAYOR TO CANCEL A COUNCIL MEETING IF REQUIRED DUE TO DECLARED EMERGENCY; SECTION 3.9B, 3.10B, AND 6.1-12 TO ALIGN TO STATE LAW AND UPDATE OBSOLETE REFERENCES; SECTION 3.11 TO REMOVE THE REQUIREMENT FOR A SECOND PETITION IN INITIATIVES, AND PROVIDE A PROCEDURE FOR CITIZENS TO INITIATE CITY ORDINANCES; SECTION 6.1-4 TO AUTHORIZE THE CITY TO CREATE A POLICY REGARDING MEMBERSHIP ON THE CIVIL SERVICE COMMISSION TO REFLECT THE COMMUNITY AND CITY WORKFORCE; SECTION 6.7-1 AND 6.8-1 TO ALLOW THE CITY TO ESTABLISH MORE FLEXIBLE POLICIES IN HIRING EMPLOYEES; SECTION 6.13-11D TO ESTABLISH THE CITY CONTRIBUTION TO THE POLICE AND FIRE PENSION FUND OF NO LESS THAN 18% OF THE WAGES OF THE PARTICIPANTS, AND REMOVE THE LIMIT ON THE CITY'S CONTRIBUTION; SECTION 3.20B TO CHANGE THE REPORTING STRUCTURE FOR THE CHIEF INTERNAL AUDITOR TO REPORT DIRECTLY TO CITY COUNCIL; SUCH ELECTION TO BE HELD WITHIN THE CITY, ON MAY 6, 2023; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council appointed a nine (9) member Ad Hoc Charter Advisory Committee in January 2022 to assist in the review and to make recommendations on potential charter amendments; and

**WHEREAS**, the Ad Hoc Charter Advisory Committee reviewed proposed Charter Amendments approved by a majority of the City Council and the Committee met from February 2022 through May 2022 to review the City Charter and in May 2022, the Committee finalized its report of its findings in writing, and presented its proposed amendments to the City Council; and

**WHEREAS**, the City Council has reviewed the proposed Amendments by the Committee, made amendments to such recommendations, and the City Council of the City of El Paso, Texas has determined it appropriate to submit the proposed amendments to the existing City Charter of the City of El Paso to the qualified voters of the City for their adoption or rejection thereof pursuant to Section 9.004(a) of the Texas Local Government Code; and

**WHEREAS**, Section 9.004(b) of the Texas Local Government Code requires that an ordinance be approved ordering said election to be held; and

**WHEREAS**, Section 41.001 of the Texas Election Code establishes May 6, 2023, as a uniform election date for the purposes of conducting an election; and

**WHEREAS**, pursuant to Texas Local Government Code Section 9.004(e), more than one amendment may be combined in one ballot proposition as long as the amendments contain only one subject; and

**WHEREAS**, pursuant to the Texas Local Government Code Section 9.004 a ballot for proposed charter amendments shall be prepared so that a voter may approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments; and

**WHEREAS**, during public meetings held on August 2, 2022, on January 31, 2023 and a public hearing to be held on February 7, 2023, the City Council considered and approved for public vote, in the form of a ballot proposition, the following Charter amendments after considering recommendations by the 2022 Ad Hoc Charter Advisory Committee; and

**WHEREAS**, the City Council of the City of El Paso, Texas, hereby directs City staff to publish notice of the special charter election in a newspaper of general circulation in the City on the same day in each of two (2) successive weeks, the date of the first publication to be not less than fourteen (14) days prior to the date of the May 6, 2023 election, in compliance with Section 9.004(c) of the Texas Local Government Code and to carry out other requirements related to such election.

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

### **SECTION 1 – CHARTER AMENDMENT ELECTION CALLED**

The El Paso City Council does hereby order an election to submit to the voters of the City of El Paso proposed amendments to the City Charter, to be held on Saturday, May 6, 2023. That 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 Council, 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.

That at such election, the following amendments to the Charter of the City of El Paso ("Measures") shall be submitted to the qualified voters of the City and official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote for or against the proposed amendment, and with such ballot language ("Proposition") to be expressed substantially as follows:

## **CITY OF EL PASO MEASURE A**

### **Text of Amendment**

Amending Section 3.1 of the City Charter, relating to the creation; composition; powers and duties of City Council, to read in pertinent part as follows:

#### **Section 3.1 – CREATION; COMPOSITION; POWERS AND DUTIES**

There shall be a City Council consisting of District Representatives and the Mayor. The Council shall have legislative powers, and the power and duty to select, direct, and regularly evaluate the City Manager, as well as such other and specific powers and duties as may be provided by law or this Charter. Each Representative shall have the discretion and sole authority to appoint and remove district office staff.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition A**

Should section 3.1 of the City Charter, relating to creation, composition; powers and duties of Council be amended to allow City Council Representatives to appoint and remove district office staff?

YES ( )

NO ( )

## **CITY OF EL PASO MEASURE B**

### **Text of Amendment**

Amending Section 3.18 of the City Charter, relating to the use of ordinances, to read in pertinent part as follows:

#### **Section 3.18 LEASE; FRANCHISE, AND CONVEYANCE.**

The right of control, ownership and use of streets, alleys, parks and public places of the City is declared to be inalienable except as provided by ordinance passed by the Council and except for uses of less than thirty days which may have a separate approval process as established by ordinance.

Any authorization for the conveyance, lease, or grant of a franchise regarding the property of the City shall provide for payment to the City of a reasonable fee as consideration for that conveyance, lease, or franchise.

Any sale of City owned property in fee simple, franchise or lease for an initial term longer than forty years shall be approved by ordinance.

In addition, any authorization for a lease or franchise must provide that the City may revoke it if necessary to secure efficiency of public service at a reasonable rate, and must assure that the property is maintained in good condition throughout the life of the lease or franchise.

**City of El Paso Special Election for Charter Amendment**  
**Ballot Proposition B**

Should section 3.18 of the City Charter relating to Leases, Franchises, and Conveyances be amended to authorize Council to lease City owned property for 40 years or less by Council resolution or ordinance?

YES ( )

NO ( )

**CITY OF EL PASO MEASURE C**

**Text of Amendment**

Amending Section 3.5 of the City Charter, relating to City Council Procedures and Rules, to read in pertinent part as follows:

**Section 3.5 A CITY COUNCIL PROCEDURES AND RULES**

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

**City of El Paso Special Election for Charter Amendment**  
**Ballot Proposition C**

Should section 3.5A of the City Charter be amended to allow Council to reschedule meetings by resolution to allow for City holidays but shall hold no less than two regular meetings per month?

YES ( )

NO ( )

## **CITY OF EL PASO MEASURE D**

### **Text of Amendment**

#### **Section 3.5 A CITY COUNCIL PROCEDURES AND RULES**

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition D**

Should section 3.5A of the City Charter be amended to allow the Mayor to cancel a meeting if necessary due to a Federal, State or Local declared emergency?

YES ( )

NO ( )

## **CITY OF EL PASO MEASURE E**

### **Text of Amendment**

Amending Sections 3.9B relating to Ordinances, 3.10B relating to emergency ordinances, 6.1-12 relating to civil service hearing officers to read in pertinent part as follows:

#### **Section 3.9 ORDINANCES IN GENERAL.**

B. Legislative Procedure. Except as provided in Section 3.13, an ordinance may be introduced by any Council member at any meeting of the Council. A proposed ordinance must be filed with the City Clerk in sufficient time for inclusion on the agenda for the Council meeting at which it is to be introduced. Upon such filing the City Clerk shall distribute copies to each member of the Council and to the City Manager. No ordinance shall be adopted finally except at a regular open meeting of the Council following notice, publication, and a public hearing. The notice shall contain:

1. The proposed ordinance or a brief summary thereof;
2. The places where copies of it have been filed and the times when they are available for public examination; and
3. The time and place for the public hearing. The notice shall be published by any contemporary means of information sharing, including but not limited to publication in a newspaper of general circulation in the City or placement on a website at least five days prior to the public hearing. The hearing may be held by a designated Council committee or the Council separately or in connection with any Council meeting and

may be adjourned to a specified time. All interested persons present shall have an opportunity to be heard. As soon as practicable after adoption of any ordinance, the City Clerk shall publish it again, with notice of its adoption, in abstract form, by any contemporary means of information sharing. These abstracts must state, at a minimum, the purpose of the ordinance and, where penal, the penalty provided. In any event, the publication must be written so as to be understood by an average person.

### **Section 3.10B EMERGENCY ORDINANCES.**

Procedures. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it may be introduced on one-hour public notice, and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the unanimous vote of the Council members present shall be required for adoption.

### **Section 6.1-12 HEARING OFFICERS.**

The Commission will appoint one or more compensated hearing officers to hear appeals made under Section 6.13-4. The need for hearing officers in excess of one shall be determined jointly by the Commission and the City Manager. Hearing officers will perform those duties and functions necessary to render a recommendation to the Commission on the matter in dispute.

The hearing officers will serve at the Commission's pleasure, and will be procured through the City's procurement process.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition E**

Shall Sections 3.9B, 3.10B, 6.1-12 of the City Charter be amended to eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references and update terminology to current legal usage?

YES ( )

NO ( )

### **CITY OF EL PASO MEASURE F**

#### **Text of Amendment**

Amending Section 3.11 of the City Charter, relating to Initiatives to read in pertinent part as follows:

### **Section 3.11 INITIATIVE.**

Any registered voter or group of registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state and local law by filing with the City Clerk a statement that they intend to circulate a petition, however no ordinance may be initiated through this process appropriating or allocating City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property or granting a franchise. Such statement must include the names and addresses of the committee members, the full text of the proposed ordinance, and the designated lead committee member.

The City Clerk shall place the proposed Ordinance on the City Council Agenda for introduction within thirty calendar days after receiving the statement, followed by a public hearing at the second reading. If City Council fails to adopt the ordinance, or adopts it with amendments, the City Clerk will notify the committee through the lead committee member.

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council's amendments, it will then have 180 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to original signature, printed name, residence address and date of birth or voter registration of a number of registered voters equal to at least five percent of the voters who voted in the last general City election, or 10,000, whichever number is smaller. The petition must set forth the precise content of the ordinance desired by the petitioners.

The City Clerk shall review the petition without delay, but no more than 60 City Clerk office working days, to verify if it meets all requirements, and if authenticated with the required number of signatures, must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the authentication by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

If Council does not adopt, or adopts the proposed ordinance in an amended form, the City Council thereafter must place the proposed ordinance on the ballot at a uniform election no later than the next citywide general election specified in State law meeting all deadlines. If the proposal receives the favorable vote of a majority of those voting in that election it shall thereupon become a City ordinance. Initiative ordinances adopted or approved by the electors shall be published and may be amended or repealed by the Council, as in the case of other ordinances; provided, however, that no ordinance adopted at the polls under an initiative may be amended or repealed by the Council within one year of adoption.

The Council is not obliged to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in: two years.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition F**

Should section 3.11 relating to the initiative petition of the City Charter be amended to remove the requirement for a second petition, and institute a process for the public to initiate a City ordinance, and to clarify that no ordinance may be initiated through this process appropriating or allocating City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property, or granting a franchise?



YES ( )

NO ( )

## **CITY OF EL PASO MEASURE G**

### **Text of Amendment**

Amending Section 6.1-4 of the City Charter, relating to Civil Service qualifications to read in pertinent part as follows:

#### **Section 6.1-4 QUALIFICATIONS.**

Members of the Commission must be residents of the City at the time of their appointment and remain a resident of the City throughout their term of office. No Commissioner shall be related in any manner described in Article III, Section 3.3 B to any employee of the City, the Public Service Board, or any entity that has a contract with the City to operate or manage any City facility or department, nor hold any salaried public office or other employment compensated by the City, and any violation of this provision shall be deemed malfeasance in office and cause for removal therefrom. The City should adopt rules that reflect the diversity of the community and City workforce. No more than three Commissioners may be former city employees, and any such Commissioners are not eligible for appointment until two years following separation from the City. Any commissioner may be either actively employed or retired.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition G**

Should 6.1-4 of the City Charter be amended to change the qualifications requirements for Civil Service Commissioners to allow for appointment of Commissioners that reflect the diversity of the community and City workforce?

YES ( )

NO ( )

## **CITY OF EL PASO MEASURE H**

### **Text of Amendment**

Amending Section 6.7-1 and 6.8-1 of the City Charter, relating to penalty for deceit in examinations, examinations and eligibility to read in pertinent part as follows:

#### **Section 6.7-1**

(Reserved.)

## **Section 6.8-1 EXAMINATION AND ELIGIBILITY**

The Human Resources Director shall establish administrative policies and procedures for the promotion process, and eligibility, consistent with the provisions of this Article and all applicable federal and state employment laws.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition H**

Should Section 6.7-1 be deleted and 6.8-1 relating to Examinations of the City Charter be amended to remove the requirement for examinations and allow the City to establish Civil Service Rules, policies and procedures for the promotion of City employees?

YES ( )

NO ( )

## **CITY OF EL PASO MEASURE I**

### **Text of Amendment**

Amending Section 6.13-11D of the City Charter, relating to pensions plans to read in pertinent part as follows:

### **Section 6.13-11D PENSION PLANS.**

Firemen and Policemen Pension Fund of El Paso. The City shall continue to augment the Firemen and Policemen Pension Fund of El Paso in a manner consistent with the laws of Texas. To augment the Firemen and Policemen Pension Fund, the Council shall in each fiscal year beginning after May 2023, appropriate no less than eighteen percent of the total amount expended for wages of the participants, and may increase this contribution rate as allowed by the relevant state law requirements based on a qualified actuary's report; provided, however, that in the event age limits for participation in the pension fund, or any division of the fund, are increased as permitted by law and the raising of the age limits causes an increase in funding costs as determined by an actuary, the City shall appropriate an amount equal to such cost increase notwithstanding that such increased appropriation may exceed the otherwise determined percent of the total amount expended for wages of the participants. Notwithstanding the foregoing, if the City elects to pick up participant contributions to the Firemen and Policemen Pension Fund of El Paso under Section 414(h) of the Internal Revenue Code of 1986, as amended (the "Code"), then the participant contributions picked up by the City shall be derived from a corresponding reduction in participant cash salaries and treated as a contribution by the City solely for determining tax treatment of such contributions under the Code. The picked up contributions by the City shall not be considered a contribution or required contribution by the City for any other purpose, including the limitations for the total amount expended for salaries of the participants designated in this Section 6.13-11.D. Notwithstanding the foregoing, the City shall have the authority to contract with the Firemen and Policemen Pension Fund to make a one-time contribution (either in lump sum or installments) to the Firemen and Policemen Pension

Fund solely for an underfunded liability as of December 31, 2003 or the date of contribution, under such conditions as the City in its sole discretion may require and provided that (a) such authority, action and/or contribution complies with the Firemen and Policemen Pension Fund plan documents and all applicable statutes, laws, rules and regulations, and (b) a binding written agreement between the City and the Firemen and Policemen Pension Fund has been reached regarding (i) the amount of such under-funded liability, if any, (ii) the amount to be contributed by the City for such under-funded liability, and (iii) procedures (including, if necessary, amendments to the Firemen and Policemen Pension Fund plan documents) for managing the Firemen and Policemen Pension Fund on a going forward basis.

**City of El Paso Special Election for Charter Amendment**  
**Ballot Proposition I**

Should section 6.13-11D relating to the police and fire pension fund be amended to establish that the City of El Paso shall contribute to the El Paso Policemen and Firemen Pension Fund no less than eighteen percent of the total amount expended for wages of the participants, and any increase to the contribution rate shall be as allowed by state law?

YES ( )

NO ( )

**CITY OF EL PASO MEASURE J**

**Text of Amendment**

Amending Section 3.20B of the City Charter, relating to the Chief Internal Auditor to read in pertinent part as follows:

**Section 3.20B Internal Audit Function**

1. The Council shall establish and create an internal audit function to ensure that appropriate internal audits will be performed in accordance with professionally recognized auditing standards of the operations of all City departments, offices, agencies and programs.
2. The function shall be staffed by a Chief Internal Auditor and such other appropriate positions as are authorized by the Council who shall report to the Chief Internal Auditor. City employees in such positions shall be protected by the Civil Service System rights and processes that are afforded to classified employees, even if considered unclassified by other sections of this Charter or the City's Civil Service System.
3. Consistent with the provisions of this Charter, the Council shall by ordinance or resolution provide for the powers and duties of the Chief Internal Auditor as needed for the performance of the function.
4. The Financial and Audit Oversight Committee shall maintain legislative oversight over the internal audit function as provided in Section 3.6 B.

5. On and after the effective date of this amendment, the Chief Internal Auditor shall be appointed and removed by, and report to the Council. The City Manager shall maintain operational oversight over the internal audit function and be responsible for the implementation of any audit recommendations for changes to City administrative procedures and operations as requested by the Council.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition J**

Should Section 3.20B of the El Paso City Charter be amended to change the reporting structure of the Chief Internal Auditor so the position reports directly to City Council, and to provide Civil Service protections to employees in positions that report to the Chief Internal Auditor.

#### **SECTION 2 – BALLOTS**

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "YES" or "NO" on the proposition, with the ballots to contain such provisions, markings and language as required by law, and with the proposition to be expressed substantially as set forth in section 1, above.

#### **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 April 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 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," which may be amended.

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 – NOTICE OF 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. Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in El Paso on the same day, in each of two consecutive weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendment.

The City Clerk shall deliver notice of this election to the County Clerk and voter registrar of El Paso County no later than Tuesday, March 7, 2023, or as otherwise required by law.

## **SECTION 6 – ELECTION SERVICES CONTRACT AND PROCEDURAL MATTERS**

The City Manager is hereby authorized to execute the necessary contract(s) and agreements, joint or otherwise, with the El Paso County Elections Administrator, or any other public entity, 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 all other applicable statutes and laws.

The election services contract with the County 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.

Matters contained in this ordinance relating to discretionary, procedural matters may be amended by approval of the City Manager, and procedural matters not established by this ordinance will be established by resolution of City Council.

## **SECTION 7 – 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 8 – OTHER ACTION AND COMPLIANCE WITH APPLICABLE LAWS**

The City Manager and City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take any additional action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

## **SECTION 9 – SEVERABILITY**

That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

## **SECTION 10 – EFFECTIVE DATE**

This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

APPROVED this \_\_\_\_ day of February, 2023.

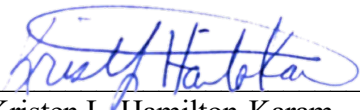
CITY OF EL PASO

\_\_\_\_\_  
Oscar Leoser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kristen L. Hamilton-Karam  
Senior Assistant City Attorney

## EXHIBIT A

# May 2023 Uniform Election

#govoteep



**EARLY VOTING PERIOD: April 24 - May 2**

## EARLY VOTING LOCATIONS

| (Main Early Voting Location)                                    |  |                                    |            |
|---|--|------------------------------------|------------|
| 1. <u><a href="#">Enrique Moreno County Courthouse</a></u>      | <u><a href="#">500 E. San Antonio Ave. 79901</a></u> | Monday, Apr. 24 - Friday, Apr. 28  | 8am - 5pm  |
| Third Floor, Back Lobby   |  | Saturday, Apr. 29 - Sunday, Apr.30 | 12pm - 5pm |
|   |  | Monday, May 1 - Tuesday, May 2     | 8am - 5pm  |
| 2. <u><a href="#">Arlington Park Shelter</a></u>                | <u><a href="#">10350 Pasadena Cir.79924</a></u>      | Monday, Apr. 24 - Friday, Apr. 28  | 9am - 6pm  |
| T.B.A.  |  | Saturday, Apr. 29 - Sunday, Apr.30 | 12pm - 5pm |
|   |  | Monday, May 1 - Tuesday, May 2     | 9am - 6pm  |
| 3. <u><a href="#">Bassett Place</a></u>                         | <u><a href="#">6101 Gateway West 79925</a></u>       | Monday, Apr. 24 - Friday, Apr. 28  | 10am - 7pm |
| T.B.A.  |  | Saturday, Apr. 29 - Sunday, Apr.30 | 12pm - 5pm |
|   |  | Monday, May 1 - Tuesday, May 2     | 10am - 7pm |
| 4. <u><a href="#">Bowling Family YMCA</a></u>                   | <u><a href="#">5509 Will Ruth Ave. 79924</a></u>     | Monday, Apr. 24 - Friday, Apr. 28  | 9am - 6pm  |
| T.B.A.  |  | Saturday, Apr. 29 - Sunday, Apr.30 | 12pm - 5pm |
|   |  | Monday, May 1 - Tuesday, May 2     | 9am - 6pm  |
| 5. <u><a href="#">Canutillo ISD Administration Facility</a></u> | <u><a href="#">7965 Artcraft Rd. 79932</a></u>       | Monday, Apr. 24 - Friday, Apr. 28  | 8am - 5pm  |
| T.B.A.  |  | Saturday, Apr. 29 - Sunday, Apr.30 | 12pm - 5pm |
|   |  | Monday, May 1 - Tuesday, May 2     | 8am - 5pm  |
| 6. <u><a href="#">Chayo Apodaca Community Center</a></u>        | <u><a href="#">341 N. Moon Rd. 79927</a></u>         | Monday, Apr. 24 - Friday, Apr. 28  | 9am - 6pm  |
| T.B.A.  |  | Saturday, Apr. 29 - Sunday, Apr.30 | 12pm - 5pm |
|   |  | Monday, May 1 - Tuesday, May 2     | 9am - 6pm  |

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## EXHIBIT A

**EARLY VOTING PERIOD: April 24 - May 2**

### EARLY VOTING LOCATIONS

|   |  |   |  |
|---|--|---|--|
| 7. <a href="#">Clint ISD Early College Academy</a><br>T.B.A.      | <a href="#">13100 Alameda Ave. 79836</a>     | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm   |
| 8. <a href="#">Commissioner's Corner</a><br>T.B.A.                | <a href="#">10700 Montana Ave. 79936</a>     | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 9am - 6pm<br>12pm - 5pm<br>9am - 6pm   |
| 9. <a href="#">Eastlake High School</a><br>T.B.A.                 | <a href="#">13000 Emeral Pass Ave. 79928</a> | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm   |
| 10. <a href="#">El Paso County Coliseum</a><br>T.B.A.             | <a href="#">4100 E. Paisano Dr. 79905</a>    | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 9am - 6pm<br>12pm - 5pm<br>9am - 6pm   |
| 11. <a href="#">El Paso County Eastside Annex</a><br>T.B.A.       | <a href="#">2350 George Dieter Dr. 79936</a> | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 6pm<br>12pm - 5pm<br>8am - 6pm   |
| 12. <a href="#">El Paso County Northwest Annex</a><br>T.B.A.      | <a href="#">435 Vinton Rd. 79821</a>         | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 6pm<br>12pm - 5pm<br>8am - 6pm   |
| 13. <a href="#">El Paso County Self-Help Center</a><br>T.B.A.     | <a href="#">15371 Kentwood Ave. 79928</a>    | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 10am - 7pm<br>12pm - 5pm<br>10am - 7pm |
| 14. <a href="#">EPCC Administrative Services Center</a><br>T.B.A. | <a href="#">9050 Viscount Blvd. 79925</a>    | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm   |

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## EXHIBIT A

**EARLY VOTING PERIOD: April 24 - May 2**

### EARLY VOTING LOCATIONS

|  |                                       |   |  |
|--|---------------------------------------|---|--|
| 15. <u>Esperanza Acosta Moreno Library</u><br>T.B.A.             | <u>12480 Pebble Hills Blvd. 79938</u> | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 10am - 7pm<br>12pm - 5pm<br>10am - 7pm |
| 16. <u>Gary Del Palacio Recreation Center</u><br>T.B.A.          | <u>3001 Parkwood St. 79925</u>        | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 9am - 6pm<br>12pm - 5pm<br>9am - 6pm   |
| 17. <u>Gonzalez Place</u><br>T.B.A.                              | <u>4101 Rich Beem Blvd. 79938</u>     | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm   |
| 18. <u>Marty Robbins Recreation Center</u><br>T.B.A.             | <u>11620 Vista Del Sol Dr. 79936</u>  | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 9am - 6pm<br>12pm - 5pm<br>9am - 6pm   |
| 19. <u>Medano Heights</u><br>T.B.A.                              | <u>7801 Medano Dr, 79912</u>          | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 10am - 7pm<br>12pm - 5pm<br>10am - 7pm |
| 20. <u>Mountain View-Rae Gilmore Recreation Center</u><br>T.B.A. | <u>8501 Diana Dr. 79904</u>           | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 10am - 7pm<br>12pm - 5pm<br>10am - 6pm |
| 21. <u>Nations Tobin Sports Center</u><br>T.B.A.                 | <u>8831 Railroad Dr. 79904</u>        | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 9am - 6pm<br>12pm - 5pm<br>9am - 6pm   |
| 22. <u>Officer David Ortiz Recreation Center</u><br>T.B.A.       | <u>563 N. Carolina Dr. 79915</u>      | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 9am - 6pm<br>12pm - 5pm<br>9am - 6pm   |

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# EXHIBIT A

## EARLY VOTING PERIOD: April 24 - May 2

### EARLY VOTING LOCATIONS

|  |   |   |  |
|--|---|---|--|
| 23. <a href="#"><u>Oz Glaze Senior Center</u></a><br>T.B.A.                | <a href="#"><u>13969 Veny Webb St. 79928</u></a>      | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 10am - 7pm<br>12pm - 5pm<br>10am - 7pm |
| 24. <a href="#"><u>Pebble Hills High School</u></a><br>T.B.A.              | <a href="#"><u>14400 Pebble Hills Blvd. 79938</u></a> | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm   |
| 25. <a href="#"><u>Rogelio Sanchez Center</u></a><br>T.B.A.                | <a href="#"><u>1331 N. Fabens St. 79838</u></a>       | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 9am - 6pm<br>12pm - 5pm<br>9am - 6pm   |
| 26. <a href="#"><u>San Elizario Fire Rescue</u></a><br>T.B.A.              | <a href="#"><u>1415 San Antonio St. 79849</u></a>     | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm   |
| 27. <a href="#"><u>South El Paso Senior Community Center</u></a><br>T.B.A. | <a href="#"><u>600 S. Ochoa St. 79901</u></a>         | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm   |
| 28. <a href="#"><u>Sunland Park Mall</u></a><br>T.B.A.                     | <a href="#"><u>750 Sunland Park Dr. 79912</u></a>     | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 9am - 6pm<br>12pm - 5pm<br>9am - 6pm   |
| 29. <a href="#"><u>UTEP - Union Building East</u></a><br>T.B.A.            | <a href="#"><u>351 W. University Ave. 79968</u></a>   | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm   |
| 30. <a href="#"><u>Wellington Chew Senior Center</u></a><br>T.B.A.         | <a href="#"><u>4430 Maxwell Ave. 79904</u></a>        | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm   |

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# EXHIBIT A

## EARLY VOTING PERIOD: April 24 - May 2

### EARLY VOTING LOCATIONS

|   |  |   |                                      |
|---|--|---|--------------------------------------|
| 31. <u>W.E. Neill Community Center</u><br>T.B.A.      | <a href="#">19210 Cobb Ave. 79853</a>  | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 5pm<br>12pm - 5pm<br>8am - 5pm |
| 32. <u>Ysleta Community Learning Center</u><br>T.B.A. | <a href="#">121 Padres Dr. 79907</a>   | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 9am - 6pm<br>12pm - 5pm<br>9am - 6pm |
| 33. <u>YWCA - West</u><br>T.B.A.                      | <a href="#">313 Bartlett Dr. 79912</a> | Monday, Apr. 24 - Friday, Apr. 28<br>Saturday, Apr. 29 - Sunday, Apr.30<br>Monday, May 1 - Tuesday, May 2 | 8am - 6pm<br>12pm - 5pm<br>8am - 6pm |

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# May 2023 Uniform Election

## *Elección Uniforme de Mayo de 2023*



**Election Day: Saturday, May 6, 2023**

***Día de Elección: Sábado, 6 de Mayo 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.**

| <b>Vote Center</b>  | <b>Address</b>                                |
|---|---|
| <b>Centro de Votación</b>                                   | <b>Dirección</b>                              |
| <a href="#">Anthony Town Hall</a>                           | <a href="#">401 Wildcat Dr. 79821</a>         |
| <a href="#">El Paso County Northwest Annex</a>              | <a href="#">435 E. Vinton Rd. 79821</a>       |
| <a href="#">Canutillo Middle School</a>                     | <a href="#">7311 Bosque Rd. 79835</a>         |
| <a href="#">Canutillo Elementary School</a>                 | <a href="#">651 Canutillo Ave. 79835</a>      |
| <a href="#">Clint ISD Early College Academy</a>             | <a href="#">13100 Alameda Ave. 79836</a>      |
| <a href="#">Rio Valle Woman's Club</a>                      | <a href="#">521 Mike Maros St. 79838</a>      |
| <a href="#">San Elizario Fire Rescue</a>                    | <a href="#">1415 San Antonio St. 79849</a>    |
| <a href="#">W.E. Neill Community Center</a>                 | <a href="#">19210 Cobb Ave. 79853</a>         |
| <a href="#">Enrique Moreno County Courthouse</a>            | <a href="#">500 E. San Antonio Ave. 79901</a> |
| <a href="#">South El Paso Senior Citizens Center</a>        | <a href="#">600 S. Ochoa St. 79901</a>        |
| <a href="#">El Paso Community College-Rio Grande Campus</a> | <a href="#">906 El Paso St. 79902</a>         |
| <a href="#">Fire Station #3</a>                             | <a href="#">721 E. Rio Grande Ave. 79902</a>  |
| <a href="#">Lamar Elementary School</a>                     | <a href="#">1440 E. Cliff Dr. 79902</a>       |
| <a href="#">Mesita Elementary School</a>                    | <a href="#">3307 N. Stanton St. 79902</a>     |
| <a href="#">El Paso Tennis Club</a>                         | <a href="#">2510 N. St. Vrain St. 79902</a>   |
| <a href="#">UTEP - Union Building East</a>                  | <a href="#">351 W. University Ave. 79968</a>  |
| <a href="#">Fire Station #7</a>                             | <a href="#">3200 Pershing Dr. 79903</a>       |

| <b>Vote Center</b><br>Centro de Votación                          | <b>Address</b><br>Dirección                  |
|---|--|
| <a href="#">Cross of Grace Church</a>                             | <a href="#">4700 Leeds Ave. 79903</a>        |
| <a href="#">Safety and Health Outreach Center</a>                 | <a href="#">5415 Trowbridge Dr. 79903</a>    |
| <a href="#">Magoffin Middle School</a>                            | <a href="#">4931 Hercules Ave. 79904</a>     |
| <a href="#">Nations Tobin Sports Center</a>                       | <a href="#">8831 Railroad Dr. 79904</a>      |
| <a href="#">Logan Elementary School</a>                           | <a href="#">3200 Ellerthorpe Ave. 79904</a>  |
| <a href="#">Park Elementary School</a>                            | <a href="#">3601 Edgar Park Ave. 79904</a>   |
| <a href="#">Fire Station #16</a>                                  | <a href="#">3828 Hercules Ave. 79904</a>     |
| <a href="#">Bowie High School</a>                                 | <a href="#">801 S. San Marcial St. 79905</a> |
| <a href="#">El Paso County Coliseum</a>                           | <a href="#">4100 E. Paisano Dr. 79905</a>    |
| <a href="#">Hawkins Elementary School</a>                         | <a href="#">5816 Stephenson Ave. 79905</a>   |
| <a href="#">Dr. Josefina Villamil Tinajero Pk-8 School</a>        | <a href="#">301 Lisbon St. 79905</a>         |
| <b>**Formerly Henderson School</b>                                |  |
| <a href="#">El Paso County Ascarate Annex</a>                     | <a href="#">301 Manny Martinez Dr. 79905</a> |
| <a href="#">Loma Terrace Elementary School</a>                    | <a href="#">8200 Ryland Dr. 79907</a>        |
| <a href="#">YWCA-Lower Valley</a>                                 | <a href="#">115 Davis Dr. 79907</a>          |
| <a href="#">Ysleta Community Learning Center</a>                  | <a href="#">121 Padres Dr. 79907</a>         |
| <a href="#">Lancaster Elementary School</a>                       | <a href="#">9230 Elgin Dr. 79907</a>         |
| <a href="#">Alicia R. Chacon International School</a>             | <a href="#">920 Burgundy Dr. 79907</a>       |
| <b>**Formerly LeBarron Park Elementary School</b>                 |  |
| <a href="#">Congressman Silvestre &amp; Carolina Reyes School</a> | <a href="#">7440 Northern Pass Dr. 79911</a> |
| <a href="#">Sunland Park Mall</a>                                 | <a href="#">750 Sunland Park Dr. 79912</a>   |
| <a href="#">Brown Middle School</a>                               | <a href="#">7820 Helen of Troy Dr. 79912</a> |
| <a href="#">Medano Heights</a>                                    | <a href="#">7801 Medano Dr. 79912</a>        |
| <a href="#">Tippin Elementary School</a>                          | <a href="#">6541 Bear Ridge Dr. 79912</a>    |
| <a href="#">Fire Station #27</a>                                  | <a href="#">6767 Ojo De Agua Dr. 79912</a>   |
| <a href="#">Rosa Guerrero Elementary School</a>                   | <a href="#">7530 Lakehurst Rd. 79912</a>     |
| <a href="#">YWCA - West</a>                                       | <a href="#">313 Bartlett Dr. 79912</a>       |
| <a href="#">Carlos Rivera Elementary School</a>                   | <a href="#">6445 Escondido Dr. 79912</a>     |
| <a href="#">Western Hills U.M.C.-Stewart Family Life Center A</a> | <a href="#">524 Thunderbird Dr. 79912</a>    |
| <a href="#">Dr. Green Elementary School</a>                       | <a href="#">5430 Buckley Dr. 79912</a>       |
| <a href="#">Putnam Elementary School</a>                          | <a href="#">6508 Fiesta Dr. 79912</a>        |
| <a href="#">Polk Elementary School</a>                            | <a href="#">940 Belvidere St. 79912</a>      |
| <a href="#">El Paso Community College-Valle Verde</a>             | <a href="#">919 Hunter Dr. 79915</a>         |

| <b>Vote Center</b><br>Centro de Votación                   | <b>Address</b><br>Dirección                 |
|--|---|
| <a href="#">Del Norte Heights Elementary School</a>        | <a href="#">1800 Winslow Rd. 79915</a>      |
| <a href="#">Ramona Elementary School</a>                   | <a href="#">351 Nichols Rd. 79915</a>       |
| <a href="#">Riverside High School</a>                      | <a href="#">301 Midway Dr. 79915</a>        |
| <a href="#">Ysleta Pre-K Center</a>                        | <a href="#">7940 Craddock Ave. 79915</a>    |
| <a href="#">Bel Air Middle School</a>                      | <a href="#">7909 Ranchland Dr. 79915</a>    |
| <a href="#">Officer David Ortiz Recreation Center</a>      | <a href="#">563 N. Carolina Dr. 79915</a>   |
| <a href="#">Transition To Life Career Center</a>           | <a href="#">7988 Alameda Ave. 79915</a>     |
| <a href="#">Fire Station #15</a>                           | <a href="#">115 Shorty Ln. 79922</a>        |
| <a href="#">Zach White Elementary School</a>               | <a href="#">4256 Roxbury Dr. 79922</a>      |
| <a href="#">Desertaire Elementary School</a>               | <a href="#">6301 Tiger Eye Dr. 79924</a>    |
| <a href="#">Bowling Family YMCA</a>                        | <a href="#">5509 Will Ruth Ave. 79924</a>   |
| <a href="#">Dr. Joseph E. Torres Elementary School</a>     | <a href="#">10700 Rushing Rd. 79924</a>     |
| <b>**Formerly Bradley Elementary School</b>                |   |
| <a href="#">H.E. Charles Middle School</a>                 | <a href="#">4909 Trojan Dr. 79924</a>       |
| <a href="#">Arlington Park Shelter</a>                     | <a href="#">10350 Pasadena Cir. 79924</a>   |
| <a href="#">Newman Elementary School</a>                   | <a href="#">10275 Alcan St. 79924</a>       |
| <a href="#">Parkland High School</a>                       | <a href="#">5932 Quail Ave. 79924</a>       |
| <a href="#">Whitaker Elementary School</a>                 | <a href="#">4700 Rutherford Dr. 79924</a>   |
| <a href="#">Coach Archie Duran Elementary School</a>       | <a href="#">5249 Bastille Ave. 79924</a>    |
| <b>**Formerly Dowell Elementary School</b>                 |   |
| <a href="#">Fire Station #20</a>                           | <a href="#">8301 Edgemere Blvd. 79925</a>   |
| <a href="#">Cielo Vista Elementary School</a>              | <a href="#">9000 Basil Ct. 79925</a>        |
| <a href="#">Edgemere Elementary School</a>                 | <a href="#">10300 Edgemere Blvd. 79925</a>  |
| <a href="#">Eastwood High School</a>                       | <a href="#">2430 McRae Blvd. 79925</a>      |
| <a href="#">YISD Central Office</a>                        | <a href="#">9600 Sims Dr. 79925</a>         |
| <a href="#">Eastwood Heights Elementary School</a>         | <a href="#">10530 Janway Dr. 79925</a>      |
| <a href="#">Gary Del Palacio Recreation Center</a>         | <a href="#">3001 Parkwood St. 79925</a>     |
| <a href="#">Ross Middle School</a>                         | <a href="#">6101 Hughey Cir. 79925</a>      |
| <a href="#">Bassett Place</a>                              | <a href="#">6101 Gateway West 79925</a>     |
| <a href="#">Western Technical College</a>                  | <a href="#">9624 Plaza Cir. 79927</a>       |
| <a href="#">El Paso Community College-Mission Del Paso</a> | <a href="#">10700 Gateway Blvd E. 79927</a> |
| <a href="#">H.D. Hilley Elementary School</a>              | <a href="#">693 N. Rio. Vista Rd. 79927</a> |
| <a href="#">Chayo Apodaca Community Center</a>             | <a href="#">341 N. Moon Rd. 79927</a>       |

| <b>Vote Center</b><br>Centro de Votación                     | <b>Address</b><br>Dirección                      |
|--|--|
| <a href="#">Robert R. Rojas Elementary School</a>            | <a href="#">500 Bauman Rd. 79927</a>             |
| <a href="#">Escontrias Elementary School</a>                 | <a href="#">205 Buford Rd. 79927</a>             |
| <a href="#">Campestre Elementary School</a>                  | <a href="#">11399 Socorro Rd. 79927</a>          |
| <a href="#">KEYS Academy</a>                                 | <a href="#">12380 Pine Springs Dr. 79928</a>     |
| <a href="#">Desert Hills Elementary School</a>               | <a href="#">300 N. Kenazo Dr. 79928</a>          |
| <a href="#">Desert Wind K-8 School</a>                       | <a href="#">1100 Colina De Paz Dr. 79928</a>     |
| <a href="#">Horizon Heights Elementary School</a>            | <a href="#">13601 Ryderwood Ave. 79928</a>       |
| <a href="#">Dr. Sue A Shook Elementary School</a>            | <a href="#">13777 Paseo Del Este Blvd. 79928</a> |
| <a href="#">Eastlake High School</a>                         | <a href="#">13000 Emerald Pass Ave. 79928</a>    |
| <a href="#">El Paso Self-Help Center</a>                     | <a href="#">15371 Kentwood Ave. 79928</a>        |
| <a href="#">Carroll T. Welch Elementary School</a>           | <a href="#">14510 Mc Mahon Ave. 79928</a>        |
| <a href="#">Center for Career and Technology Education</a>   | <a href="#">1170 N. Walnut St. 79930</a>         |
| <a href="#">Travis Elementary School</a>                     | <a href="#">5000 N. Stevens St. 79930</a>        |
| <a href="#">Paul C. Moreno Elementary School</a>             | <a href="#">2300 San Diego Ave. 79930</a>        |
| <a href="#">Memorial Park Senior Citizen Center</a>          | <a href="#">1800 Byron St. 79930</a>             |
| <a href="#">Austin High School</a>                           | <a href="#">3500 Memphis Ave. 79930</a>          |
| <a href="#">Fire Station #2</a>                              | <a href="#">111 E. Borderland Rd. 79932</a>      |
| <a href="#">Community Connections Center</a>                 | <a href="#">5300 Warriors Dr. 79932</a>          |
| <a href="#">Dr. Nixon Elementary School</a>                  | <a href="#">11141 Loma Roja Dr. 79934</a>        |
| <a href="#">Fred &amp; Maria Loya Family YMCA</a>            | <a href="#">2044 Trawood Dr. 79935</a>           |
| <a href="#">Pebble Hills Elementary School</a>               | <a href="#">11145 Edgemere Blvd. 79936</a>       |
| <a href="#">El Paso County Eastside Annex</a>                | <a href="#">2350 George Dieter Dr. 79936</a>     |
| <a href="#">Hanks High School</a>                            | <a href="#">2001 Lee Trevino Dr. 79936</a>       |
| <a href="#">Tierra Del Sol Elementary School</a>             | <a href="#">1832 Tommy Aaron Dr. 79936</a>       |
| <a href="#">Hanks Middle School</a>                          | <a href="#">11201 Pebble Hills Blvd. 79936</a>   |
| <b>**Indian Ridge Middle School</b>                          |  |
| <a href="#">ESC Region 19 Head Start Multipurpose Center</a> | <a href="#">11670 Chito Samaniego Dr. 79936</a>  |
| <a href="#">Jane Hambric K-8 School</a>                      | <a href="#">3535 Nolan Richardson Dr. 79936</a>  |
| <a href="#">Bill Sybert K-8 School</a>                       | <a href="#">11530 Edgemere Blvd. 79936</a>       |
| <a href="#">Benito Martinez Elementary School</a>            | <a href="#">2640 Robert Wynn St. 79936</a>       |
| <a href="#">Helen Ball Elementary School</a>                 | <a href="#">1950 Firehouse Dr. 79936</a>         |
| <a href="#">O'Shea Keleher Elementary School</a>             | <a href="#">1800 Leroy Bonse Dr. 79936</a>       |
| <a href="#">Marty Robbins Recreation Center</a>              | <a href="#">11620 Vista Del Sol Dr. 79936</a>    |

| <b>Vote Center</b><br>Centro de Votación          | <b>Address</b><br>Dirección                    |
|---|--|
| <a href="#">Sierra Vista Elementary School</a>    | <a href="#">1501 Bob Hope Dr. 79936</a>        |
| <a href="#">Hurshel Antwine Elementary School</a> | <a href="#">3830 Rich Beem Blvd. 79938</a>     |
| <a href="#">Esperanza Acosta Moreno Library</a>   | <a href="#">12480 Pebble Hills Blvd. 79938</a> |
| <a href="#">Lujan-Chavez Elementary School</a>    | <a href="#">2200 Sun Country Dr. 79938</a>     |
| <a href="#">Pebble Hills High School</a>          | <a href="#">14400 Pebble Hills Blvd. 79938</a> |
| <a href="#">Red Sands Elementary School</a>       | <a href="#">4250 O'Shea Rd. 79938</a>          |
| <a href="#">Montana Vista Elementary School</a>   | <a href="#">3550 Mark Jason Dr. 79938</a>      |

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](http://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](http://es.epcountyvotes.com) o llame al **(915) 546-2154**.*



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, ORDERING A SPECIAL ELECTION FOR THE SUBMISSION OF CHARTER AMENDMENTS TO ~~SECTION 2.2C TO ALLOW PERSONS TO SERVE TWO FULL TERMS AS MAYOR OR DISTRICT REPRESENTATIVE IF SUCH PERSON CARRIED OUT AN UNEXPIRED TERM;~~ SECTION 3.18 TO ALLOW CITY COUNCIL TO AUTHORIZE LEASES FOR 40 YEARS OR LESS BY RESOLUTION OR ORDINANCE; SECTION 3.5A TO ALLOW COUNCIL TO RESCHEDULE MEETINGS FOR HOLIDAYS AND ALLOW THE MAYOR TO CANCEL A COUNCIL MEETING IF REQUIRED DUE TO DECLARED EMERGENCY; SECTION 3.9B, 3.10B, AND 6.1-12 TO ALIGN TO STATE LAW AND UPDATE OBSOLETE REFERENCES; SECTION 3.11 TO REMOVE THE REQUIREMENT FOR A SECOND PETITION IN INITIATIVES, AND PROVIDE A PROCEDURE FOR CITIZENS TO INITIATE CITY ORDINANCES; ~~SECTION 1.2, 3.5E, 3.6, 4.1B, 4.3 AND 7.3 TO AUTHORIZE THE MAYOR TO VOTE ON ALL COUNCIL ITEMS, REMOVING THE TIE BREAKING AND VETO CAPACITY;~~ SECTION 6.1-4 TO AUTHORIZE THE CITY TO CREATE A POLICY REGARDING MEMBERSHIP ON THE CIVIL SERVICE COMMISSION TO REFLECT THE COMMUNITY AND CITY WORKFORCE; ~~SECTIONS 6.2-2 AND 6.2-3 TO ALIGN THE EMPLOYEE SERVING AS CIVIL SERVICE COMMISSION RECORDER WITH OTHER EMPLOYEES CARRYING OUT SIMILAR DUTIES;~~ SECTION 6.7-1 AND 6.8-1 TO ALLOW THE CITY TO ESTABLISH MORE FLEXIBLE POLICIES IN HIRING EMPLOYEES; SECTION 6.13-11D TO ESTABLISH THE CITY CONTRIBUTION TO THE POLICE AND FIRE PENSION FUND OF NO LESS THAN 18% OF THE WAGES OF THE PARTICIPANTS, AND REMOVE THE LIMIT ON THE CITY'S CONTRIBUTION; ~~SECTION 3.20B TO CHANGE THE REPORTING STRUCTURE FOR THE CHIEF INTERNAL AUDITOR TO REPORT DIRECTLY TO CITY COUNCIL;~~ SUCH ELECTION TO BE HELD WITHIN THE CITY, ON ~~NOVEMBER 8, 2022~~ MAY 6, 2023; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

**WHEREAS**, the City Council appointed a nine (9) member Ad Hoc Charter Advisory Committee in January 2022 to assist in the review and to make recommendations on potential charter amendments; and

**WHEREAS**, the Ad Hoc Charter Advisory Committee reviewed proposed Charter Amendments approved by a majority of the City Council and the Committee met from February 2022 through May 2022 to review the City Charter and in May 2022, the Committee finalized its report of its findings in writing, and presented its proposed amendments to the City Council; and

**WHEREAS**, the City Council has reviewed the proposed Amendments by the Committee, [made amendments to such recommendations](#), and the City Council of the City of El Paso, Texas has determined it appropriate to submit the proposed amendments to the existing City Charter of the City of El Paso to the qualified voters of the City for their adoption or rejection thereof pursuant to Section 9.004(a) of the Texas Local Government Code; and

**WHEREAS**, Section 9.004(b) of the Texas Local Government Code requires that an ordinance be approved ordering said election to be held; and

**WHEREAS**, Section 41.001 of the Texas Election Code establishes [November 8, 2022](#)~~May 6, 2023~~, as a uniform election date for the purposes of conducting an election; and

**WHEREAS**, pursuant to Texas Local Government Code Section 9.004(e), more than one amendment may be combined in one ballot proposition as long as the amendments contain only one subject; and

**WHEREAS**, pursuant to the Texas Local Government Code Section 9.004 a ballot for proposed charter amendments shall be prepared so that a voter may approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments; and

**WHEREAS**, during ~~a~~ public meetings held on August 2, 2022, [on January 31, 2023 and a public hearing to be held on February 7, 2023](#), the City Council considered and approved for public vote, in the form of a ballot proposition, the following Charter amendments after considering recommendations by the 2022 Ad Hoc Charter Advisory Committee; and

**WHEREAS**, the City Council of the City of El Paso, Texas, hereby directs City staff to publish notice of the special charter election in a newspaper of general circulation in the City on the same day in each of two (2) successive weeks, the date of the first publication to be not less than fourteen (14) days prior to the date of the ~~November 8~~[May 6, 2023](#) election, in compliance with Section 9.004(c) of the Texas Local Government Code [and to carry out other requirements related to such election](#).

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

#### **SECTION 1 – CHARTER AMENDMENT ELECTION CALLED**

The El Paso City Council does hereby order an election to submit to the voters of the City of El Paso proposed amendments to the City Charter, to be held on ~~Tuesday~~[Saturday](#), ~~November 8~~[May 6, 2023](#). That 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 Council, 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.

That at such election, the following amendments to the Charter of the City of El Paso ("Measures") shall be submitted to the qualified voters of the City and official ballots for the

election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote for or against the proposed amendment, and with such proposition to be expressed substantially as follows:

#### **CITY OF EL PASO PROPOSITION A**

##### **Text of Amendment**

~~Amending Section 2.2C of the City Charter, relating to term limits for the Mayor and District Representatives, to read in pertinent part as follows:~~

##### **Section 2.2C LIMITATION.**

~~No Mayor or Representative may hold such office for more than a total of ten years throughout their lifetime, however, a person who serves an unexpired term due to a Mayor or Representative's resignation will be allowed to serve two full four year terms, regardless of whether it results in more than a total of ten years.~~

##### **City of El Paso Special Election for Charter Amendment Ballot Proposition A**

~~Should section 2.2C of the City Charter, relating to term limits, be amended to provide that a person who serves an unexpired term due to a Mayor or Representative's vacancy be allowed to serve two full four year terms, regardless of whether it results in more than a total of ten years served throughout their lifetime?~~

~~YES (→)~~

~~NO (→)~~

#### **CITY OF EL PASO MEASURE BA**

##### **Text of Amendment**

Amending Section 3.1 of the City Charter, relating to the creation; composition; powers and duties of City Council, to read in pertinent part as follows:

##### **Section 3.1 – CREATION; COMPOSITION; POWERS AND DUTIES**

There shall be a City Council consisting of District Representatives and the Mayor. The Council shall have legislative powers, and the power and duty to select, direct, and regularly evaluate the City Manager, as well as such other and specific powers and duties as may be provided by law or this Charter. Each Representative shall have the discretion and sole authority to appoint and remove district office staff.

##### **City of El Paso Special Election for Charter Amendment**

**Ballot Proposition BA**

Should section 3.1 of the City Charter, relating to creation, composition; powers and duties of Council be amended to allow City Council Representatives to appoint and remove district office staff?

YES ( )

NO ( )

**CITY OF EL PASO MEASURE CB**

**Text of Amendment**

Amending Section 3.18 of the City Charter, relating to the use of ordinances, to read in pertinent part as follows:

**Section 3.18 LEASE; FRANCHISE, AND CONVEYANCE.**

The right of control, ownership and use of streets, alleys, parks and public places of the City is declared to be inalienable except as provided by ordinance passed by the Council and except for uses of less than thirty days which may have a separate approval process as established by ordinance.

Any authorization for the conveyance, lease, or grant of a franchise regarding the property of the City shall provide for payment to the City of a reasonable fee as consideration for that conveyance, lease, or franchise.

Any sale of City owned property in fee simple, franchise or lease for an initial term longer than forty years shall be approved by ordinance.

In addition, any authorization for a lease or franchise must provide that the City may revoke it if necessary to secure efficiency of public service at a reasonable rate, and must assure that the property is maintained in good condition throughout the life of the lease or franchise.

**City of El Paso Special Election for Charter Amendment**

**Ballot Proposition CB**

Should section 3.18 of the City Charter relating to Leases, Franchises, and Conveyances be amended to authorize Council to lease City owned property for 40 years or less by Council resolution or ordinance?

YES ( )

NO ( )

**CITY OF EL PASO MEASURE ~~DC~~**

**Text of Amendment**

Amending Section 3.5 of the City Charter, relating to City Council Procedures and Rules, to read in pertinent part as follows:

**Section 3.5 A CITY COUNCIL PROCEDURES AND RULES**

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

**City of El Paso Special Election for Charter Amendment**

**Ballot Proposition ~~DC~~**

Should section 3.5A of the City Charter be amended to allow Council to reschedule meetings by resolution to allow for City holidays but shall hold no less than two regular meetings per month?

YES ( )

NO ( )

**CITY OF EL PASO MEASURE ~~ED~~**

**Text of Amendment**

**Section 3.5 A CITY COUNCIL PROCEDURES AND RULES**

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

**City of El Paso Special Election for Charter Amendment**

**Ballot Proposition ~~ED~~**

Should section 3.5A of the City Charter be amended to allow the Mayor to cancel a meeting if necessary due to a Federal, State or Local declared emergency?

YES ( )

NO ( )

## CITY OF EL PASO MEASURE ~~FE~~

### Text of Amendment

Amending Sections 3.9B relating to Ordinances, 3.10B relating to emergency ordinances, 6.1-12 relating to civil service hearing officers to read in pertinent part as follows:

#### **Section 3.9 ORDINANCES IN GENERAL.**

B. Legislative Procedure. Except as provided in Section 3.13, an ordinance may be introduced by any Council member at any meeting of the Council. A proposed ordinance must be filed with the City Clerk in sufficient time for inclusion on the agenda for the Council meeting at which it is to be introduced. Upon such filing the City Clerk shall distribute copies to each member of the Council and to the City Manager. No ordinance shall be adopted finally except at a regular open meeting of the Council following notice, publication, and a public hearing. The notice shall contain:

1. The proposed ordinance or a brief summary thereof;
2. The places where copies of it have been filed and the times when they are available for public examination; and
3. The time and place for the public hearing. The notice shall be published by any contemporary means of information sharing, including but not limited to publication in a newspaper of general circulation in the City or placement on a website at least five days prior to the public hearing. The hearing may be held by a designated Council committee or the Council separately or in connection with any Council meeting and may be adjourned to a specified time. All interested persons present shall have an opportunity to be heard. As soon as practicable after adoption of any ordinance, the City Clerk shall publish it again, with notice of its adoption, in abstract form, by any contemporary means of information sharing. These abstracts must state, at a minimum, the purpose of the ordinance and, where penal, the penalty provided. In any event, the publication must be written so as to be understood by an average person.

#### **Section 3.10B EMERGENCY ORDINANCES.**

Procedures. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it may be introduced on one-hour public notice, and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the unanimous vote of the Council members present shall be required for adoption.

#### **Section 6.1-12 HEARING OFFICERS.**

The Commission will appoint one or more compensated hearing officers to hear appeals made under Section 6.13-4. The need for hearing officers in excess of one shall be determined jointly by the Commission and the City Manager. Hearing officers will perform those duties and functions necessary to render a recommendation to the Commission on the matter in dispute.

The hearing officers will serve at the Commission's pleasure, and will be procured through the City's procurement process.

**City of El Paso Special Election for Charter Amendment**  
**Ballot Proposition ~~FE~~**

Shall Sections 3.9B, 3.10B, 6.1-12 of the City Charter be amended to eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references and update terminology to current legal usage?

YES ( )

NO ( )

**CITY OF EL PASO MEASURE ~~GF~~**

**Text of Amendment**

Amending Section 3.11 of the City Charter, relating to Initiatives to read in pertinent part as follows:

**Section 3.11 INITIATIVE.**

Any ~~five~~-registered voter or group of registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state and local law by filing with the City Clerk a statement that they intend to circulate a petition, however no ordinance may be initiated through this process ~~regarding~~ regarding ~~appropriation~~ appropriation or ~~allocation~~ allocation ~~of~~ City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property or granting a franchise. Such statement must include the names and addresses of the committee members, the full text of the proposed ordinance, and the designated lead committee member.

The City Clerk shall place the proposed Ordinance on the City Council Agenda for introduction within thirty calendar days after receiving the statement, followed by a public hearing at the second reading. If City Council fails to adopt the ordinance, or adopts it with amendments, the City Clerk will notify the committee through the lead committee member.

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council's amendments, it will then have 180 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to original signature, printed name, residence address and date of birth or voter registration of a number of registered voters equal to at least five percent of the voters who voted in the last general City election, or 10,000, whichever number is smaller. The petition must set forth the precise content of the ordinance desired by the petitioners.

Within thirty working days, tThe City Clerk shall review the petition without delay, but no more than 60 City Clerk office working days, to verify if it meets all requirements, and if authenticated

with the required number of signatures, must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the authentication by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

If Council does not adopt, or adopts the proposed ordinance in an amended form, the ~~City Clerk~~City Council thereafter must place the proposed ordinance on the ballot at a uniform election no later than the next citywide general election specified in State law meeting all deadlines. If the proposal receives the favorable vote of a majority of those voting in that election it shall thereupon become a City ordinance. Initiative ordinances adopted or approved by the electors shall be published and may be amended or repealed by the Council, as in the case of other ordinances; provided, however, that no ordinance adopted at the polls under an initiative may be amended or repealed by the Council within one year of adoption.

The Council is not obliged to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in: two years.

#### **City of El Paso Special Election for Charter Amendment Ballot Proposition ~~GF~~**

Should section 3.11 relating to the initiative petition of the City Charter be amended to remove the requirement for a second petition, and institute a process for the public to initiate a City ordinance, and to clarify that no ordinance may be initiated through this process appropriating or allocating City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property, or granting a franchise?

YES ( )

NO ( )

#### **CITY OF EL PASO PROPOSITION H**

##### **Text of Amendment**

~~Amending Section 1.2 relating to Definitions, 3.5E relating to City Council Procedures and Rules, 3.6 relating to Legislative Committees, 4.1B Power of the Mayor, 4.3 relating to Mayor Pro Tempore and 7.3 relating to budget procedures of the City Charter effective the first City Council meeting January of 2025, to read in pertinent part as follows:~~

##### **Section 1.2—DEFINITIONS**

~~As used in this Charter, the term "laws of Texas" shall include the Constitution and statutes of the State of Texas, the common law as it exists in the State of Texas, and appropriate case law. As used herein, "State" shall mean the State of Texas; "City" shall mean the City of El Paso; "City Council" or "Council" shall mean the Mayor and Representatives of the City of El Paso, with the Mayor being a voting member of Council; and "department" shall mean any City agency, office, bureau or other organizational unit.~~

##### **Section 3.5 E CITY COUNCIL PROCEDURES AND RULES**

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~~Effective Date. Ordinances and resolutions finally adopted by the Council shall be filed in the office of the City Clerk and signed by the Mayor before they take effect. If the Mayor shall either fail to sign any adopted ordinance or resolution within five days after it has been filed with the City Clerk, exclusive of the day of filing, it shall become law.~~

### **~~Section 3.6 LEGISLATIVE COMMITTEES~~**

~~A. The members of Council may resolve themselves into committees, both standing and special, when this is convenient for the conduct of legislative business, including the investigative powers described in Section 3.8. Rules governing the organization and procedures of these committees shall be made by the Council.~~

### **~~Section 4.1B POWERS OF THE MAYOR~~**

~~The Mayor shall be a voting member of City Council and preside over the City Council meetings, having the power to propose legislation; represent the City in intragovernmental and intergovernmental relationships; appoint with the consent of the Council the members of citizen advisory boards and commissions; make appointments and perform duties pursuant to federal and state law; present an annual state of the City message, convene the Council in special session and perform other duties specified by the Council.~~

### **~~Section 4.3 MAYOR PRO TEMPORE~~**

~~A. At the first meeting upon the start of new terms of office following each general election, the Council shall elect from among the Representatives a Mayor Pro Tempore, who shall hold that office for a two year term. Should the office of Mayor Pro Tempore become vacant, the Council shall elect a new Mayor Pro Tempore.~~

~~B. During the absence or disability of the Mayor, the Mayor Pro Tempore shall act as Mayor.~~

### **~~Section 7.3 BUDGET PROCEDURES~~**

~~The procedures here stated shall govern adoption of the annual budget and the appropriations of monies pursuant thereto.~~

~~D. Adoption. The budget shall be adopted by resolution, not later than the day before the first day of the City's fiscal and budget year; but, in the event the budget is not adopted, the appropriation for personnel and essential operating supplies made in the previous year shall be extended until the new budget is adopted.~~

## **City of El Paso Special Election for Charter Amendment** **Ballot Proposition H**

~~Should section 1.2, 3.5E, 3.6, 4.1B, 4.3, and 7.3 of the City Charter be amended to authorize the Mayor to vote on all City Council agenda items and remove the Mayor's tie-breaking and veto capacity effective the first City Council meeting of January 2025?~~

~~YES ( )~~

~~NO ( )~~

#### **CITY OF EL PASO MEASURE ~~IG~~**

##### **Text of Amendment**

Amending Section 6.1-4 of the City Charter, relating to Civil Service qualifications to read in pertinent part as follows:

##### **Section 6.1-4 QUALIFICATIONS.**

Members of the Commission must be residents of the City at the time of their appointment and remain a resident of the City throughout their term of office. No Commissioner shall be related in any manner described in Article III, Section 3.3 B to any employee of the City, the Public Service Board, or any entity that has a contract with the City to operate or manage any City facility or department, nor hold any salaried public office or other employment compensated by the City, and any violation of this provision shall be deemed malfeasance in office and cause for removal therefrom. The City should adopt rules that reflect the diversity of the community and City workforce. No more than three Commissioners may be former city employees, and any such Commissioners are not eligible for appointment until two years following separation from the City. Any commissioner may be either actively employed or retired.

#### **City of El Paso Special Election for Charter Amendment**

##### **Ballot Proposition ~~IG~~**

Should 6.1-4 of the City Charter be amended to change the qualifications requirements for Civil Service Commissioners to allow for appointment of Civil Service Commissioners that reflect the diversity of the community and City workforce?

YES ( )

NO ( )

#### **CITY OF EL PASO PROPOSITION J**

##### **Text of Amendment**

~~Amending Section 6.2-2 of the City Charter, relating to the unclassified services and 6.2-3B, relating to appointment and removal of unclassified personnel to read in pertinent part as follows:~~

**~~Section 6.2.2 UNCLASSIFIED SERVICES.~~**

~~The unclassified services shall include only the following positions:~~

~~A. The City Attorney, Assistant City Attorneys, law clerks and paralegal personnel;~~

~~B. The Mayor's executive secretary(s) and Executive Assistant(s);~~

~~C. All elected officials;~~

~~D. Members of all City boards, commissions, and committees who serve without compensation;~~

~~E. Employees hired by contract, and short term or limited funding grant funded employees as designated by the City Manager and hired on or after the effective date of this amendment;~~

~~F. The City Manager;~~

~~G. All executive level employees, and executive staff or salaried professional employees reporting directly to the City Manager;~~

~~H. Employees hired on or after May 18, 2007 who work at the Metropolitan Planning Organization; and~~

~~I. Persons given provisional and temporary appointments who are not classified employees at the time of such appointment.~~

~~J. A person hired solely as a District Representative's legislative aide for the limited period of the term of office for that District Representative.~~

**~~Section 6.2.3 APPOINTMENT AND REMOVAL OF UNCLASSIFIED PERSONNEL~~**

~~B. Except as otherwise provided by law or in this Charter, unclassified personnel may be removed by the City Manager or designee, who may establish written procedures for removal.~~

**City of El Paso Special Election for Charter Amendment**  
**Ballot Proposition J**

~~Should Section 6.2.2 relating to Unclassified Services and 6.2.3 relating to appointment and removal of unclassified personnel be amended to align the person carrying out the role of civil service commission recorder with all other unclassified City employees who may be removed by the City Manager or designee in accordance with the City Charter?~~

~~YES~~ (→)

~~NO~~ (→)

**CITY OF EL PASO MEASURE ~~K~~H**

**Text of Amendment**

Amending Section 6.7-1 and 6.8-1 of the City Charter, relating to penalty for deceit in examinations, examinations and eligibility to read in pertinent part as follows:

**Section 6.7-1 ~~PENALTY FOR DECEIT IN EXAMINATION.~~**

(Reserved.)

**Section 6.8-1 EXAMINATION AND ELIGIBILITY**

The Human Resources Director shall establish administrative policies and procedures for the promotion process, and eligibility, consistent with the provisions of this Article and all applicable federal and state employment laws.

**City of El Paso Special Election for Charter Amendment**

**Ballot Proposition ~~K~~H**

Should Section 6.7-1 be deleted and 6.8-1 relating to Examinations of the City Charter be amended to remove the requirement for examinations and allow the City to establish Civil Service Rules, policies and procedures for the promotion of City employees?

YES ( )

NO ( )

**CITY OF EL PASO MEASURE ~~L~~I**

**Text of Amendment**

Amending Section 6.13-11D of the City Charter, relating to pensions plans to read in pertinent part as follows:

**Section 6.13-11D PENSION PLANS.**

Firemen and Policemen Pension Fund of El Paso. The City shall continue to augment the Firemen and Policemen Pension Fund of El Paso in a manner consistent with the laws of Texas. To augment the Firemen and Policemen Pension Fund, the Council shall in each fiscal year beginning after ~~November-May 2023~~<sup>2</sup>, appropriate no less than eighteen percent of the total amount expended for wages of the participants, and may increase this contribution rate as allowed by the relevant state law requirements based on a qualified actuary's report; provided, however, that in the event age limits for participation in the pension fund, or any division of the fund, are increased as permitted by law and the raising of the age limits causes an increase in funding costs as determined by an actuary, the City shall appropriate an amount equal to such cost increase notwithstanding that such increased appropriation may exceed the otherwise determined percent of the total amount expended for wages of the participants.

**City of El Paso Special Election for Charter Amendment**  
**Ballot Proposition ~~1-1~~**

Should section 6.13-11D relating to the police and fire pension fund be amended to establish that the City of El Paso shall contribute to the El Paso Policemen and Firemen Pension Fund no less than eighteen percent of the total amount expended for wages of the participants, and any increase to the contribution rate shall be as allowed by state law?

YES ( )

NO ( )

**CITY OF EL PASO MEASURE J**

**Text of Amendment**

Amending Section 3.20B of the City Charter, relating to the Chief Internal Auditor to read in pertinent part as follows:

**Section 3.20B Internal Audit Function**

1. The Council shall establish and create an internal audit function to ensure that appropriate internal audits will be performed in accordance with professionally recognized auditing standards of the operations of all City departments, offices, agencies and programs.
2. The function shall be staffed by a Chief Internal Auditor and such other appropriate positions as are authorized by the Council who shall report to the Chief Internal Auditor. City employees in such positions shall be protected by the Civil Service System rights and processes that are afforded to classified employees, even if considered unclassified by other sections of this Charter or the City's Civil Service System.
3. Consistent with the provisions of this Charter, the Council shall by ordinance or resolution provide for the powers and duties of the Chief Internal Auditor as needed for the performance of the function.

4. The Financial and Audit Oversight Committee shall maintain legislative oversight over the internal audit function as provided in Section 3.6 B.

5. On and after the effective date of this amendment, the Chief Internal Auditor shall be appointed and removed by, and report to the City Manager subject to the approval of the Council. The City Manager shall maintain operational oversight over the internal audit function and be responsible for the implementation of any audit recommendations for changes to City administrative procedures and operations as requested by the Council.

**City of El Paso Special Election for Charter Amendment**  
**Ballot Proposition L-J**

Should Section 3.20B of the El Paso City Charter be amended to change the reporting structure of the Chief Internal Auditor so the position reports directly to City Council, and to provide Civil Service protections to employees in positions that report to the Chief Internal Auditor.

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**SECTION 2 – BALLOTS**

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "YES" or "NO" on the proposition, with the ballots to contain such provisions, markings and language as required by law, and with the proposition to be expressed substantially as set forth in section 1, above.

**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 October 28, 2022 April 25, 2023, sent to this address.

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**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 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," which may be amended.

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 – NOTICE OF 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. Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in El Paso on the same day, in each of two consecutive weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendment.

The City Clerk shall deliver notice of this election to the County Clerk and voter registrar of El Paso County no later than ~~Monday Tuesday, October 24, 2022~~ March 7, 2023, or as otherwise required by law.

#### **SECTION 6 – ELECTION SERVICES CONTRACT AND PROCEDURAL MATTERS**

The City Manager is hereby authorized to execute the necessary contract(s) and agreements, joint or otherwise, with the El Paso County Elections Administrator, or any other public entity, 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 all other applicable statutes and laws.

The election services contract with the County 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.

Matters contained in this ordinance relating to discretionary, procedural matters may be amended by approval of the City Manager, and procedural matters not established by this ordinance will be established by resolution of City Council.

#### **SECTION 7 – 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 8 – OTHER ACTION AND COMPLIANCE WITH APPLICABLE LAWS**

The City Manager and City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take any additional action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

**SECTION 9 – SEVERABILITY**

That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

**SECTION 10 – EFFECTIVE DATE**

This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

APPROVED this \_\_\_\_ day of ~~August~~February, ~~2022~~2023.

CITY OF EL PASO

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

ATTEST:

APPROVED AS TO FORM:



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Laura D. Prine  
City Clerk

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Kristen L. Hamilton-Karam  
Senior Assistant City Attorney

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, ORDERING A SPECIAL ELECTION FOR THE SUBMISSION OF CHARTER AMENDMENTS TO SECTION 2.2C TO ALLOW PERSONS TO SERVE TWO FULL TERMS AS MAYOR OR DISTRICT REPRESENTATIVE IF SUCH PERSON CARRIED OUT AN UNEXPIRED TERM; SECTION 3.18 TO ALLOW CITY COUNCIL TO AUTHORIZE LEASES FOR 40 YEARS OR LESS BY RESOLUTION OR ORDINANCE; SECTION 3.5A TO ALLOW COUNCIL TO RESCHEDULE MEETINGS FOR HOLIDAYS AND ALLOW THE MAYOR TO CANCEL A COUNCIL MEETING IF REQUIRED DUE TO DECLARED EMERGENCY; SECTION 3.9B, 3.10B, AND 6.1-12 TO ALIGN TO STATE LAW AND UPDATE OBSOLETE REFERENCES; SECTION 3.11 TO REMOVE THE REQUIREMENT FOR A SECOND PETITION IN INITIATIVES, AND PROVIDE A PROCEDURE FOR CITIZENS TO INITIATE CITY ORDINANCES; SECTION 1.2, 3.5E, 3.6, 4.1B, 4.3 AND 7.3 TO AUTHORIZE THE MAYOR TO VOTE ON ALL COUNCIL ITEMS, REMOVING THE TIE-BREAKING AND VETO CAPACITY; SECTION 6.1-4 TO AUTHORIZE THE CITY TO CREATE A POLICY REGARDING MEMBERSHIP ON THE CIVIL SERVICE COMMISSION TO REFLECT THE COMMUNITY AND CITY WORKFORCE; SECTIONS 6.2-2 AND 6.2-3 TO ALIGN THE EMPLOYEE SERVING AS CIVIL SERVICE COMMISSION RECORDER WITH OTHER EMPLOYEES CARRYING OUT SIMILAR DUTIES; SECTION 6.7-1 AND 6.8-1 TO ALLOW THE CITY TO ESTABLISH MORE FLEXIBLE POLICIES IN HIRING EMPLOYEES; SECTION 6.13-11D TO ESTABLISH THE CITY CONTRIBUTION TO THE POLICE AND FIRE PENSION FUND OF NO LESS THAN 18% OF THE WAGES OF THE PARTICIPANTS, AND REMOVE THE LIMIT ON THE CITY'S CONTRIBUTION; SUCH ELECTION TO BE HELD WITHIN THE CITY, ON NOVEMBER 8, 2022; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.**

**WHEREAS,** the City Council appointed a nine (9) member Ad Hoc Charter Advisory Committee in January 2022 to assist in the review and to make recommendations on potential charter amendments; and

**WHEREAS,** the Ad Hoc Charter Advisory Committee reviewed proposed Charter Amendments approved by a majority of the City Council and the Committee met from February 2022 through May 2022 to review the City Charter and in May 2022, the Committee finalized its report of its findings in writing, and presented its proposed amendments to the City Council; and

**WHEREAS,** the City Council has reviewed the proposed Amendments by the Committee and the City Council of the City of El Paso, Texas has determined it appropriate to

submit a proposed amendment to the existing City Charter of the City of El Paso to the qualified voters of the City for their adoption or rejection thereof pursuant to Section 9.004(a) of the Texas Local Government Code; and

**WHEREAS**, Section 9.04(b) of the Texas Local Government Code requires that an ordinance be approved ordering said election to be held on the first authorized uniform election date prescribed by the Texas Election Code and establishing the procedure to be followed in said election; and

**WHEREAS**, Section 41.001 of the Texas Election Code establishes November 8, 2022, as a uniform election date for the purposes of conducting an election; and

**WHEREAS**, pursuant to Texas Local Government Code Section 9.004(e), more than one amendment may be combined in one ballot proposition as long as the amendments contain only one subject; and

**WHEREAS**, pursuant to the Texas Local Government Code Section 9.004 a ballot for proposed charter amendments shall be prepared so that a voter may approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments; and

**WHEREAS**, during a public meeting held on August 2, 2022, the City Council considered and approved for public vote, in the form of a ballot proposition, the following Charter amendments after considering recommendations by the 2022 Ad Hoc Charter Advisory Committee; and

**WHEREAS**, the City Council of the City of El Paso, Texas, hereby directs City staff to publish notice of the special charter election in a newspaper of general circulation in the City on the same day in each of two (2) successive weeks, the date of the first publication to be not less than fourteen (14) days prior to the date of the November 8, 2022 election, in compliance with Section 9.004(c) of the Texas Local Government Code.

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

#### **SECTION 1 – CHARTER AMENDMENT ELECTION CALLED**

The El Paso City Council does hereby order an election to submit to the voters of the City of El Paso proposed amendments to the City Charter, to be held on Tuesday, November 8, 2022. That 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 Council, 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.

That at such election, the following amendments to the Charter of the City of El Paso ("Propositions") shall be submitted to the qualified voters of the City and official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the

electors to vote for or against the proposed amendment, and with such proposition to be expressed substantially as follows:

## **CITY OF EL PASO PROPOSITION A**

### **Text of Amendment**

Amending Section 2.2C of the City Charter, relating to term limits for the Mayor and District Representatives, to read in pertinent part as follows:

#### **Section 2.2C LIMITATION.**

No Mayor or Representative may hold such office for more than a total of ten years throughout their lifetime, however, a person who serves an unexpired term due to a Mayor or Representative's resignation will be allowed to serve two full four-year terms, regardless of whether it results in more than a total of ten years.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition A**

Should section 2.2C of the City Charter, relating to term limits, be amended to provide that a person who serves an unexpired term due to a Mayor or Representative's vacancy be allowed to serve two full four-year terms, regardless of whether it results in more than a total of ten years served throughout their lifetime?

YES ( )

NO ( )

## **CITY OF EL PASO PROPOSITION B**

### **Text of Amendment**

Amending Section 3.1 of the City Charter, relating to the creation; composition; powers and duties of City Council, to read in pertinent part as follows:

#### **Section 3.1 – CREATION; COMPOSITION; POWERS AND DUTIES**

There shall be a City Council consisting of District Representatives and the Mayor. The Council shall have legislative powers, and the power and duty to select, direct, and regularly evaluate the City Manager, as well as such other and specific powers and duties as may be provided by law or this Charter. Each Representative shall have the discretion and sole authority to appoint and remove ~~a legislative aide~~ district office staff.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition B**

Should section 3.1 of the City Charter, relating to creation, composition; powers and duties of Council be amended to allow City Council Representatives to appoint and remove district office staff?

YES ( )

NO ( )

## **CITY OF EL PASO PROPOSITION C**

### **Text of Amendment**

Amending Section 3.18 of the City Charter, relating to the use of ordinances, to read in pertinent part as follows:

#### **Section 3.18 LEASE; FRANCHISE, AND CONVEYANCE.**

The right of control, ownership and use of streets, alleys, parks and public places of the City is declared to be inalienable except as provided by ordinance passed by the Council and except for uses of less than thirty days which may have a separate approval process as established by ordinance.

Any authorization ordinance providing for the conveyance, lease, or grant of a franchise regarding the property of the City shall provide for payment to the City of a reasonable fee as consideration for that conveyance, lease, or franchise.

Any sale of City owned property in fee simple, franchise or lease for an initial term longer than forty years shall be approved by ordinance.

In addition, any authorization ordinance providing for a the lease or franchise shall must provide that: ~~1. At the termination of the lease or franchise, the property involved, together with any improvements thereto, made or erected during the term of the lease or franchise, shall (either without further compensation or upon payment of a fair valuation therefore as determined by the terms of the ordinance), become the property of the City; and 2. Every lease or franchise~~ the City may ~~be~~ revoked ~~it by the City~~ if necessary to secure efficiency of public service at a reasonable rate, ~~or to~~ and must assure that the property is maintained in good ~~order~~ condition throughout the life of the lease or franchise grant.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition C**

Should section 3.18 of the City Charter relating to Leases, Franchises, and Conveyances be amended to authorize Council to lease City owned property for 40 years or less by Council resolution or ordinance?

YES ( )

NO ( )

## **CITY OF EL PASO PROPOSITION D**

### **Text of Amendment**

Amending Section 3.5 of the City Charter, relating to City Council Procedures and Rules, to read in pertinent part as follows:

#### **Section 3.5 A CITY COUNCIL PROCEDURES AND RULES**

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition D**

Should section 3.5A of the City Charter be amended to allow Council to reschedule meetings by resolution to allow for City holidays but shall hold no less than two regular meetings per month?

YES ( )

NO ( )

## **CITY OF EL PASO PROPOSITION E**

### **Text of Amendment**

#### **Section 3.5 A CITY COUNCIL PROCEDURES AND RULES**

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition E**

Should section 3.5A of the City Charter be amended to allow the Mayor to cancel a meeting if necessary due to a Federal, State or Local declared emergency?

YES ( )

NO ( )

## **CITY OF EL PASO PROPOSITION F**

### **Text of Amendment**

Amending Sections 3.9B relating to Ordinances, 3.10B relating to emergency ordinances, 6.1-12 relating to civil service hearing officers to read in pertinent part as follows:

#### **Section 3.9 ORDINANCES IN GENERAL.**

B. Legislative Procedure. Except as provided in Section 3.13, an ordinance may be introduced by any Council member at any meeting of the Council. A proposed ordinance must be filed with the City Clerk in sufficient time for inclusion on the agenda for the Council meeting at which it is to be introduced. Upon such filing the City Clerk shall distribute copies to each member of the Council and to the City Manager. ~~A reasonable number of copies shall be available in the office of the City Clerk, and at such other public places as the Council may designate, for examination by interested persons.~~ No ordinance shall be adopted finally except at a regular open meeting of the Council following notice, publication, and a public hearing. The notice shall contain:

- 1.The proposed ordinance or a brief summary thereof;
- 2.The places where copies of it have been filed and the times when they are available for public examination; and
- 3.The time and place for the public hearing. The notice shall be published by any contemporary means of information sharing, including but not limited to publication in a newspaper of general circulation in the City or placement on a website at least five days prior to the public hearing. The hearing may be held by a designated Council committee or the Council separately or in connection with any Council meeting and may be adjourned to a specified time. All interested persons present shall have an opportunity to be heard. As soon as practicable after adoption of any ordinance, the City Clerk shall publish it again, with notice of its adoption, in abstract form, by any contemporary means of information sharing. These abstracts must state, at a minimum, the purpose of the ordinance and, where penal, the penalty provided. In any event, the publication must be written so as to be understood by an average person.

#### **Section 3.10B EMERGENCY ORDINANCES.**

Procedures. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it may be introduced on ~~one two~~ one hours' public notice, and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the unanimous vote of the Council members ~~Representatives~~ present, ~~and the consent of the Mayor,~~ shall be required for adoption.

## **Section 6.1-12 HEARING OFFICERS.**

The Commission will appoint one or more compensated hearing officers to hear appeals made under Section 6.13-4. The need for hearing officers in excess of one shall be determined jointly by the Commission and the City Manager. Hearing officers will perform those duties and functions necessary to render a recommendation to the Commission on the matter in dispute.

The hearing officers will serve at the Commission's pleasure, and ~~will not be classified. Reasonable compensation shall be paid by the City. will be procured through the City's procurement process.~~

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition F**

Shall Sections 3.9B, 3.10B, 6.1-12 of the City Charter be amended to eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references and update terminology to current legal usage?

YES ( )

NO ( )

## **CITY OF EL PASO PROPOSITION G**

### **Text of Amendment**

Amending Section 3.11 of the City Charter, relating to Initiatives to read in pertinent part as follows:

## **Section 3.11 INITIATIVE.**

Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state and local law by filing with the City Clerk a statement that they intend to circulate a petition, however no ordinance may be initiated through this process regarding required appropriation or allocation of City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property or granting a franchise. Such statement must include the names and addresses of the committee members, the full text of the proposed ordinance, and the designated lead committee member.

The City Clerk shall place the proposed Ordinance on the City Council Agenda for introduction within thirty days after receiving the statement, followed by a public hearing at the second



reading. If City Council fails to adopt the ordinance, or adopts it with amendments, the City Clerk will notify the committee through the lead committee member.

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council's amendments, it will then have 180 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to original signature, printed name, residence address and date of birth or voter registration of ~~Whenever~~ a number of registered voters equal to at least five percent of the voters who voted in the last general City election, sign a ~~The~~ petition must setting forth the precise content of ~~an the~~ ordinance desired by the ~~petitioners, signers,~~

Within thirty working days, the City Clerk shall review the petition to verify if it meets all requirements, and if authenticated with the required number of signatures, the Council must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the ~~receipt, authentication~~ by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

Should an ordinance proposed by such petition not be enacted by the If Council does not adopt, or should it be enacted adopts the proposed ordinance in an amended form, a second petition, signed by a number of registered voters equal to at least five percent of the voters who voted in the last general City election, may be submitted to the City Clerk and that official shall have twenty working days in which to authenticate the signatures and thereafter must place the re proposed ordinance on the ballot at the next citywide general election specified in State law, if the proposal receives ~~d~~ the favorable vote of a majority of those voting in that election it shall thereupon become a City ordinance.

The Council is not obliged to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in: two years.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition G**

Should section 3.11 relating to the initiative petition of the City Charter be amended to remove the requirement for a second petition, and institute a process for the public to initiate a City ordinance?

YES ( )

NO ( )

### **CITY OF EL PASO PROPOSITION H**

#### **Text of Amendment**

Amending Section 1.2 relating to Definitions, 3.5E relating to City Council Procedures

and Rules, 3.6 relating to Legislative Committees, 4.1B Power of the Mayor, 4.3 relating to Mayor Pro Tempore and 7.3 relating to budget procedures of the City Charter effective the first City Council meeting January of 2025, to read in pertinent part as follows:

## **Section 1.2 - DEFINITIONS**

As used in this Charter, the term "laws of Texas" shall include the Constitution and statutes of the State of Texas, the common law as it exists in the State of Texas, and appropriate case law. As used herein, "State" shall mean the State of Texas; "City" shall mean the City of El Paso; "City Council" or "Council" shall mean the Mayor and Representatives of the City of El Paso, with the Mayor being a ~~non-voting~~ voting member of Council; ~~provided, however, the Mayor shall not be considered a member of Council for items and matters requiring a super-majority vote of all members of the governing body~~; and "department" shall mean any City agency, office, bureau or other organizational unit.

## **Section 3.5 E CITY COUNCIL PROCEDURES AND RULES**

~~Veto-Effective Date.~~ Ordinances and resolutions finally adopted by the Council shall be filed in the office of the City Clerk and signed by the Mayor before they take effect. ~~If the Mayor vetoes the ordinance or resolution, reasons shall be set forth by the Mayor in writing, and the ordinance or resolution with those reasons shall be returned to the Council. However, the Mayor shall not have any veto power over any City Council action which removes the City Manager or the City Attorney. To override the Mayor's veto, three-fourths of all of the Representatives must vote in favor of the returned ordinance or resolution, in which event the adopted ordinance or resolution shall become law.~~ If the Mayor shall either fail to ~~approve or object in writing~~ sign to any adopted ordinance or resolution within five days after it has been filed with the City Clerk, exclusive of the day of filing, it shall become law.

## **Section 3.6 LEGISLATIVE COMMITTEES**

A. The ~~Representatives~~ members of Council may resolve themselves into committees, both standing and special, when this is convenient for the conduct of legislative business, including the investigative powers described in Section 3.8. Rules governing the organization and procedures of these committees shall be made by the Council, ~~and the Mayor shall have no power to veto any of those rules except upon grounds of illegality.~~

## **Section 4.1B POWERS OF THE MAYOR**

The Mayor shall be a voting member of City Council and preside over the City Council meetings, having the power to propose legislation; represent the City in intra-governmental and intergovernmental relationships; appoint with the consent of the Council the members of citizen advisory boards and commissions; make appointments and perform duties pursuant to federal and state law; present an annual state of the City message, ~~break tie votes, veto legislation except for any City Council action which removes the City Manager or the City Attorney~~ convene the Council in special session and perform other duties specified by the Council.

### **Section 4.3 – MAYOR PRO TEMPORE**

A. At the first meeting upon the start of new terms of office following each general election, the Council shall elect from among the Representatives a Mayor Pro Tempore, who shall hold that office for a two year term. Should the office of Mayor Pro Tempore become vacant, the Council shall elect a new Mayor Pro Tempore.

B. During the absence or disability of the Mayor, the Mayor Pro Tempore shall act as Mayor, ~~but shall vote as a Representative, and shall have no veto power.~~

### **Section 7.3 – BUDGET PROCEDURES**

The procedures here stated shall govern adoption of the annual budget and the appropriations of monies pursuant thereto.

D. Adoption. The budget shall be adopted by resolution, ~~subject to the Mayor's veto,~~ not later than the day before the first day of the City's fiscal and budget year; but, in the event the budget is not adopted, the appropriation for personnel and essential operating supplies made in the previous year shall be extended until the new budget is adopted.

### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition H**

Should section 1.2, 3.5E , 3.6, 4.1B, 4.3, and 7.3 of the City Charter be amended to authorize the Mayor to vote on all City Council agenda items and remove the Mayor's tie-breaking and veto capacity effective the first City Council meeting of January 2025?

YES ( )

NO ( )

### **CITY OF EL PASO PROPOSITION I**

#### **Text of Amendment**

Amending Section 6.1-4 of the City Charter, relating to Civil Service qualifications to read in pertinent part as follows:

#### **Section 6.1-4 QUALIFICATIONS.**

Members of the Commission must be residents of the City at the time of their appointment and remain a resident of the City throughout their term of office. No Commissioner shall be related in any manner described in Article III, Section 3.3 B to any employee of the City, the Public Service Board, or any entity that has a contract with the City to operate or manage any City facility or department, nor hold any salaried public office or other employment compensated by the City, and any violation of this provision shall be deemed malfeasance in office and cause for removal therefrom. ~~At least two Commissioners must hold or have retired from positions other than managerial or professional. The City should adopt rules that reflect the diversity of the community and City workforce.~~ No more than three Commissioners may be former city

employees, and any such Commissioners are not eligible for appointment until two years following separation from the City. Any commissioner may be either actively employed or retired.

**City of El Paso Special Election for Charter Amendment**  
**Ballot Proposition I**

Should 6.1-4 of the City Charter be amended to allow for appointment of Civil Service Commissioners that reflect the diversity of the community and City workforce?

YES ( )

NO ( )

**CITY OF EL PASO PROPOSITION J**

**Text of Amendment**

Amending Section 6.2-2 of the City Charter, relating to the unclassified services and 6.2-3B, relating to appointment and removal of unclassified personnel to read in pertinent part as follows:

**Section 6.2-2 UNCLASSIFIED SERVICES.**

The unclassified services shall include only the following positions:

A. The City Attorney, Assistant City Attorneys, law clerks and paralegal personnel;

B. The Mayor's executive secretary(s) and Executive Assistant(s);

~~C. Hearing officer(s) and the Commission Recorder;~~

~~D. All elected officials;~~

~~E. D. Members of all City boards, commissions, and committees who serve without compensation;~~

~~F. E. Employees hired by contract, and short-term or limited-funding grant-funded employees as designated by the City Manager and hired on or after the effective date of this amendment;~~

~~G. F. The City Manager;~~

~~H. G. All executive level employees, and executive staff or salaried professional employees reporting directly to the City Manager;~~

~~I. H~~ Employees hired on or after May 18, 2007 who work at the Metropolitan Planning Organization; and

~~J. I.~~ Persons given provisional and temporary appointments who are not classified employees at the time of such appointment.

~~K. J.~~ A person hired solely as a District Representative's legislative aide for the limited period of the term of office for that District Representative.

### **Section 6.2-3 – APPOINTMENT AND REMOVAL OF UNCLASSIFIED PERSONNEL**

B. Except as otherwise provided by law or in this Charter, unclassified personnel may be removed by the City Manager or designee, who may establish written procedures for removal.; ~~except for hearing officers and the Commission Recorder, who may be removed only by a majority vote of the commissioners.~~

#### **City of El Paso Special Election for Charter Amendment** **Ballot Proposition J**

Should Section 6.2-2 relating to Unclassified Services and 6.2-3 relating to appointment and removal of unclassified personnel be amended to align the person carrying out the role of civil service commission recorder with all other unclassified City employees who may be removed by the City Manager or designee in accordance with the City Charter?

YES ( )

NO ( )

### **CITY OF EL PASO PROPOSITION K**

#### **Text of Amendment**

Amending Section 6.7-1 and 6.8-1 of the City Charter, relating to penalty for deceit in examinations, examinations and eligibility to read in pertinent part as follows:

#### **Section 6.7-1 PENALTY FOR DECEIT IN EXAMINATION.**

~~An applicant in any examination who uses or attempts to use any unfair or deceitful means to pass the examination shall be excluded from further participation in the examination and the papers not rated, except as may be provided in the applicable Rules or policies and procedures.~~  
(Reserved.)

## Section 6.8-1 EXAMINATION AND ELIGIBILITY

The Human Resources Director shall establish administrative policies and procedures for the promotion process, ~~including examination~~ and eligibility, consistent with the provisions of this Article and all applicable federal and state employment laws. ~~Promotion to any position in the Civil Service shall be by examination weighed by seniority and performance record, except as otherwise provided in the Charter or Rules. Eligibility criteria and rating factors for promotions shall be established by Rule and shall include a credit for seniority.~~

### City of El Paso Special Election for Charter Amendment Ballot Proposition K

Should Section 6.7-1 be deleted and 6.8-1 relating to Examinations of the City Charter be amended to allow the City to establish Civil Service Rules, policies and procedures for the promotion of City employees?

YES ( )

NO ( )

## CITY OF EL PASO PROPOSITION L

### Text of Amendment

Amending Section 6.13-11D of the City Charter, relating to pensions plans to read in pertinent part as follows:

### **Section 6.13-11D PENSION PLANS.**

Firemen and Policemen Pension Fund of El Paso. The City shall continue to augment the Firemen and Policemen Pension Fund of El Paso in a manner consistent with the laws of Texas. To augment the Firemen and Policemen Pension Fund, the Council shall in each fiscal year beginning after November 2022, ~~February, 1968,~~ appropriate no less than eighteen percent of the total amount expended for wages of the participants, and may increase this contribution rate as allowed by the relevant state law requirements based on a qualified actuary's report; an amount equal to three times the amount paid into the fund by the participants therein; provided that the amount contributed by the City shall not exceed eighteen percent of the total amount expended for salaries of the participants; provided further, however, that in the event age limits for participation in the pension fund, or any division of the fund, are increased as permitted by law and the raising of the age limits causes an increase in funding costs as determined by an actuary, the City shall appropriate an amount equal to such cost increase notwithstanding that such increased appropriation may exceed the otherwise determined eighteen percent of the total amount expended for salaries of the participants, but such increased appropriation shall in no case exceed eighteen and one-half percent of the total amount expended for wages ~~salaries~~ of the participants.

**City of El Paso Special Election for Charter Amendment**  
**Ballot Proposition L**

Should section 6.13-11D relating to the police and fire pension fund be amended to establish that the City of El Paso shall contribute to the El Paso Policemen and Firemen Pension Fund no less than eighteen percent of the total amount expended for wages of the participants, and any increase to the contribution rate shall be as allowed by state law ?

YES ( )

NO ( )

**SECTION 2 – BALLOTS**

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "YES" or "NO" on the proposition, with the ballots to contain such provisions, markings and language as required by law, and with the proposition to be expressed substantially as set forth in section 1, above.

**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 October 28, 2022, 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 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,” which may be amended.

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 – NOTICE OF 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. Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in El Paso on the same day, in each of two consecutive weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendment.

The City Clerk shall deliver notice of this election to the County Clerk and voter registrar of El Paso County no later than Monday, October 24, 2022, or as otherwise required by law.

## **SECTION 6 – ELECTION SERVICES CONTRACT AND PROCEDURAL MATTERS**

The City Manager is hereby authorized to execute the necessary contract(s) and agreements, joint or otherwise, with the El Paso County Elections Administrator, or any other public entity, 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 all other applicable statutes and laws.

The election services contract with the County 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.

Matters contained in this ordinance relating to discretionary, procedural matters may be amended by approval of the City Manager, and procedural matters not established by this ordinance will be established by resolution of City Council.

## **SECTION 7 – 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 8 – OTHER ACTION AND COMPLIANCE WITH APPLICABLE LAWS**



The City Manager and City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take any additional action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

#### **SECTION 9 – SEVERABILITY**

That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

#### **SECTION 10 – EFFECTIVE DATE**

This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

APPROVED this \_\_\_\_ day of August, 2022.

CITY OF EL PASO

\_\_\_\_\_  
Oscar Leaser  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

\_\_\_\_\_  
Kristen L. Hamilton-Karam  
Senior Assistant City Attorney