

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

DEPARTMENT: Municipal Clerk

AGENDA DATE: June 22, 2010

CONTACT PERSON NAME AND PHONE NUMBER: Richarda Duffy Momsen 541-4127

DISTRICT(S) AFFECTED:

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 amendment to the ordinance governing pension elections to eliminate the need to conduct an election when the candidates are unopposed, the only people to file for the position(s) up for election.

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?

This amendment will save money in the City Clerk's Office and staff time across all departments tied to the conduction of a pension election that is unnecessary when the number of candidates who filed an application for a place on the ballot equal the number of positions up for election. In other words, the candidates are the only ones who filed and they are unopposed. We faced this situation for the first time with the most recent pension election in Spring 2009 and realized an amendment to the ordinance that addresses this situation would be fiscally prudent and sensible.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Council passed the ordinance that is being amended. It was codified as Title 2, Chapter 2.64, Section 2.64.030 (A).

AMOUNT AND SOURCE OF FUNDING:

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

This item will result in no costs. On the contrary, the amendment will save money spent printing ballots and staffing resources devoted to the conduction of an election when the candidates are unopposed.

CITY CLERK DEPT.
18 JUN 14 PM 5:04

BOARD / COMMISSION ACTION:

While the City's Non-Uniformed Pension Board does not need to act on this change, out of courtesy the Board was informed at their meeting the week of June 14.

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

10 JUN 15 PM 3:16

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.64 (CITY EMPLOYEES' PENSION FUND), OF THE CITY CODE, TO AMEND THE PROVISIONS IN SECTION 2.64.030 A, RELATING TO THE HOLDING OF ELECTIONS WHEN CANDIDATES ARE UNOPPOSED.

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

Section 1. That Section 2.64.030, subsection A, (Board of trustees-Membership) of the El Paso City Code shall be amended to read as follows:

2.64.030, Subsection A, Board of trustees—Membership.

A. The two district representatives serving on such board shall be designated by city council. The mayor shall appoint the two citizens who are not officers or employees and the retiree member. The four employees serving on such board shall be elected by a vote of the employees qualified to participate in such fund. Such election shall be held during three working days falling within the last full week of April during times as determined and set by the city clerk. The city manager shall give notice of the time and place of the election by posting notices on the bulletin boards in City Hall and in all city departments not later than the first day of April immediately preceding the election. Candidates for election to the board shall in person file an application with the city clerk not later than April 10th requesting that their names be placed on the ballot. The city clerk shall on the next following business day, certify the names of all of the qualified candidates. A list of the qualified candidates shall be posted by the city clerk on the bulletin boards in City Hall and in all city departments not later than April 20th. Voting shall be by written ballot and ballot boxes shall be placed at not less than two locations convenient to all members as may be determined by the city clerk. Eligible voters shall be given time off to vote during their regular duty hours. All elections shall be determined by a plurality vote. The candidate or candidates receiving the most votes shall fill existing vacancies, with full terms being filled first. The city clerk shall be in charge of conducting such elections. The city clerk is responsible for furnishing, locating and controlling all ballot boxes and no voting box may be moved without the prior written consent of the city clerk. The city clerk shall print all ballots, assign personnel necessary for the supervision of the voting, prepare eligible voting lists, count the votes and certify successful candidates. If the number of qualified candidates certified by the city clerk does not exceed the number of vacant positions for which the election would be held, such candidates are deemed to be unopposed, and the city clerk shall as soon as practicable following his certification, declare the unopposed candidates elected, and as necessary assign the terms through the drawing of lots.

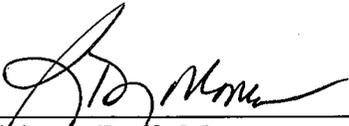
Section 2. Except as herein amended, Title 2 of the El Paso City Code shall remain in full force and effect.

ADOPTED this 29th day of June, 2010.

CITY OF EL PASO

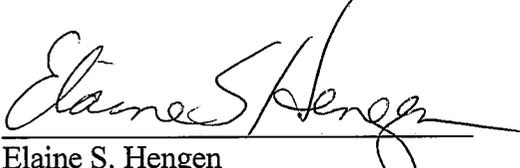
ATTEST:

John F. Cook, Mayor



Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Elaine S. Hengen
Senior Assistant City Attorney

CITY CLERK DEPT.
10 JUN 15 PM 3:16