

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

DEPARTMENT: City Manager
AGENDA DATE: January 7, 2020
CONTACT PERSON/PHONE: Cary Westin (915) 212-1063

SUBJECT:

Resolution declaring a process to censure an El Paso City Council Representative.

BACKGROUND / DISCUSSION:

Motion to postpone a related item for eight weeks and to direct staff to return with a policy creating a process for censure. Representative Lizarraga made the motion to postpone and seconded by Representative Salcido.

PRIOR COUNCIL ACTION:

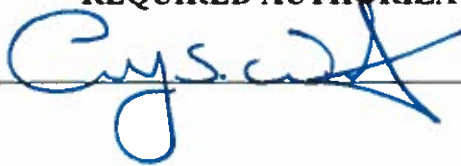
October 29, 2019

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:



RESOLUTION

WHEREAS, the members of the El Paso City Council wish to hold each other to the values adopted by the City of El Paso of Integrity, Respect, Excellence, Accountability and People, and to keep high standards of civility, professionalism, and decorum;

WHEREAS, the members of the El Paso City Council believe that these values and standards apply in all aspects of life for persons serving as Representatives in the public office of the El Paso City Council; and

WHEREAS, the members of the El Paso City Council wish to formally disapprove conduct of any City Council Representative that is outside of the adopted values, Code of Conduct or is unbecoming of an elected official, casting a negative light on the Council, which could diminish the esteem of the office of El Paso City Council Representative or Mayor; and

WHEREAS, the members of the El Paso City Council wish to adopt a process to issue a censure to a Representative who engages in such conduct.

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

1. APPLICATION:

- a. Censure only applies to a current member of the El Paso City Council.
- b. Censure can only occur for conduct by a City Council Representative that:
 - i. Violates the Code of Conduct of the City of El Paso, after having exhausted the corrective process described therein, entitled "Addressing Issues" section therein; or
 - ii. Is unbecoming of an elected official, casting a negative light on the Council, which could diminish the esteem of the office of El Paso City Council Representative or Mayor
- c. City Council may not censure for alleged criminal violations prior to a final, non-appealable adjudication by the appropriate court of law.

2. NOTIFICATION:

- a. A member of council may file a notice of proposed censure with the City Clerk in the form of a sworn statement identifying the conduct and how it violates one of the standards listed in section (1)(b) above.
- b. The City Clerk will forward the notice of proposed censure to the Representative against whom the proposed censure is directed ("Respondent").
- c. The Respondent shall have ten business days from the date forwarded by the City Clerk ("Response Time") to provide a written response to the Clerk, and the Clerk who will forward the response to the Representative who filed the proposed censure.
- d. Within ten business days of the expiration of the Response Time, the filing Representative may submit a signed agenda summary, which must include approval of three additional City Council Representatives to place the censure on

the City Council Agenda. The agenda summary must comply with the El Paso City Code Section 2.06.110.

3. DISCUSSION AND ACTION:

If a majority of the members present at the council meeting vote in favor of the censure, the filing Representative shall read it into the record.

ADOPTED this ____ day of _____, 2019.

CITY OF EL PASO:

Dee Margo
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
City Attorney

APPROVED AS TO CONTENT:



Cary Westin
Deputy City Manager