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

DEPARTMENT: **Municipal Clerk**

AGENDA DATE: **February 20, 2007**

CONTACT PERSON/PHONE: **Richarda Duffy Momsen, Municipal Clerk**

DISTRICT(S) AFFECTED: All Districts

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

Approve the Resolution calling for a Charter Election and General Election (for Districts 1, 5, 6, and 8) on May 12, 2007.

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

To amend the City Charter and to elect four City Representatives to four-year terms.

PRIOR COUNCIL ACTION:
Has the Council previously considered this item or a closely related one?

Yes, every election year.

AMOUNT AND SOURCE OF FUNDING:
How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

Yes, the election is budgeted.

Department	11010009	Municipal Clerk
Account.	502203	Elections
Fund	01101	General Fund

BOARD / COMMISSION ACTION:
Enter appropriate comments or N/A

N/A

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____
(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:
CITY MANAGER: _____ **DATE:** _____

RESOLUTION PROVIDING FOR THE 2007 GENERAL ELECTION IN THE CITY OF EL PASO CALLING FOR AN ELECTION OF FOUR DISTRICT REPRESENTATIVES, AND FOR THE SUBMISSION OF CHARTER AMENDMENTS, TO BE HELD WITHIN THE CITY ON MAY 12, 2007; AND MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSE OF THIS RESOLUTION.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That pursuant to the Texas Election Code, as amended, an election will be held on Saturday, May 12, 2007 in the City of El Paso for the purpose of electing the following named officers of the City of El Paso: four District Representatives who are to be elected from Single-Member Districts Nos. 1, 5, 6 and 8.

2. That at such election, any candidate for the office of Representative shall file an application for a specific place on the ballot as a candidate from one of the four single-member representative districts heretofore established by the City Council being up for election, such as "Representative, District No. 1" and "Representative, District No. 5," etc. At the polling places in each Representative District the ballot in such election shall show the office of Representative for such district, the district number and the name of each candidate for office; and each Representative shall be elected by the voters in the district in which the person is a candidate.

3. That at such election, the following amendments to the Charter of the City of El Paso (propositions) shall be submitted to the qualified voters 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 amendments with the ballots to contain such provisions, markings, and language required by law, and with such propositions to be expressed substantially as follows:

CITY CLERK DEPT.
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AMENDMENT NO. 1

Text of Amendment

Amending the Charter of the City of El Paso Section 2.1, Subsections A, B, and E, City Elections; Section 2.4, Subsection A, Representative Districts; Adjustment of Districts; and Section 4.3, Subsection A, Mayor Pro Tempore; and deleting Sections 2.1 C, 2.3 B and D, and Section 2.2 A 4 in their entirety; to read as follows:

Section 2.1, Subsections A, B and E CITY ELECTIONS.

A. Regular Elections. The regular City election shall be held on the uniform election date established in the Texas Election Code during the month of May with a run-off election to be held on the earliest date practicable in accordance with the law. All terms of elected officers to commence on the fourth Tuesday in June.

B. Officers Elected. The qualified voters of El Paso shall, as necessary to fill expired terms, elect the following officers at each regular election: A Mayor, eight District Representatives, and Judges of the Municipal Courts. Each Representative shall be elected from a district and the Mayor and other officers shall be elected from the City at large. Commencing in June 2005, the Judges of the Municipal Courts, the Mayor, and the District Representatives from districts numbers 2, 3, 4 and 7 shall be elected to four-year terms. Commencing in June 2005, the District Representatives from districts numbers 1, 5, 6 and 8 shall be elected to two-year terms, and commencing in June 2007, they shall thereafter be elected to four-year terms. Each officer shall hold office during the term for which elected and established herein and until the election and qualification of a successor, unless sooner removed in any manner provided in this Charter.

E. Vacancies and Removal from Office. An elective office also shall become vacant upon death, resignation, forfeiture of or removal from office of the officer in any manner authorized by law. Any elected City official shall be subject to removal from office if that official:

1. Lacks, at any time during the term of office, any qualification or requirement prescribed by this Charter or other law;
2. Is convicted of any felony, or of a misdemeanor involving moral turpitude;
3. Violates the City Ethics Ordinance;
4. Makes any willful false statements or commits any fraud preventing the impartial execution of the provisions of this charter;
5. Knowingly and willfully solicits or assists in soliciting any contributions from any political party to be used in conjunction with any City election of City officers; or
6 In the case of the Mayor or a Representative, fails to attend three consecutive regular meetings of the Council without being excused by the Council. A Representative shall forfeit office if, during the term of office, that Representative establishes residence outside the Council district from which elected, unless otherwise provided by law.

Section 2.4, Subsection A REPRESENTATIVE DISTRICTS; ADJUSTMENT OF DISTRICTS.

A. Number of Districts. There shall be eight Representative districts. The Representative districts shall be of substantially equal population. One Representative shall be elected from each of the Representative districts established by the Council. Each district shall be numbered; for example, "Representative District No. 1."

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Section 4.3, Subsection A 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.

Ballot Proposition

FOR ( ) Shall Sections 2.1 A, B and E, 2.4 A, and 4.3 A of the City Charter be amended, and Sections 2.1 C, 2.3 B and D, and Section 2.2 A 4 of the City Charter be deleted in their entirety: relating to elections, designation of elected officials, and terms of office: to restate the terms of office for the Mayor and Representatives based on the four year staggered terms; to set a two year term of office for the Mayor Pro Tempore; to add two new criteria for the removal of elected officials; to remove references to the election of a City Tax Collector prior to 1989; to provide that election procedures, the filling of vacancies, and the conduct of runoff elections be in conformity with state law; and to renumber provisions as appropriate?

AGAINST ( )

AMENDMENT NO. 2

Text of Amendment

Amending the Charter of the City of El Paso Section 2.1, Subsection D, City Elections; and Section 2.2, New subsection, Nominations; to read as follows:

Section 2.1, Subsection D CITY ELECTIONS

D. Recall. Any elected officer of the City may be removed from office, for stated reasons, by those voters who are qualified to vote for a successor to such office.

The Council shall enact, within sixty days of the adoption of this Charter, an ordinance providing for:

1. The general conduct of recall elections;
2. Receipt, by the City Clerk, prior to the conduct of any recall election of a petition bearing authentic signatures of a number of registered voters equal to at least twenty percent of the total number of votes cast in the election of the officer whose recall is sought;
3. Completion of a recall petition within sixty days of filing notice with the City Clerk of intent to circulate a petition for recall; and
4. Recall petitions to specify the reasons for which recall is sought.

No recall petition shall be filed against any elected officer within six months after taking office, nor within twelve months of the end of the elected officer's term of office, nor in case of an officer who was the subject of an unsuccessful recall election, until six months after that election. Should the elected officer, whose recall is sought, resign, no recall election shall be held.

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Section 2.2, New subsection NOMINATIONS.
Ethics Review Commission. The Council shall, by ordinance, establish an independent ethics review commission to administer and enforce the ethics section of the City Code. To the extent permitted by Texas law, the Council shall authorize the commission to issue advisory opinions, conduct investigations, request witness testimony and production of evidence, make determinations on whether a violation has occurred, and issue appropriate sanctions. The Council shall provide sufficient resources to the commission to enable it to perform the duties assigned to it under the Charter and City Code.

Ballot Proposition

FOR ( ) Shall Sections 2.1 D and 2.2 of the City Charter be amended relating to the holding of office: to provide that no recall petition may be filed against any elected officer within twelve months of the end of the elected officer's term of office; to add a new subsection under Section 2.2 to require Council to establish an ethics review commission; to enumerate the primary responsibilities of such a commission; and to renumber the provisions as appropriate?

AGAINST ( )

AMENDMENT NO. 3

Text of Amendment

Amending the Charter of the City of El Paso Section 3.1, Creation: Composition; Powers and Duties; and Section 6.2-2, new subsection, Unclassified Services; to read 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.

Section 6.2-2, new subsection UNCLASSIFIED SERVICES.
The unclassified services shall include only the following positions:
A person hired solely as a District Representative's legislative aide for the limited period of the term of office for that District Representative.

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Ballot Proposition

FOR ( ) Shall Sections 3.1, and 6.2-2 of the City Charter be amended to add provisions allowing each District Representative to appoint and remove a legislative aide to work in the unclassified services during the Representative's term of office; and to renumber Section 6.2-2 to include the new subsection as appropriate?

AGAINST ( )

AMENDMENT NO. 4

Text of Amendment

Amending the Charter of the City of El Paso Section 3.2, Salaries; to read as follows:

Section 3.2 SALARIES.

Commencing on June 28, 2009, the annual base salary of the District Representatives shall be twenty-nine thousand dollars, and the annual base salary of the Mayor shall be forty-five thousand dollars. On and after September 1, 2010, the base salaries will be increased by a percentage equal to the percent increase of the general salary adjustment, if any, given to the classified employees in the general services effective as of the date designated in the budget resolution.

Ballot Proposition

FOR ( ) Shall Section 3.2 of the City Charter be amended to provide that, commencing on June 28, 2009, the annual base salary for the District Representatives shall be twenty-nine thousand dollars, and the annual base salary of the Mayor shall be forty-five thousand dollars, and provide that annual increases shall be equal to the general salary adjustment given to classified employees?

AGAINST ( )

AMENDMENT NO. 5

Text of Amendment

Amending the Charter of the City of El Paso Section 3.3, Subsection C, Prohibitions; Section 3.5, Subsection A, City Council Procedures and Rules; Section 3.9, Subsection B, Ordinances in General; Section 3.17, Annexation of Territory; and Section 3.18, Lease; Franchise; and Conveyance; and deleting Sections 3.13 B 4 and 3.19 in their entirety; to read as follows:

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Section 3.3, Subsection C PROHIBITIONS.

C. "Lame Duck" Elected Officers Not to Make Appointments.

From the date of any City general election until inauguration of those elected, neither the Mayor nor the City Council shall make any appointment of a City Manager, or any appointments to any standing or special public boards, commissions or committees of the City, except when in conflict with State law or when due process rights of employees or citizens would be compromised.

Section 3.5, Subsection A CITY COUNCIL PROCEDURES AND RULES.

A. Meetings. Regular meetings of the Council shall be held in Council chambers a minimum of one time per week at such times as may be prescribed by resolution. Provided however, that the Council by resolution may cancel one or more regular meetings, not to exceed three meetings during each calendar year, provided that such canceled meetings are not consecutive. Special meetings and informal work sessions of the Council shall be called by the Mayor or a majority of the entire Council by giving written notice to the City Clerk. All meetings of the Council and of any committees thereof shall be held as permitted by the Texas Open Meetings Act.

Section 3.9, Subsection B 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 web site 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 3.17 ANNEXATION OF TERRITORY.

The Council may, by ordinance, fix or extend the boundaries of the City and may also, by ordinance, annex or exchange territory adjoining or abutting upon the territory of the City. The territory so annexed shall, in all respects and for all purposes, be part of the City. In no event shall an annexation ordinance be passed without notice, published in accordance with state law,

to the residents of the City and of the territory to be annexed, nor without a meeting of the Council at which proponents and opponents of the annexations must be given ample opportunity to express their views.

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 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. In addition, any ordinance providing for the lease or franchise shall 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 may be revoked by the City if necessary to secure efficiency of public service at a reasonable rate, or to assure that the property is maintained in good order throughout the life of the grant.

Ballot Proposition

FOR ( ) Shall Sections 3.3 C, 3.5 A, 3.9 B, 3.17, and 3.18 of the City Charter be amended, and Sections 3.13 B 4, and 3.19 be deleted in their entirety, relating to Council procedures and requirements relating to certain contracts, ordinances and uses of City streets: to allow for the cancellation of not more than three regular Council meetings annually; to expand methods of publication for notification of proposed ordinances and reduce the time for notification by two days; to eliminate the requirement to read ordinances aloud; to allow limited uses of City streets through a process established by ordinance; to remove the provision limiting leases and franchises to a period of thirty years; to remove the prohibitions against entering into most contracts over $3000 between the date of the election and the inauguration of those elected; to provide that an annexation ordinance may include territory exchanges, and that all required notices be published in accordance with state law; to delete the provision regarding the enactment of ordinances requiring the construction of drainage systems; and shall Section 3.18 be renamed as Lease; Franchise; and Conveyance, and that the remaining provisions in Title III renumbered as appropriate?

AGAINST ( )

AMENDMENT NO. 6

Text of Amendment

Amending the Charter of the City of El Paso Section 6.1-1, General; Section 6.1-5, Functions and Duties of the Civil Service Commission; Section 6.1-2, Appointment; Section 6.1-3, Qualifications; Section 6.1-6, Rules; Section 6.1-15, Removal; and Section 6.1-16, Discrimination; and deleting Sections 6.1-8, 6.1-9 and 6.1-13 in their entirety; to read as follows:

Section 6.1-1 GENERAL.

The Civil Service system exists to ensure a personnel system that is based solely on merit. The Civil Service Commission of El Paso exists for the purposes of overseeing the City's Civil Service system, of ensuring its fairness, economy and efficiency and of hearing grievances by or against classified employees. The Commission shall establish its own procedures within the framework of this Charter to carry out these functions.

Section 6.1-5 FUNCTIONS AND DUTIES OF THE CIVIL SERVICE COMMISSION.

The Commission shall hold regular meetings as may be prescribed by Commission procedures. Special meetings shall be held as required for the proper discharge of the duties of the Commission, due notice having been given. Five members of the Commission will constitute a quorum. It shall be the duty of the Commission to:

A. Recommend to the Council:

1. Adoption of Rules for the administration of the Civil Service provisions of this Charter, and
2. Thereafter, appropriate amendments.

B. Investigate matters concerning the enforcement and effect of the Civil Service provisions of this Charter.

C. Hear and determine appeals or complaints as may be further prescribed in the Rules.

D. Oversee the Civil Service provisions of this Charter, ensuring fair and equitable treatment of all classified employees.

E. Appoint hearing officers.

Section 6.1-2 APPOINTMENT.

The Commission shall consist of nine persons appointed by the Council. All members serving on the Commission when this amendment takes effect will continue to serve until their terms of office expire. Appointments shall be for three-year terms. Commissioners serving consecutive terms shall be limited to two full successive three-year terms, regardless of the date of their original appointments. No person may serve as a member on the Commission for more than a total of ten years throughout their lifetime and no person may be appointed as a member on the Commission if, serving out the full length of the term to which they would be appointed would result in the person having more than a total of ten years of lifetime service.

Section 6.1-3 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 may 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. 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.

Section 6.1-6 RULES.

A. Rules. The Rules shall be consistent with the principles and practices of the civil service system incorporated in this Article. They shall be adopted by the Council by ordinance, after considering recommendations of the Commission.

B. Procedures for Adoption. The Human Resources Director shall submit to the Commission proposed Rules for its review and recommendation to the Council. Failure by the Commission to recommend approval, modification or disapproval of proposed Rules within sixty days after receipt shall constitute authority for the Council to proceed without a recommendation from the Commission.

C. Changes, Additions or Deletions. Proposed changes, additions or deletions to the Rules shall be processed through the Commission to the Council in the same manner and subject to the same standards as for the basic Rules as set forth in A and B above.

D. Council Action. Failure by Council to approve, amend and approve, or deny the Commission's changes within sixty days after Council's receipt shall result in their automatic adoption. In the event of disagreement, the Council may deny or amend the Commission's changes, additions or deletions only by a two-thirds majority of the Council.

Section 3.9 C. Actions Requiring Ordinances. The Council may exercise the following powers by ordinance only:

1. Authorize the conveyance of any City real property;
2. Adopt or amend any administrative code and establish, abolish, alter or combine any City departments, so long as such action is not in conflict with this Charter;
3. Amend, extend, or repeal any ordinance previously adopted;
4. Prescribe a fine or penalty or establish any rule or regulation for the violation of which a fine or other penalty is imposed;
5. Adopt Civil Service Rules.

Section 6.1-15 REMOVAL.

Members of the Commission will not be removed from office except for incompetence or nonfeasance, misfeasance or malfeasance in office, such as neglect of duty or refusal to perform the duties imposed by this Charter. Action may be initiated in writing by any member of the Council or Commission. Any removal will require an affirmative vote of two-thirds of the Council.

Section 6.1-16 NON-DISCRIMINATION.

All personnel actions must be free of discrimination as is prohibited by law.

Ballot Proposition

FOR ( ) Shall Sections 6.1-1, 6.1-2, 6.1-3, 6.1-5, 6.1-6, 3.9 C, 6.1-15, and 6.1-16 of the City Charter be amended, and Sections 6.1-8, 6.1-9, and 6.1-13 of the City Charter be deleted in their entirety, relating to the purposes of civil service and the Civil Service Commission, the appointment and removal of Commissioners, and the creation of system Rules: to include a statement of system purpose; to provide that personnel actions be free of unlawful discrimination; to allow the Commission to set their meetings; to specify that the Commission has an oversight duty and follows processes established in the Charter and Rules; that such Rules will be adopted by ordinance and the Council may amend and approve or deny Rules submitted by the Commission only by a two thirds majority vote; to provide that a Commissioner may serve consecutive full terms, but no Commissioner may serve for more than ten years throughout their lifetime; to require that Commissioners be City residents at all times; to provide that removal of a Commissioner requires a vote of two-thirds of the Council; to delete provisions pertaining to the prosecution of civil suits by the Commission, the employment of legal counsel, and the requirement for an annual report; to remove language applicable to conflicts of interest, the initial appointment of Commissioners and Rules adopted in 1984; and that Section 6.1-5 be renumbered as 6.1.2 and the remaining provisions of Section 6.1 be renumbered as appropriate?

AGAINST ( )

AMENDMENT NO. 7

Text of Amendment

Amending the Charter of the City of El Paso Section 5.2 (1), Powers and Duties; Section 6.9-5, Delegation; Section 6.2-2, Unclassified Services; Section 6.2-3, Appointment and Removal of Unclassified Personnel; Section 6.9-3, Nepotism Prohibited; and Section 6.13-4, Appeals; and deleting Sections 3.7 C, 6.3, 6.3-1, 6.3-2 and 6.3-3 in their entirety, and certain definitions in Section 6.14-1; to read as follows:

Section 5.2 POWERS AND DUTIES.

The City Manager shall be the chief administrative officer of the City, responsible to the Council for the administration of all City affairs placed in the Manager's charge by or under this Charter. The City Manager shall:

(1) Take all personnel actions regarding employees except as provided by law or in this Charter. The City Manager may authorize the Deputy City Managers and department directors to exercise these powers with respect to their subordinates;

Section 6.9-5 DELEGATION.

The City Manager may delegate to appropriate individuals the execution of the functions, duties and responsibilities set forth in this Article, as he deems appropriate. Appropriate designees may

include department directors and other persons able and assigned to execute the specific functions, duties or responsibilities.

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. Members of all City boards, commissions, and committees who serve without compensation;
F. Employees hired by contract as allowed under this Article;
G. The City Manager;
H All Department Heads or Directors, Deputy City Managers, and executive staff or salaried professional employees reporting directly to the City Manager;
I. Employees hired on or after the effective date of this amendment who work at the Metropolitan Planning Organization; and
J. Persons given provisional and temporary appointments who are not classified employees at the time of such appointment.

Section 6.2-3 APPOINTMENT AND REMOVAL OF UNCLASSIFIED PERSONNEL.
A. Except as otherwise provided in this Charter, appointments to the unclassified services shall be made by the City Manager solely on the basis of education and experience in the accepted competencies and practices of their field.
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.

Section 6.9-3 NEPOTISM PROHIBITED.
Except in the case in which the City Manager or other person making the appointment appoints the highest scoring individual certified from a proper eligible list, or from a reinstatement list involving the appointment of a former incumbent, no person may be appointed to or reinstated in any classified position or appointed to any unclassified position who, at the time of appointment or reinstatement, is related in the manner described in Article III, Section 3.3B, to any member of the Council, the City Manager or other person making the appointment, the Human Resources Director, or the direct superior of the position being considered.

Section 6.13-4 APPEALS.
Any permanent classified employee may appeal to the Commission any order which is believed to violate the rights granted employees by this Charter. This appeal must be filed with the Commission within thirty days from the date of the alleged violation and may be in any form clearly directing the attention of the Commission to the order complained of and the rights or provisions violated.

Ballot proposition

FOR ( ) Shall Sections 5.2 (1), 6.2-2, 6.2-3; 6.9-3, 6.9-5, 6.13-4, and 6.14-1 of the City Charter be amended, and Sections 3.7 C, 6.3, 6.3-1, 6.3-2, and 6.3-3 of the City Charter be deleted in their entirety, relating to the authority for taking personnel actions and the appointment of certain employees: to clarify the authority of the City Manager to take personnel actions and allow such authority to be appropriately delegated to staff including department directors; to provide that the Deputy City Managers, Department Directors, City Manager staff, employees subsequently hired for the Metropolitan Planning Organization, and unclassified persons given provisional and temporary appointments, be included in the unclassified City services; to remove unnecessary references to health unit employees; to delete all provisions pertaining to the appointment and removal of department heads, and provide new standards applicable to all unclassified personnel; to delete the provision directing the specific manner of appointment for the City Clerk; to apply the prohibitions against nepotism to all appointments made by the City Manager; and to delete definitions in Section 6.14-1 for the terms appeal, classified, department, unclassified, work day, appointing authority, appointing officer, appointment, and City Council; that the term Personnel Director be replaced with the term Human Resources Director in all places where it appears in the City Charter; that references to the authority of the Mayor, the members of the Council, a department head, the appointing authority or appointing official be changed to state City Manager and to reference a designee when appropriate, in all places where such references appear in Title VI of the City Charter?

AGAINST ( )

AMENDMENT NO. 8

Text of Amendment

Amending the Charter of the City of El Paso Section 6.4-1, Classification Plans; Section 6.5, Certification and Selection of Candidates; Section 6.5-1, Certification Process; Section 6.5-2, Rule of Five; Section 6.6-1, Regular Appointment; Section 6.6-2, Provisional Appointments; Section 6.6-3, Temporary Appointment; Section 6.6-5, Contractors; Section 6.7, Original Entrance Examinations; Section 6.7-2, Examination Standards; Section 6.7-3, Penalty for Deceit in Examination; and Section 6.8-1, Examination; and deleting Sections 6.5-3, 6.6-4, 6.7-1, 6.7-4, 6.7-5, 6.7-6, 6.7-7, 6.7-8, 6.7-9, 6.8-3, and 6.8-4 in their entirety, , and certain definitions in Section 6.14-1; to read as follows:

Section 6.4-1 CLASSIFICATION PLANS.

The Human Resources Director shall update as necessary the classification and compensation plans of the City for the classified services. The Director shall present such plans, and the

recommendation of the Civil Service Commission, to the City Council for acceptance and approval.

Section 6.5 CERTIFICATION AND SELECTION OF CANDIDATES

Section 6.5-1 CERTIFICATION PROCESS.

A. The Human Resources Director shall certify candidates eligible for hire or promotion based solely on their qualifications in accordance with established departmental policies and procedures or by Rule, which may allow a preference for the hiring and promotion of former employees separated without fault or delinquency, or for other just and reasonable cause in conformity with the Charter and consistent with the principles of the civil service system and established policies.

B. When needed, the Human Resources Director will compile lists of eligible candidates for job classifications and consolidate, revise and maintain them as necessary and appropriate, in accordance with established policies and procedures or by Rule.

C. When an employee is eligible for appointment to a position, but there is no vacancy in that position, the employee may be certified to an appropriate lower grade position. If a vacancy occurs in the higher graded position, while the employee is in good standing on the eligible list, the employee may be appointed to that position in accordance with the procedures established for the order of certification.

D. The Human Resources Director will permit persons on eligible lists to waive certification, reinstatement, or appointment two times, after which the person's name may be removed from such list in accordance with procedures established by Rule.

Section 6.5-2 RULE OF FIVE.

As necessary, the Human Resources Director shall certify the five highest names on the proper eligible list for one vacancy, and one additional name (the next highest) for each additional vacancy except as may be provided by appropriate policies and procedures or by Rule, in cases where a certification for incapacity or a reinstatement from layoff is being made, where there are fewer than five names on the proper eligible list, and in situations where eligible persons are serving in the department in which the vacancy exists.

Section 6.6-1 REGULAR APPOINTMENT

Upon receipt of a certification list from the Human Resources Director, the City Manager or designee will appoint any person or persons certified to be within the applicable number of highest names from the list to fill the applicable vacancies to which the list applies. Regular appointments may be either full-time or part-time.

Section 6.6-2 PROVISIONAL APPOINTMENTS.

In the absence of an appropriate certification list, a provisional appointment may be made by the City Manager or designee as provided by appropriate policies and procedures or by Rule. Any person so appointed must meet the minimum qualifications established for the position. A provisional appointment will be effective only until a regular appointment is made from a certification list. In no case shall a provisional appointment extend beyond twelve months from the date of the original appointment.

Section 6.6-3 TEMPORARY APPOINTMENT.
When services to be rendered are of a temporary character, a temporary appointment may be made by the City Manager or designee from one of the first three persons on a certification list who is willing to accept the appointment or as may be provided by appropriate policies and procedures or by Rule. The person appointed will retain all rights to certification for permanent appointment as though no temporary appointment had been made. The duration of a temporary appointment may not exceed one year.

Section 6.6-5 CONTRACTORS.
The City Manager shall have the authority to contract for professional services and personal services for reasons such as economy, efficiency, immediate or temporary need, when such contracts are in the best interest of the City and not contrary to the principles and practices of the civil service system incorporated in this Article. Such contracts shall be subject to the limitations and requirements for Council approval as set forth by ordinance.

Section 6.7 ORIGINAL ENTRANCE EXAMINATIONS

Section 6.7-2 EXAMINATION STANDARDS.
The Human Resources Director shall establish appropriate policies and procedures for the advertising of vacancies and the operation of the competitive process for selection including the administration of and standards for original entrance and related examinations such as oral examinations, practical tests, medical and physical examinations, and police investigations.

Section 6.7-3 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.

Section 6.8-1 EXAMINATION.
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.

Ballot Proposition

FOR ( ) Shall Sections 6.4-1, 6.5, 6.5-1, 6.5-2, 6.6-1, 6.6-2, 6.6-3, 6.6-5, 6.7, 6.7-2, 6.7-3, 6.8-1, and 6.14-1 of the City Charter be amended, and Sections 6.5-3, 6.6-4, 6.7-1, 6.7-4, 6.7-5, 6.7-6, 6.7-7, 6.7-8, 6.7-9, 6.8-3, and 6.8-4 of the City Charter be deleted in their entirety, relating to employment processes: to provide that the Human Resources Director is responsible to update the classification and compensation plans, certify eligible job candidates and lists, and create examination procedures and standards; to establish criteria for making appointments and removal from lists; to allow the City Manager to contract for services when in the best interests of the City and not contrary to civil service principles; to consolidate eligibility

criteria and require promotional rating factors be established by Rules; to delete the residency provision, the sections on rating factors, the section pertaining to temporary appointments made regular, and definitions in Section 6.14-1 for the terms certification list, classification, competitive examination, eligible list, position, new position, provisional employee, temporary employee and title; and shall Section 6.5 be renamed as Certification and Selection of Candidates, and Section 6.7 be renamed as Original Entrance Examinations; and to renumber the provisions under these sections as appropriate?

AGAINST ( )

AMENDMENT NO. 9

Text of Amendment

Amending the Charter of the City of El Paso Section 6.4-3, Compensation Reduction; Section 6.9-1, Probation Period; Section 6.9-2, Impact of Staff Reductions; Section 6.10-1, Conditions for Layoff; Section 6.10-2, Job Rights; Section 6.10-4, Leave of Absence; Section 6.10-7, Sick Leave; Section 6.10-8, Vacation; Section 6.10-9, Resignation; Section 6.10-10, Reinstatement Following Resignation; Section 6.11-1, When Transfer is Permissible; Section 6.11-4, Reduction for Physical Incapacity; Section 6.11-4, Reduction for Physical Incapacity; Section 6.12, Efficiency; Section 6.12-1, Standards of Efficiency; and deleting Sections 6.10-3, 6.10-5, 6.10-6, 6.10-11, 6.11-2 and 6.11-3 in their entirety, and certain definitions in Section 6.14-1; to read as follows:

Section 6.4-3 COMPENSATION REDUCTION.
The pay of any City employee or group of employees may not be reduced, except when such reduction is necessary to equalize the pay according to the provisions of the classification and compensation plans for reasons of economy, or as otherwise provided in this Charter. If a pay reduction is for reasons of economy or pay equalization, it must be uniform throughout the classified service on a proportionate basis.

Section 6.9-1 PROBATION PERIOD.
Probationary periods shall be established by Rule. Such Rule shall prescribe the procedures and consequences applicable to employees who fail to successfully complete probationary periods, and provide criteria for the extension of probationary periods.

Section 6.9-2 IMPACT OF STAFF REDUCTIONS.
The Human Resources Director is authorized and directed, subject to approval by the Council, to establish systems for reducing the impact on the Civil Service of staff reductions and layoffs caused by operating economies.

Section 6.10-1 CONDITIONS FOR LAYOFF.
Whenever it becomes necessary through lack of work or funds, or through the abolishment of a position or class, or for any other reason not involving delinquency on the part of the employee,

to reduce the number of employees in any class, the City Manager may order a layoff. The reduction will be made in accordance with the procedures set forth in the Rules.

Section 6.10-2 JOB RIGHTS.
Employees who are removed from their positions as the result of abolishment or a layoff (to include subsequent displacement action) will have the right to be appointed to any vacant position for which qualified, in accordance with the procedures established in the Rules.

Section 6.10-4 LEAVE OF ABSENCE.
Permanent employees may be granted a leave of absence by the City Manager or designee under conditions set forth in the Rules. Provisions regarding the reinstatement of an employee upon the expiration of a leave of absence and the separation from the service of an employee who fails to report at the expiration of a leave of absence will be set forth in the Rules.

Section 6.10-7 SICK LEAVE.
Classified employees are entitled to an annual sick leave, in accordance with the provisions set forth in the Rules. The City Manager may grant the same sick leave benefits to provisional appointees.

Section 6.10-8 VACATIONS.
Classified employees who have held a city position for a period of six months, and who have successfully completed their respective probationary periods, will be entitled to take accrued vacation with pay as specified in the Rules.

Section 6.10-9 RESIGNATION.
The resignation of a classified employee will be filed and accepted on behalf of the City in accordance with the provisions set forth in the Rules.

Section 6.10-10 REINSTATEMENT FOLLOWING RESIGNATION.
Any person who has held a classified position and has resigned from the service in good standing and without fault or delinquency may seek reinstatement in accordance with the provisions set forth in the Rules.

Section 6.11-1 WHEN TRANSFER IS PERMISSIBLE.
Transfers may be made from a position in one department to a similar position, of the same class and grade, in another department, in accordance with the procedures set forth in the Rules.

Section 6.11-4 REDUCTION FOR PHYSICAL INCAPACITY.
An employee may be reduced from a higher to a lower class when physically unable to perform the duties of the higher position, in accordance with the provisions set forth in the Rules.

Section 6.12-1 STANDARDS OF EFFICIENCY
The City Manager, or by designation the Human Resources Director, shall establish by written policy appropriate standards of efficiency for all positions in each class and grade in the classified positions.

Ballot Proposition

FOR ( ) Shall Sections 6.4-3, 6.9-1, 6.9-2, 6.10-1, 6.10-2, 6.10-4, 6.10-7, 6.10-8, 6.10-9, 6.10-10, 6.11-1, 6.11-4 and 6.12-1 of the City Charter be amended and Sections 6.10-3, 6.10-5, 6.10-6, 6.10-11, 6.11-2 and 6.11-3 be deleted in their entirety, relating to job rights, conditions and benefits provided to employees: to provide procedures and conditions for compensation and staff reduction, lay off, job abolishment, leave of absence, sick leave, vacations, resignation, reinstatement following resignation, probationary periods, transferring job positions, and reduction in job class for physical incapacity, be in accordance with established Rules; to provide that the City Manager or the Human Resources Director shall establish standards of efficiency to measure employee performance; to delete definitions in Section 6.14-1 for the terms layoff, resignation, reinstatement, advancement, and efficiency or service records; and the section number of 6.12-1 be deleted and Section 6.12 be renamed as Standards of Efficiency; and the provisions under Sections 6.10 and 6.11 be renumbered as appropriate?

AGAINST ( )

AMENDMENT NO. 10

Text of Amendment

Amending the Charter of the City of El Paso Section 6.13-1, Discharge During Probation; Section 6.13-2, Disciplinary Action; Reduction; Section 6.13-3, Causes of Suspension, Reduction or Discharge; Section 6.13-6, Action by Commission; Section 6.1-17, Hearing Officers; Section 6.13-7, Hearing Officer; and Section 6.13-8, Subsequent Action; and deleting Section 6.13-9 in its entirety; to read as follows:

Section 6.13-1 DISCHARGE DURING PROBATION.
A new employee may be discharged at any time during the probation period for any reasons but, for the record, a full statement of those reasons must be filed with the Human Resources Director within three days of the discharge.

Section 6.13-2 DISCIPLINARY ACTION; REDUCTION.
A permanent employee may be discharged, suspended or reduced in rank or position as provided in this Charter or further defined in the Rules.

Section 6.13-3 CAUSES OF SUSPENSION, REDUCTION OR DISCHARGE.
The following, which may be further defined in the Rules, may constitute causes for discharge, suspension or reduction in grade of permanent employees:
A. Conviction of a felony or of a misdemeanor involving moral turpitude;
B. Brutality to a City prisoner;
C. Being under the influence of intoxicants or drugs or the use thereof while on duty;
D. Being physically or mentally unfit for City service;

E. Being wantonly offensive in conduct or language;
F. Performance of duty consistently below established minimum standards.
G. Negligence in care or misuse of City property;
H. Unexcused absence from duty for a period of three or more successive days;
I. Exerting improper use of political influence;
J. Inducing or assisting another to commit an unlawful act;
K. Exerting improper influence on behalf of a relative;
L. Engaging in improper political activity;
M. Violates the City's Ethics Ordinance;
N. Refusal to follow the lawful order of a superior or supervisor;
O. Subjecting a fellow employee or subordinate to unlawful intimidation, harassment or retaliation; and
P. For just cause.

Section 6.13-6 ACTION BY COMMISSION.
A. If the Commission hears the appeal in a disciplinary case it will, by majority vote of its members present and voting, determine whether the evidence sustains the charges. If the Commission determines that the charges are sustained, in whole or in part, it will at once determine whether the good of the service requires that the appealed action be upheld or reduced. If the Commission determines that the charges are not sustained, the accused will be reinstated immediately and without prejudice, and will not be deprived of any salary for any period of suspension preceding the hearing.
B. In cases involving matters such as denial of promotion, the Commission shall review all facts in the cases and direct appropriate corrective steps, if necessary.
C. In conducting any hearing, the Commission must in all cases, afford full and free opportunity to all parties to present evidence relevant to the issue or issues involved. The burden of proving an alleged offense and of establishing just ground of discharge, suspension or reduction rests upon the City Manager or designee by whom the action was taken. A preponderance of the evidence is required to substantiate any charge.
D. Decisions of the Commission shall be final.

Section 6.1-17 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.

Section 6.13-7 HEARING OFFICER.
A. The Hearing Officer shall have the power to establish appropriate procedures for the conduct of the hearing, issue subpoenas to compel the attendance of witnesses, make appropriate findings during the course of a hearing, prepare written recommendations to the Commission, and such other powers and duties as set forth in the Rules.
B. The principles established in Section 6.13-6, will apply equally to hearing officers.

Section 6.13-8 SUBSEQUENT ACTION.
Upon receipt of the Hearing Officer's opinion and recommendations where applicable, the Commission will review the written record of the hearing, review any written briefs or oral arguments which the parties are permitted by the Commission to submit in accordance with the Rules, and take one of the following actions:
A. Accept or modify the Hearing Officer's recommendations; or
B. Remand the matter to the Hearing officer for development of such additional facts and findings as the Commission deems necessary. Consistent with the remand, the Hearing Officer must conduct an additional hearing and render a further opinion or recommendations for its further action pursuant to this provision.

Ballot Proposition

FOR ( ) Shall Sections 6.13-1, 6.13-2, 6.13-3, 6.13-6, 6.1-17, 6.13-7, and 6.13-8 of the City Charter be amended, and Section 6.13-9 be deleted in its entirety, relating to discharge, disciplinary action, and appeals: to state the processes for discharge during probation and for the discharge, suspension or reduction in rank or position of permanent employees; and to add four new grounds for discipline or reduction for the misuse of City property, assisting another to commit an unlawful act; refusal to follow a lawful order, and subjecting a fellow employee or subordinate to unlawful intimidation, harassment or retaliation; to provide the appeal process and manner by which the Civil Service Commission hears cases and considers the recommendations of a hearing officer; to provide that the Commission and the City Manager set compensation for hearing officers; to state that the decisions of the Commission shall be final; and to delete the provision relating to the perferral of charges by citizens directly to the Commission?

AGAINST ( )

AMENDMENT NO. 11
Text of Amendment

Amending the Charter of the City of El Paso Section 6.13-11, Subsection A, Pension Plans, to read as follows:

Section 6.13-11, Subsection A PENSION PLANS.
A. The Council shall continue a pension plan for all permanent full time employees. Permanent part-time and eligible contract employees may elect not to participate in the plan. Other employees of the City and employees of governmental agencies of the City, except policemen, firemen, and elected officials of the City, shall have the option of participating in the plan. Eligible employees of an adopting employer of the plan shall be participants of the plan.

Ballot proposition

FOR ( ) Shall Section 6.13-11 A of the City Charter be amended, to revise the language concerning the City's pension plan for non-uniform employees to be in conformance with Internal Revenue Service terminology; to include eligible contract employees, and eligible employees of an adopting employer as eligible participants in the plan; and to remove provisions no longer needed concerning employees working at the Library prior to 1968?

AGAINST ( )

AMENDMENT NO. 12

Text of Amendment

Amending the Charter of the City of El Paso Section 7.1, Fiscal Year; Section 7.3, Subsection B, Budget Procedures; Section 7.7, Depositories; Section 7.20, Disbursement of City Funds; and Section 7.22, Publishing of Financial Position of the City; to read as follows:

Section 7.1 FISCAL YEAR.

The fiscal year and the budget year of the City shall begin on September 1st and end on the succeeding August 31st, or as otherwise provided by state law or city ordinance adopted pursuant thereto.

Section 7.3, Subsection B BUDGET PROCEDURES.

B. Public Hearing. After its presentation to the Council, at least one public hearing on the budget shall be held prior to its adoption; and notice of that public hearing shall be published in accordance with state law. The proposed budget shall be made available for examination at the office of the City Clerk at least fifteen days prior to the public hearing.

Section 7.7 DEPOSITORIES.

All monies received by any person, in connection with the business of the City, shall be deposited promptly in a City depository and, whenever possible, within one business day after its receipt.

All City bank accounts shall be carried in the name of the City, with such additional designations as are required to distinguish accounts for special purposes.

The Council may, from time to time, authorize transfer from a depository for the purpose of purchasing direct interest-bearing obligations of the United States government, or may authorize withdrawal for investment otherwise in any other manner permitted by the laws of Texas, provided the purchase or investment shall not deny the City the use of such funds when required.

Section 7.20 DISBURSEMENT OF CITY FUNDS.

All disbursement of City funds shall be by check, electronic means, or as authorized by City ordinance.

Section 7.22 PUBLISHING OF FINANCIAL POSITION OF THE CITY.
Within 120 days after the close of each fiscal year, the City shall publish in any contemporary means of information sharing including but not limited to publication in a newspaper of general circulation in the City or placement on the City's web site in the manner designated by the Council, a financial statement of the City prepared with generally accepted accounting principles for municipalities. This will be limited to balance sheets, statement of revenue and expenditures and changes in fund equities.

Ballot Proposition

FOR ( ) Shall Sections 7.1, 7.3 B, 7.7, 7.20, and 7.22 of the City Charter be amended, relating to the fiscal management and operations of the City; to set the fiscal year to begin on September 1st and end on the succeeding August 31st or as otherwise provided by law; to provide that publication of the notice of the public hearing on the budget be done in accordance with state law and to permit the publication of the annual financial position of the City be done as established by ordinance; to eliminate the requirement that a depository bank be designated every two years; and to allow the disbursement of City funds by check, electronic means or as authorized by City ordinance?

AGAINST ( )

AMENDMENT NO. 13

Text of Amendment

Amending the Charter of the City of El Paso Sections 3.5 D, City Council Procedures and Rules, and 7.16, Authorization to Issue Bonds, to read as follows:

Section 3.5, Subsection D CITY COUNCIL PROCEDURES AND RULES.
D. Voting. Voting, except on procedural motions, shall be by roll call and the vote shall be recorded in the minutes. No action of the Council, except as otherwise provided in this Charter, shall be valid or binding unless adopted by the affirmative vote of a majority of the members present and voting. Ordinances that impose taxes, grant franchises or leases, or authorize conveyances shall not be valid unless adopted by a majority of the entire Council.

Section 7.16 AUTHORIZATION TO ISSUE BONDS.
All bonds issued by the City shall be authorized by ordinance. Where required by law, the bonds shall be approved by the Texas Attorney General and registered by the Texas Comptroller of Public Accounts before delivery to the purchaser.

Ballot proposition:

FOR ( ) Shall Sections 3.5 D and 7.16 of the City Charter be amended to provide that the vote by the City Council to issue bonds requires the approval of a majority of the Council present and voting, rather than a majority of nine?

AGAINST ( )

AMENDMENT NO. 14

Text of Amendment

Amending the Charter of the City of El Paso, the title of Section 6.15, Existing Laws and Constitutionality; and the section number of 6.15-2 Existing Laws and Constitutionality; and deleting Sections 2.1 G, 6.1-12, 6.1-14, 6.12-2, 6.13A, 6.13C, 6.13D, and 6.15-1 in their entirety:

Section 6.15 EXISTING LAWS AND CONSTITUTIONALITY

Ballot Proposition

FOR ( ) Shall Sections 2.1 G, 6.1-12, 6.1-14, 6.12-2, 6.13A, 6.13C, 6.13D, and 6.15-1 of the City Charter be deleted in their entirety, relating to provisions no longer needed: to delete provisions: relating to the implementation of the Charter in 1984; pertaining to the transfers of employees into the civil service system; and language referencing compliance with existing state law; and shall Section 6.15 be renamed as Existing Laws and Constitutionality and Section 6.15-2 revised to remove the section number?

AGAINST ( )

4. 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.

5. That Richarda Duffy Momsen, the City Clerk of the City of El Paso, shall be the clerk for early voting, and Helen Jamison, County Elections Administrator, shall be the deputy clerk for early voting for said City election. The County Courthouse, 500 E. San Antonio, is hereby designated as

the main early voting station for such election. In addition, the following branch offices, and/or any additional locations that might be added by the Elections Department, and hours for early voting by personal appearance shall be authorized for such election:

Early voting shall be held weekdays from Monday April 30, 2007, thru Tuesday May 8, 2007, and on Saturday May 5, 2007 and Sunday May 6, 2007 only at the branches identified below as: c, d, e, f, g, i, j, k, m, o and p. There is NO voting on Saturday April 28, 2007 and Sunday April 29, 2007. The hours for early voting at each early voting location are as noted below.

Location:	Hours of voting:
a) Ann Garcia-Enriquez Middle School (San Elizario) 12280 Socorro Rd.	weekdays only - 8:00 am – 5:00 pm
b) Anthony City Hall 401 Wildcat Dr.	weekdays only - 8:30 am - 4:30 pm
c) Bassett Place 6101 Gateway West	weekdays -- 9:00 am - 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 -- 7:00 am - 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am - 6:00 pm
d) Carolina Recreation Center 563 N. Carolina	weekdays -- 9:00 am - 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am - 6:00 pm
e) Courthouse 500 E. San Antonio Ave	weekdays -- 8:00 am - 5:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am - 6:00 pm
f) Dieter Plaza Shopping Strip 1605 George Dieter	weekdays 9:00 am - 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am - 6:00 pm

g) Miner Village, #C 2900 N. Mesa	weekdays -- 9:00 am – 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am - 6:00 pm
h) Oz Glaze Senior Center 13969 Veny Webb St.	weekdays only - 8:00 am - 5:00 pm
i) Promenade Shopping Strip 7500 N. Mesa	weekdays -- 9:00 am - 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am –6:00 pm
j) Rev. Pete Martinez, Senior Center 9301 Alameda	weekdays -- 9:00 am - 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am –6:00 pm
k) Rushfair Shopping Center 5255 Woodrow Bean Transmountain Dr.	weekdays -- 9:00 am - 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am –6:00 pm
l) Socorro City Hall 860 Rio Vista Rd.	weekdays only - 8:00 am - 5:00 pm
m) Sunrise Shopping Center 8500 Dyer	weekdays -- 9:00 am - 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am –6:00 pm
n) Vinton Fire Station 510 E. Vinton Rd.	weekdays only -- 3:00 pm – 6:00 pm
o) Vista Hills Shopping Center, # 704 1840 Lee Trevino	weekdays -- 9:00 am - 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am –6:00 pm

p) Zaragoza area	weekdays -- 9:00 am - 6:00 pm, with expanded hours Monday, May 7, 2007 and Tuesday, May 8, 2007 – 7:00 am – 7:00 pm Saturday, May 5, 2007 – 9:00 am - 6:00 pm Sunday, May 6, 2007 – 9:00 am –6:00 pm

In addition, mobile voting stations shall also be authorized and used for early voting, as set forth in Exhibit B, which includes the respective hours for early voting by personal appearance at these stations.

6. Applications to apply for a ballot by mail shall be submitted to the Early Voting Clerk no earlier than March 13, 2007 and no later than the close of business on May 4, 2007 at the following address:

Ms. Helen Jamison
Deputy Early Voting Clerk
500 E. San Antonio, Room 402
El Paso, TX 79901

7. That a runoff election shall be held, if required, on Saturday, June 9, 2007 or Saturday, June 16, 2007, or other date permitted by the Texas Election Code. Such election, if any, shall be called by the City Council. Early voting dates and sites will be identified if such runoff election shall be held.

8. That the terms of office for all officers elected at the General Election, or any runoff election, shall commence on June 26, 2007 or such other date as the City Council may lawfully establish.

9. That electronic voting machines shall be used for voting at the regular polling places in such election, and for the casting of early ballots by persons voting early by personal appearance and by mail.

CITY CLERK DEPT.
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10. That such election shall be held in the manner and form prescribed by the laws of the State of Texas, and at such election all qualified voters of the City are authorized to vote.

11. That by approving and signing this resolution, the Mayor officially confirms as his action all matters recited herein which by law come within his jurisdiction.

12. That a substantial copy of this resolution shall serve as proper notice of said election.

13. That the City Clerk shall give notice of such election by posting a notice of such election in English and Spanish at the Office of the City Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in the official newspaper of the City as required by law.

APPROVED this 20th day of February 2007.

CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Elaine S. Hengen
Senior Assistant City Attorney

CITY CLERK DEPT.
07 FEB 20 PM 3:36

EXHIBIT A

ELECTION PRECINCTS AND POLLING PLACES

General election and submission of Charter Amendments, May 12, 2007

PCT #	POLLING PLACE	ADDRESS
5	Fire Station #2	111 E. Borderland Rd.
6	Tennis West	1 Tennis West Ln.
7	Lincoln Middle School	500 Mulberry Ave.
8	Fire Station #15	115 Shorty Ln.
9	Zach White Elementary School	4256 Roxbury Dr.
10	Roberts Elementary School	341 Thorn Ave.
11	Olga Kohlberg Elementary School	1445 Nardo Goodman Dr.
12	Dr. M. D. Hornedo Middle School	825 Redd Rd.
13	Fire Station #27	6767 Ojo De Agua Dr.
14	Rosa Guerrero Elementary School	7530 Lakehurst Rd.
15	Franklin High School	900 N. Resler Dr.
16	Monte Vista Retirement Center	1575 Belvidere St.
17	White Acres Good Samaritan Village	7304 Good Samaritan Ct.
18	Polk Elementary School	940 Belvidere St.
19	Peace Lutheran Church	5890 Via Cuesta Dr.
20	Fire Station #22	6500 N. Mesa St.
21	Carlos Rivera Elementary School	6445 Escondido Dr.
22	Western Hills U. M. Church	524 Thunderbird Dr.
23	Dr. Green Elementary School	5430 Buckley Dr.
24	Putnam Elementary School	6508 Fiesta Dr.
25	Putnam Elementary School	6508 Fiesta Dr.
26	Zach White Elementary School	4256 Roxbury Dr.
27	Polly Harris Senior Citizen Center	650 Wallenberg Dr.
28	Polly Harris Senior Citizen Center	650 Wallenberg Dr.
29	L. B. J. (Johnson) Elementary School	499 Cabaret Dr.
30	Miner Village #B	2900 N. Mesa
31	Miner Village #B	2900 N. Mesa
32	Miner Village #B	2900 N. Mesa
33	El Paso Tennis Club	2510 N. St. Vrain St.
34	Vilas Elementary School	220 Lawton Dr.
35	Father Pinto Complex	1001 S. Ochoa St.
36	Fire Station #3	721 E. Rio Grande Ave.
37	Sun Plaza Housing	1221 E. San Antonio Ave.
38	Lamar Elementary School	1440 E. Cliff Dr.
39	Career & Technology Center	1170 Walnut St.
40	Beall Elementary School	320 S. Piedras St.
41	Dr. Nixon Elementary School	11141 Loma Roja Dr.
42	Bradley Elementary School	5330 Sweetwater Dr.
43	Bradley Elementary School	5330 Sweetwater Dr.

44	H. E Charles Middle School	4909 Trojan Dr.
45	Fannin Elementary School	5425 Salem Dr.
46	Desertaire Elementary School	6301 Tiger Eye Dr.
47	Desertaire Elementary School	6301 Tiger Eye Dr.
48	El Paso Korean U.M.C.	4925 Fairbanks Dr.
49	Collins Elementary School	4860 Tropicana Ave.
50	Newman Elementary School	10275 Alcan St.
51	Parkland High School	5932 Quail Ave.
52	Whitaker Elementary School	4700 Rutherford Dr.
53	Dowell Elementary School	5249 Bastille Ave.
54	Fire Station #23	5315 Threadgill Ave.
55	Dolphin Terrace Elementary School	9790 Pickerel Dr.
56	Crosby Elementary School	5411 Wren Ln.
57	Fire Station #16	3828 Hercules Ave.
58	Park Elementary School	3601 Edgar Park R.
59	Nolan Richardson Recreation Center	4435 Maxwell
60	Magoffin Middle School	4931 Hercules Ave.
61	Stanton Elementary School	5414 Hondo Pass Dr.
62	Logan Elementary School	3200 Ellerthorpe Ave.
63	Burnet Elementary School	3700 Thomason Ave.
64	Travis Elementary School	5000 N. Stevens St.
65	Kathy White Housing Complex	2500 Mobile Ave.
66	Sacramento Senior Citizen Center	3134 Jefferson Ave.
67	Fire Station # 12	3801 Fort Blvd.
68	EMS Station #5	2201 N. Piedras St.
69	Memorial Park Senior Citizen Center	1800 Byron St.
70	Austin High School	3500 Memphis Ave.
71	Coldwell Intermediate School	4101 Altura Ave.
72	Fire Station #7	3200 Pershing Dr.
73	Vista New Life Church	4700 Leeds St.
74	Fire Station #13	5415 Trowbridge Dr.
75	Fire Station #13	5415 Trowbridge Dr.
76	Chelsea Plaza Housing	600 Chelsea St.
77	Fire Station #5	4240 Alameda Ave.
78	Burleson Elementary School	4400 Blanco Ave.
79	San Juan Recreation Center	701 N. Glenwood Dr.
80	Hawkins Elementary School	5816 Stephenson Ave.
81	Henderson Middle School	5505 Robert Alva Ave.
82	Clardy Elementary School	5508 Delta St.
83	Fire Station #14	6300 Delta St.
85	Bonham Elementary School	7024 Cielo Vista Dr.
87	Bonham Elementary School	7024 Cielo Vista Dr.
88	Fire Station #20	8301 Edgemere Blvd.
89	Mac Arthur Elementary School	8101 Whitus Dr.
90	Cielo Vista Park Elementary School	9000 Basil Ct.
91	Scotsdale Elementary School	2901 McRae Blvd.

92	Edgemere Elementary School	10300 Edgemere Blvd.
93	Eastwood Recreation Center	3001 Parkwood Dr.
94	Eastpoint Elementary School	2400 Zanzibar St.
95	Fire Station #19	2405 McRae Blvd.
96	Eastwood Heights Elementary School	10530 Janway Dr.
97	Pebble Hills Elementary School	11145 Edgemere Blvd.
98	Pebble Hills Elementary School	11145 Edgemere Blvd.
99	Fire Station #25	10834 Ivanhoe Dr.
100	YWCA – East	10712 Sam Snead Dr.
101	Vista Hills Elementary School	10801 La Subida Dr.
102	Fire Station #24	1498 Lomaland Dr.
103	Indian Ridge Middle School	11201 Pebble Hills Blvd.
104	Glen Cove Elementary School	10955 Sam Snead Dr.
105	Hanks High School	2001 Lee Trevino Dr.
106	Tierra Del Sol Elementary School	1832 Tommy Aaron Dr.
107	Desert View Middle School	1641 Billie Marie Dr.
108	Vista Ysleta United Methodist Church	11860 Rojas Dr.
109	Jane Hambric Elementary School	3535 Nolan Richardson Dr.
110	Word of Life Church	11675 Pratt Dr.
111	Lujan Chavez Elementary School	2200 Sun Country Dr.
112	Benito Martinez Elementary School	2640 Robert Wynn Dr.
113	Benito Martinez Elementary School	2640 Robert Wynn Dr.
114	Helen Ball Elementary School	1950 Firehouse Dr.
115	O'Shea Keleher Elementary School	1800 Leroy Bonse Dr.
116	Montwood High School	12000 Montwood Dr.
117	Vista Del Sol Elementary School	11851 Vista Del Sol Dr.
118	Myrtle Cooper Elementary School	1515 Rebecca Ann Dr.
119	Sierra Vista Elementary School	1501 Bob Hope Dr.
120	Americas High School	12101 Pellicano Dr.
121	Ramona Elementary School	351 Nichols Rd.
122	Del Norte Heights Elementary School	1800 Winslow Rd.
123	Ramona Elementary School	351 Nichols Rd.
124	Ascarate Elementary School	7090 Alameda Ave.
125	Cedar Grove Elementary School	218 Barker Rd.
126	Ranchland Hills Middle School	7615 Yuma Dr.
127	Hacienda Heights Elementary School	7530 Acapulco Ave.
128	Mesa Vista Elementary School	8032 Alamo Ave.
129	Good Samaritan Towers	7750 Lilac Way
130	Fire Station #18	7901 San Jose Rd.
131	Riverside High School	301 Midway Dr.
132	Thomas Manor Elementary School	7900 Jersey St.
133	Loma Terrace Elementary School	8200 Ryland Ct.
134	Loma Terrace Elementary School	8200 Ryland Ct.
135	Marian Manor Elementary School	8300 Forest Haven Ct.
136	Cadwallader Elementary School	7988 Alameda
137	Alicia R. Chacon School	221 Prado Rd.

138	Valley View Middle School	8660 North loop Dr.
139	Robert F. Kennedy Pre-K Center	9009 Alameda Ave.
140	Capistrano Elementary School	240 Mecca Dr.
141	LaBarron Park Elementary School	920 Burgundy Dr.
142	Del Valle High School	950 Bordeaux Dr.
143	Lancaster Elementary School	9230 Elgin Dr.
144	Pavo Real Rec. Center	9301 Alameda Ave.
145	South Loop Elementary School	520 Southside Rd.
162	Scottsdale Elementary School	2901 McRae Blvd.
164	Bonham Elementary School	7024 Cielo Vista Dr.
165	Lujan Chavez Elementary School	2200 Sun Country