

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
SAM MORGAN, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
CLAUDIA ORDAZ PEREZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

SPECIAL CITY COUNCIL MEETING MINUTES
CITY HALL, 300 N. CAMPBELL
COUNCIL CHAMBERS
August 26, 2019
9:00 AM

The City Council met at the above place and date. Meeting was called to order at 9:10 a.m. Mayor Pro Tempore Claudia Ordaz Perez present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Anello, Cassandra Hernandez, Isabel Salcido, Henry Rivera and Cissy Lizarraga. Late arrival: Sam Morgan at 9:19 a.m. Mayor Dee Margo requested to be excused.

AGENDA

1. Discussion and action on calling a special election to fill a City Council vacancy in the Office of Representative for District No. 3.

Representative Lizarraga explained that Council needs to retire into executive session to obtain a legal briefing.

Mayor Pro Tempore Perez stated that Council would return to have a discussion in open session.

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Salcido, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 9:13 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the item:

Section 551.071 CONSULTATION WITH ATTORNEY

AYES: Representatives Svarzbein, Anello, Hernandez, Salcido, Ordaz Perez, Rivera and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Morgan

Motion made by Representative Rivera, seconded by Mayor Pro Tempore Ordaz Perez, and unanimously carried to adjourn the Executive Session at 10:06 a.m. and **RECONVENE** the meeting of the City Council.

AYES: Representatives Svarzbein, Anello, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera and Lizarraga

NAYS: None

NO ACTION was taken on this item.

2. Discussion and action on a Resolution of the City Council of the City of El Paso, Texas, calling for a Special Election to fill a City Council vacancy in the office of Representative for District No. 3, to be held on November 5, 2019; and making provisions for the conduct of the Special Election; and authorizing a contract with El Paso County to furnish election services and equipment.

Representative Salcido asked Representative Hernandez if she had any comments.

Representative Hernandez explained that she stands by the information submitted by her attorney and stated that she intends to continue serving her district until the end of her term.

Representative Svarzbein asked what the deadline would be for calling the special election.

Ms. Karla Nieman, City Attorney, explained that per State law the deadline would be September 20, 2019.

Representative Svarzbein expressed his desire to postpone the item.

Representative Rivera asked if the special election would be at no cost to the public.

Ms. Nieman agreed and explained that the action proposed by Representative Svarzbein would be to postpone the item until the next City Council meeting.

Representative Morgan explained that he wanted to be clear that they would not be voting on whether or not to accept Representative Hernandez's resignation.

Mr. Lowell F. Denton, outside counsel, explained the context regarding the timelines and provisions regarding election law surrounding automatic resignations.

Mayor Pro Tempore Ordaz Perez explained that the law is clear regarding an automatic resignation and said the discussion at hand is only on calling for a special election. She commented that she supports postponing the item until the next meeting.

Representative Hernandez stated she wished that Council would move forward with the item today and asked for better communication.

The following members of the public commented:

1. Mr. Daniel Marquez, legal counsel for Representative Hernandez
2. Mr. Joe Molinar, citizen

1ST MOTION

Motion made by Representative Svarzbein, seconded by Representative Annello, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow public comment

after the sign up period.

AYES: Representatives Svarzbein, Anello, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera and Lizarraga

NAYS: None

2ND AND FINAL MOTION

Motion made by Representative Svarzbein, seconded by Representative Ordaz Perez, and carried to **POSTPONE** item until September 3, 2019.

AYES: Representatives Svarzbein, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: Representatives Anello, Hernandez, and Morgan

ADJOURN

Motion made by Representative Ordaz Perez, seconded by Representative Salcido, and unanimously carried to **ADJOURN** this meeting at 10:25 a.m.

AYES: Representatives Svarzbein, Anello, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk