

JOHN F. COOK
MAYOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL ROBINSON, DISTRICT 4
MICHEL NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY NILAND, DISTRICT 8

JOYCE WILSON
CITY MANAGER

SPECIAL MEETING OF THE CITY COUNCIL MINUTES
COUNCIL CHAMBERS
November 19, 2012

The City Council met at the above place and date. Meeting was called to order at 9:32 a.m. Mayor John Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, and Carl Robinson. Late arrival: Michiel Noe at 9:35 a.m. Not Present: Emma Acosta. Absent: Susannah M. Byrd, Eddie Holguin, Jr., Steve Ortega, and Cortney Niland requested to be excused.

1.

RESOLUTION

RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL VENUE PROJECT ELECTION HELD NOVEMBER 6, 2012

WHEREAS, an election was held in the City of El Paso, Texas on the 6th day of November, 2012, for the purpose of submitting a certain proposition with respect to sports and community venue project to the resident electors of the City; and

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and said election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the returns of said election have been duly and legally made and submitted to the City Council for canvassing, and a tabulation of the returns for each polling place and for early voting, as canvassed and tabulated by this governing body and shown in Exhibit A attached hereto, reflect that the total sum of votes counted "FOR" and "AGAINST" the proposition submitted are as follows:

VENUE PROJECT AND HOTEL OCCUPANCY TAX PROPOSITION

"AUTHORIZING THE CITY OF EL PASO, TEXAS, to PROVIDE FOR THE PLANNING, ACQUISITION, ESTABLISHMENT, DEVELOPMENT, CONSTRUCTION AND FINANCING OF A BASEBALL STADIUM PROJECT WITHIN THE CITY and to impose a tax ON THE OCCUPANCY OF A ROOM IN A HOTEL LOCATED WITHIN THE CITY, AT THE MAXIMUM rate of two percent (2%) OF THE PRICE PAID FOR SUCH ROOM, IN CONNECTION WITH SUCH PROJECT."

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|-----------|---------------|-------|
| "FOR" | <u>86,867</u> | votes |
| "AGAINST" | <u>56,808</u> | votes |

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

SECTION 1: All of the recitals contained in the preamble of this resolution are found to be true and are adopted as findings of fact by this governing body and as part of its judgment.

SECTION 2: It is further found determined that the results of the election are as canvassed and tabulated in the preamble hereof and in **Exhibit A** attached hereto, and, a majority of the resident qualified electors voting at said election having voted in favor of the proposition, the City Council is hereby declared to be authorized and empowered to issue the bonds on behalf of the City in the amount and for the purposes stated in said proposition; all as more fully set forth and identified above and in the proceedings calling said election.

SECTION 3: The City Clerk is hereby authorized and directed to make the appropriate entries of information appearing in the tabulation of precinct results shown in **Exhibit A** attached hereto in the election register maintained by the City in accordance with provisions of Section 67.006 of the Election Code.

EXHIBIT A
TABULATION OF VOTES
RE: SPECIAL VENUE PROJECT ELECTION
HELD NOVEMBER 6, 2012

VENUE PROJECT AND HOTEL OCCUPANCY TAX PROPOSITION

“AUTHORIZING THE CITY OF EL PASO, TEXAS, TO PROVIDE FOR THE PLANNING, ACQUISITION, ESTABLISHMENT, DEVELOPMENT, CONSTRUCTION AND FINANCING OF A BASEBALL STADIUM PROJECT WITHIN THE CITY AND TO IMPOSE A TAX ON THE OCCUPANCY OF A ROOM IN A HOTEL LOCATED WITHIN THE CITY, AT THE MAXIMUM RATE OF TWO PERCENT (2%) OF THE PRICE PAID FOR SUCH ROOM, IN CONNECTION WITH SUCH PROJECT.”

Mayor Cook and Representative Robinson commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Noe, unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, and Robinson
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Acosta
ABSENT: Representatives Byrd, Holguin, Ortega, and Niland

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2.

R E S O L U T I O N

RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE BOND ELECTION HELD NOVEMBER 6, 2012

WHEREAS, an election was held in the City of El Paso, Texas on the 6th day of November, 2012, for the purpose of submitting certain propositions for the issuance of bonds to the resident electors of the City; and

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and said election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the returns of said election have been duly and legally made and submitted to the City Council for canvassing, and a tabulation of the returns for each polling place and for early voting, as

canvassed and tabulated by this governing body and shown in Exhibits A-1 and A-2 attached hereto, reflect that the total sum of votes counted "FOR" and "AGAINST" the propositions submitted are as follows:

PARK, RECREATION, OPEN SPACE AND ZOO IMPROVEMENTS PROPOSITION

"THE ISSUANCE OF \$245,000,000 GENERAL OBLIGATION BONDS FOR PARK, RECREATION, OPEN SPACE AND ZOO IMPROVEMENTS, INCLUDING SOCCER/SPORTS FIELDS, AQUATIC CENTERS, AND NEW AND IMPROVED RECREATION, SENIOR AND COMMUNITY CENTERS"

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| "FOR" | <u>110,009</u> | votes |
| "AGAINST" | <u>36,235</u> | votes |

MUSEUM, CULTURAL, MULTI-PURPOSE PERFORMING ARTS AND ENTERTAINMENT AND LIBRARY FACILITIES PROPOSITION

"THE ISSUANCE OF \$228,250,000 GENERAL OBLIGATION BONDS FOR MUSEUM, CULTURAL, MULTI-PURPOSE PERFORMING ARTS AND ENTERTAINMENT AND LIBRARY FACILITIES IMPROVEMENTS, INCLUDING NEW CHILDREN'S MUSEUM, CULTURAL HERITAGE CENTER, AND INTERACTIVE DIGITAL WALL"

| | | |
|-----------|----------------|-------|
| "FOR" | <u>102,358</u> | votes |
| "AGAINST" | <u>40,466</u> | votes |

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

SECTION 1: All of the recitals contained in the preamble of this resolution are found to be true and are adopted as findings of fact by this governing body and as part of its judgment.

SECTION 2: It is further found determined that the results of the election are as canvassed and tabulated in the preamble hereof and in **Exhibits A-1 and A-2** attached hereto, and, a majority of the resident qualified electors voting at said election having voted in favor of the propositions numbered 1 and 2, the City Council is hereby declared to be authorized and empowered to issue the bonds on behalf of the City in the amount and for the purposes stated in said propositions numbered 1 and 2; all as more fully set forth and identified above and in the proceedings calling said bond election.

SECTION 3: The City Clerk is hereby authorized and directed to make the appropriate entries of information appearing in the tabulation of precinct results shown in **Exhibits A-1 and A-2** attached hereto in the election register maintained by the City in accordance with provisions of Section 67.006 of the Election Code.

**EXHIBIT A-1
TABULATION OF VOTES
RE: SPECIAL BOND ELECTION
HELD NOVEMBER 6, 2012**

PARK, RECREATION, OPEN SPACE AND ZOO IMPROVEMENTS PROPOSITION

"THE ISSUANCE OF \$245,000,000 GENERAL OBLIGATION BONDS FOR PARK, RECREATION, OPEN SPACE AND ZOO IMPROVEMENTS, INCLUDING SOCCER/SPORTS FIELDS, AQUATIC CENTERS, AND NEW AND IMPROVED RECREATION, SENIOR AND COMMUNITY CENTERS"

EXHIBIT A-2
TABULATION OF VOTES
RE: SPECIAL BOND ELECTION
HELD NOVEMBER 6, 2012

MUSEUM, CULTURAL, MULTI-PURPOSE PERFORMING ARTS AND ENTERTAINMENT AND LIBRARY FACILITIES PROPOSITION

“THE ISSUANCE OF \$228,250,000 GENERAL OBLIGATION BONDS FOR MUSEUM, CULTURAL, MULTI-PURPOSE PERFORMING ARTS AND ENTERTAINMENT AND LIBRARY FACILITIES IMPROVEMENTS, INCLUDING NEW CHILDREN’S MUSEUM, CULTURAL HERITAGE CENTER, AND INTERACTIVE DIGITAL WALL”

Representative Robinson commented.

Ms. Joyce Wilson, City Manager, commented.

Motion made by Representative Noe, seconded by Mayor Pro Tempore Lilly, unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, and Robinson

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Acosta

ABSENT: Representatives Byrd, Holguin, Ortega, and Niland

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Mayor Cook **ADJOURNED** the meeting at 9:42 a.m. after loss of quorum.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk