

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

DEPARTMENT: Municipal Clerk

AGENDA DATE: March 10, 2009

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 authorizing a contract between the City of El Paso and Javier Chacon, County Elections Administrator of El Paso County, at an presently estimated cost of \$103,609 to provide election services and equipment for the May 9, 2009 City Elections; that the City Manager be authorized to sign amendments to the contract to include revising the estimated election costs due to changes in the calculations based joint election cost sharing; and that the City Manager be authorized to sign an additional contract with Javier Chacon for the conduct of a runoff election, if necessary.

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 conduct election services to elect Officers in the City of El Paso and the Special Election for the submission of a measure on May 9, 2009.

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 Fun

BOARD / COMMISSION ACTION:

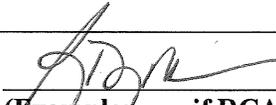
Enter appropriate comments or N/A

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: _____

CITY CLERK DEPT.

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RESOLUTION

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

That the City Manager be authorized to sign a contract between the City of El Paso and Javier Chacon, County Elections Administrator of El Paso County, at an presently estimated cost of \$103,609.00 to provide election services and equipment for the May 9, 2009 City Elections; that the City Manager be authorized to sign amendments to the contract to include revising the estimated election costs due to changes in the calculations based joint election cost sharing; and that the City Manager be authorized to sign an additional contract with Javier Chacon for the conduct of a runoff election, if necessary.

ADOPTED this 10th day of March 2009.

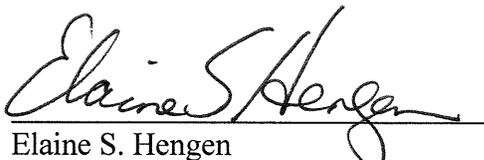
CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Elaine S. Hengen
Senior Assistant City Attorney

STATE OF TEXAS)
) **CONTRACT FOR ELECTION SERVICES**
COUNTY OF EL PASO)

*THIS CONTRACT, made this 19th day of February 2009 by and between the **CITY OF EL PASO** hereinafter called **CITY** and **JAVIER CHACON**, County Elections Administrator of El Paso County, Texas hereinafter called **Contracting Officer**, pursuant to V.A.T.S., Election Code, Sec. 31.091, witnesseth:*

1. **RECITALS.** *The Contracting officer is the County Election Administrator of El Paso County, Texas, and is the County Officer in charge of election duties. The **CITY** is a political subdivision situated wholly within El Paso County, Texas. The **CITY** and the Contracting Officer have determined that it is the public interest of the inhabitants of the **CITY** that the following contract be made and entered into for the purpose of having the Contracting Officer furnish to the **CITY** certain election services and equipment needed by the **CITY** on May 9, 2009 in connection with the holding of a **CITY OF EL PASO ELECTION**. Electronic voting equipment (Touch Screen) is to be used.*

2. **DUTIES AND SERVICES OF CONTRACTING OFFICER.** *The Contracting Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:*

(a) *Prepare lists of persons to recommend for appointment as presiding election judges, alternate judges, and the judge of the central counting station; recruit and train the judges and clerks; and arrange for the use of polling places.*

(b) *Procure and distribute election supplies, and distribution of ballots.*

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(c) *Assemble and edit lists of registered voters to be used in conducting the election, in conformity with the boundaries of the CITY and the election precincts established for the election.*

(d) *Procure, prepare, and distribute election equipment, transport equipment to and from the polling places, and issue election supplies to the precinct judges.*

(e) *Supervise the conduct of early voting and supply personnel to serve as deputy early voting clerks.*

(f) *Publish notice of the date, time and place of a school of instruction for election judges and clerks, and conduct such school of instructions.*

(g) *Arrange for use of central counting station and for the tabulating and personnel and equipment needed at central counting station and assist in preparation of programs and test materials for tabulation of the ballots to be used with electronic voting equipment.*

(h) *Publish legal notice of the date, time and place of the testing of the electronic tabulating equipment and conduct such testing.*

(i) *Provide for the storage of election records as provided by law.*

(j) *Supervise the handling and disposition of election returns, voted ballot cards etc. and tabulate unofficial returns and assist in preparing the tabulation for the official canvass.*

(k) *Provide information services for voters and election officers,*

(l) *Assist in providing general overall supervision of the election and provide advisory services in connection with the decisions to be made and action to be taken by officers of the CITY who are responsible for holding the election.*

3. **DUTIES AND SERVICES OF CITY.** *The CITY shall:*

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- (a) *Establishing the precinct and polling places.*
- (b) *Prepare all election orders, resolutions, notices, and other pertinent documents for adoption for execution by the appropriate CITY officer or body, and take all actions necessary under law for calling the election, appointing the presiding judges, alternate judges, judge of the central counting station, and other election officers, establishing precincts and polling places, handling contests, canvassing the returns and declaring the results.*
- (c) *Approve the tabulating supervisor and assistants and central counting station manager, recommended by the Contracting Officer.*
- (d) *Prepare and publish in the official City newspaper or post all required election notices.*
- (e) *Deliver to the Contracting Officer as soon as possible but not later than twenty nine days before the elections, the names that are to be printed on the ballot or ballot labels with the exact form and spelling that is to be used.*
- (f) *Provide the services necessary to translate any election document into Spanish.*
- (g) *Pay any additional costs incurred by the Contracting Officer if a recount for said election is required, or the election is contested in any manner.*
- (h) *Return all surplus election supplies to the Contracting Officer.*
- (i) *Prepare any submission on voting changes made by the City to be submitted to the U.S. Department of Justice under the Federal Voting Rights Act of 1965, as amended.*
- (j) *The City will pay 75% of estimated cost before Election Day (as per County Commissioners Court Order). Pay the Balance of conducting said election, within thirty days from*

the date of billing.

4. **COST OF SERVICES.** *The CITY shall share expenses with YISD., E.P.I.S.D.*

And S.I.S.D. accordingly for the above services, supplies and equipment in accordance with the following estimated cost schedule (EXHIBIT "A") which is mutually agreed and will have a joint election. If a runoff election shall be held the CITY shall share expenses with Y.I.S.D. If required.

5. **GENERAL CONDITIONS.**

(a) *A total of (150) voting precincts plus (12) early voting station (3) mobile voting units will be used for the election. CITY will have a joint election and share costs with Y.I.S.D., E.P.I.S.D. and S.I.S.D.*

(b) *El Paso County Elections Dept. has contracted with ten entities, which will be programmed into one touch screen system. During early voting a voter will be eligible to vote at any one of our early or mobile voting locations. You will be billed for areas within your entity and share with entities accordingly.*

(c) *Nothing contained in this contract shall authorized or permit a change in the officer with whom or the place at which any document or record relating to the election is to be filed. Or in the place at which any function of the canvass of the election return is held or in the officer to service as custodian of voted ballots or other election records.*

(d) *The Contracting Officer shall file copies of this contract with the County Judge and the County Auditor of El Paso County.*

CITY CLERK DEPT.

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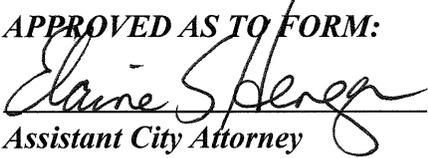
CITY OF EL PASO

JOYCE WILSON, CITY MANAGER

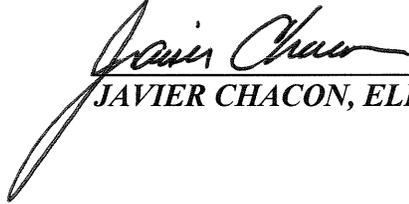
ATTEST

**Richarda Duffy Momsen,
City Clerk**

APPROVED AS TO FORM:


Assistant City Attorney

COUNTY ELECTIONS DEPARTMENT


JAVIER CHACON, ELECTIONS ADMINISTRATOR

COUNTY OF EL PASO ELECTIONS DEPARTMENT

500 E. SAN ANTONIO # 402

CITY CLERK DEPT.

EL PASO, TEXAS 79901

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(915) 546-2154

FAX (915) 546-2220

February 24, 2009

EXHIBIT "A"

CITY OF EL PASO ELECTION
May 9, 2009

PAYROLL:

EARLY VOTING	\$ 21,900.00
TEMPORARY HELP	\$ T.B.D.
CENTRAL COUNTING STATION	\$ 900.00
TABULATING PERSONNEL	\$ 500.00
ELECTION DAY PAYROLL	\$ 46,150.00
DELIVERY TO CENTRAL COUNTING STATION.....	\$ 2,000.00

OTHER EXPENSES:

PRINTING OF BALLOT (MAIL & PROVISIONAL).....	\$ 500.00
PUBLICATION OF NOTICES	\$ 75.00
1 CENTRAL COUNTING STATION KIT	\$ 35.00
AUTO/TABULATING EQUIPMENT/SOFTWARE/SUPPLIES	\$ 2,000.00
PRECINCT KITS/ELECTION DAY.....	\$ 1,700.00
PRECINCT BAGS/ELECTION DAY	\$ 200.00
TOUCH SCREEN VOTING MACHINES/ELECTION DAY	\$ 11,000.00
TOUCH SCREEN VOTING MACHINES/EARLY	\$ 1,000.00
EARLY VOTING KIT	\$ 200.00
ELECTRIC BILLS FOR EARLY VOTING.....	\$ T.B.D.
POSTAGE/STATIONERY/CHECKS.....	\$ 500.00
PRECINCT CARDS (SMART CARDS).....	\$ 1,800.00
INTERNET CONNECTIONS (EARLY VOTING).....	\$ 750.00
ENCODERS FOR TOUCH SCREENS.....	\$ 500.00
TRAINING STAFF, OVERTIME	\$ T.B.D.
PARKING GARAGE CHARGE FOR JUDGES & CLERKS	\$ 240.00
DELIVERY & PICKUP OF TOUCH SCREENS.....	\$ 2,240.00
SUB TOTAL	\$ 94,190.00
ADMINISTRATIVE FEES 10%	\$ 9,419.00
TOTAL	\$103,609.00

Pay 75% of estimated cost before Election Day (as per County Commissioners Court Order)