

CORRECTED

AS

11/14/2022

Item No. 1

RESOLUTION 2022-11-14-0046R

**OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, ISSUING
A VOTE OF NO CONFIDENCE IN AND ACKNOWLEDGING THE
TEMPORARY ABSENCE OF COUNCILMEMBER CLAYTON PERRY; AND
INITIATING THE PROCESS TO FILL THE VACANCY UNTIL HIS RETURN**

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WHEREAS, the elected officials of the City of San Antonio are committed to serving their constituents in their district and city-wide consistent with the City of San Antonio's core values of Teamwork, Integrity, Innovation, and Professionalism; and

WHEREAS, City Council members hold themselves to a higher standard of ethical and professional conduct; and

WHEREAS, on November 10, 2022, the San Antonio Police Department obtained an arrest warrant for Councilmember Clayton Perry for one count of Failure to Stop and Provide Information (\$200 or more), a Class B misdemeanor, and an additional count of Driving While Intoxicated stemming from a vehicle accident that occurred on the night of Sunday, November 6, 2022; and

WHEREAS, SAPD body worn camera video from the evening of November 6, 2022, and made public on November 10, 2022, shows Councilman Perry acting in a manner that as the very least suggests he was severely intoxicated but lucid enough to evade the officer's questions concerning his driving his vehicle and his whereabouts that evening; and

WHEREAS, Councilman Perry has publicly expressed that he has no intention of resigning his position as a Councilman for District 10; and

WHEREAS, under Section 7 of the City Charter a council member can be removed by the Council only upon conviction of crime involving moral turpitude; and

WHEREAS, Councilmember Perry's actions and pending criminal case have negatively impacted his and the City Council's ability to conduct its business leading to the City Council to lose confidence in his ability to act as an effective representative for his district and colleague on City Council; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS:

SECTION 1. The recitals above are incorporated into this Resolution.

SECTION 2 For the reasons stated in the Preamble above, the City Council issues its vote of no confidence in the capability of Councilman Clayton Perry to represent City Council District 10 and the community at large honorably and effectively.

SECTION 3: The City Council acknowledges the temporary absence of Councilmember Clayton Perry from the City Council of the City of San Antonio and initiates the process to fill the vacancy as provided by Section 2-36 of the City Code and to provide for a closing date of November 28, 2022, for applications.

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SECTION 4: This Resolution is effective immediately upon the receipt of eight (8) affirmative votes, otherwise it is effective 10 days after passage.

PASSED AND APPROVED this 14th day of November 2022.



M A Y O R
Ron Nirenberg

ATTEST:



Debbie Racca-Sitre, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting November 14, 2022

1. Resolution of the City Council of the City of San Antonio, Texas, issuing a vote of no confidence, calling for City Councilmember Clayton Perry to resign; and accepting his resignation and authorizing actions necessary to start the appointment process for an interim Councilmember if he voluntarily resigns.

Councilmember McKee-Rodriguez moved to Approve. Councilmember Viagran seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage
Abstain: Bravo, Perry

Councilmember Pelaez moved to Amendment 1. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Bravo, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval,
Pelaez, Courage
No: Nirenberg
Abstain: McKee-Rodriguez, Perry

Councilmember Rocha Garcia moved to Amendment 1. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo,
Cabello Havrda, Sandoval, Pelaez, Courage
Abstain: Perry