

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

DEPARTMENT: Municipal Clerk

CITY CLERK DEPT.

AGENDA DATE: March 6, 2007

07 MAR -1 PM 2:17

CONTACT PERSON/PHONE: Richarda Momsen, (915) 541-4127

DISTRICT(S) AFFECTED: All

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 a Resolution that the Mayor be authorized to sign an Interlocal Governmental Agreement between the City of El Paso and the El Paso, Socorro, and Ysleta Independent School Districts to allow for a joint election on May 12, 2007, for the purpose of sharing the costs.

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 allow for the necessary interlocal agreements for a joint election that prorates the cost of the election among the City and the participating school districts.

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.

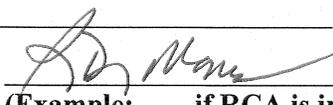
Department	11010009	Municipal Clerk
Account.	502203	Elections
Fund	01101	General Fund

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*****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:** _____

CITY CLERK DEPT.

RESOLUTION

07 MAR -1 AM 10: 04

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

That the Mayor be authorized to sign an Interlocal Governmental Agreement between the City of El Paso and El Paso Independent School District to allow for a joint election on May 12, 2007 for the purpose of sharing the costs.

APPROVED this 6th day of March, 2007.

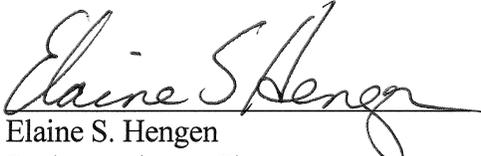
CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:


Elaine S. Hengen
Senior Assistant City Attorney

CITY CLERK DEPT.

STATE OF TEXAS §
 §
COUNTY OF EL PASO §

Interlocal Governmental Agreement for Joint Election

07 MAR - 11 AM 10:04

This Agreement is entered into by and between the City of El Paso ("City"), a municipal corporation situated in El Paso County, Texas, and El Paso Independent School District ("EPISD"), a Texas Independent School District situated in El Paso County, Texas, pursuant to the Interlocal Cooperation Act, Art. 791.001 et seq., Texas Government Code.

W I T N E S S E T H

WHEREAS, the City and EPISD, desire to hold a joint election on May 12, 2007, for the purpose of sharing the costs of election;

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. ARTICLE I - PURPOSE. The purpose of this Agreement is to allow the City of El Paso and EPISD to hold a joint election on May 12, 2007, pursuant to Chapter 271 of the Texas Election Code, and to share those common polling places that serve the voters of both jurisdictions.
2. ARTICLE II - TERM. The term of this Agreement is to commence on April 20, 2007 and to end May 20, 2007.
3. ARTICLE III - LOCATION OF COMMON POLLING PLACES. The voters of particular election precincts may be served in this joint election by a common polling place located outside the boundary of the election precinct, inasmuch as the parties hereto have determined that the locations of such polling places, as recommended by the County Elections Administrator, will adequately and conveniently serve the affected voters, and will facilitate the orderly conduct of the election, pursuant to Section 271.003 of the Texas Election Code.
4. ARTICLE IV - ALLOCATION OF EXPENSES. The City of El Paso and the El Paso Independent School District agree to provide to the County Election Department their respective

costs as determined by the Elections Department pursuant to their respective agreements with the Election Department for the May 12 election, pursuant to Section 271.004 of the Texas Election Code. Because the EPISD will not hold a runoff election, it shall bear no part of the costs of any runoff election. If either party cancels an election, then its share of the costs shall be adjusted accordingly.

5. ARTICLE V - EARLY VOTING. The parties hereto agree to conduct their early voting for the May 12 election jointly, pursuant to Section 271.006 of the Texas Election Code.

6. ARTICLE VI - AMENDMENTS. This Agreement may be amended by mutual agreement of the parties hereto in writing to be attached to and incorporated into this Agreement.

7. ARTICLE VII - LEGAL CONSTRUCTIONS. In case any one or more of the provisions contained in this Agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

8. ARTICLE VIII - ENTIRE AGREEMENT. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement which is not contained herein shall be valid or binding.

CITY CLERK DEPT.
07MAR-1 PM 2:17

EXECUTED THIS _____ day of March, 2007.

THE CITY OF EL PASO

John Cook, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Elaine Hengen
Assistant City Attorney

THE EL PASO INDEPENDENT SCHOOL
DISTRICT

By: _____
Lisa Colquitt Muñoz, President
Board of Trustees

ATTEST:

David Dodge, Secretary

APPROVED AS TO FORM:

S. Anthony Safi
Attorney for EPISD

CITY CLERK DEPT.
07MAR - 1 PM 2:17