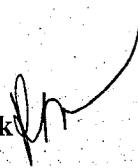


CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Municipal Clerk

AGENDA DATE: September 14, 2010

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 \$131,529.37 to provide election services and equipment for the November 2, 2010 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.

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 November 2, 2010. The measure is the initiative regarding the provision of health benefits.

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: _____

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 estimated cost of \$131,529.37 to provide election services and equipment for the November 2, 2010 Special Election; and 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.

ADOPTED this 14th day of September 2010.

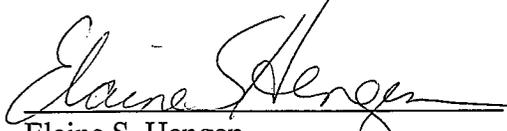
CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Elaine S. Hengen
Senior Assistant City Attorney

CITY CLERK DEPT.
10 SEP -8 PM 6:01

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

THIS CONTRACT, made this 14th day of September 2010 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 November 2, 2010, 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 train the judges and clerks; and arrange for the use of polling places.*

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

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

(g) *Arrange for use of a central counting station and for the tabulating and personnel and equipment needed at the 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) *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.*

(j) *Provide information services for voters and election officers.*

(k) *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.*

(l) *Provide for the storage of election records and provided by law.*

(m) *Provide the **CITY** with a precinct by precinct roll of registered voters in a mutually agreed upon format.*

(n) *Provide to the Texas Secretary of State results of the **CITY** election, precinct by precinct, in a format to be described by the Texas Secretary of State.*

(o) *Have criminal background checks performed for all election officials, staff*

and temporary workers who are engaged in pre-election programming, testing and preparing of the voting system equipment for Early Voting and Election Day in accordance with Section 129.051(g) of the Texas Election Code.

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

(a) *Prepare appropriate documents for establishing the precincts and polling places.*

(b) *Prepare all election orders, resolutions, notices, and other pertinent documents for adoption or 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 thirty days before the elections, the names or issues that are to be printed on the ballot or ballot labels with the exact form, 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 to be submitted to the U.S.*

Department of Justice under the Federal Voting Rights Act of 1965, as amended.

(j) *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 pay for the above services, supplies and equipment in accordance with the following estimated cost schedule (EXHIBIT A), which is mutually agreed upon.*

5. **GENERAL CONDITIONS.**

(a) *A total of (150) one hundred and fifty voting precinct plus (11) eleven permanent early voting station will be used for this election. Expenses will be shared with **County of El Paso and other entities.***

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

(c) *Nothing contained in this contract shall authorize 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.*

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

CITY OF EL PASO

JOYCE WILSON, CITY MANAGER

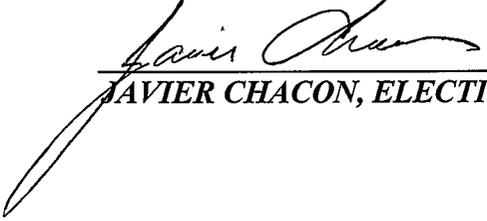
ATTEST

**Richarda Duffy Momsen,
City Clerk**

APPROVED AS TO FORM:

Assistant City Attorney

COUNTY ELECTIONS DEPARTMENT


JAVIER CHACON, ELECTIONS ADMINISTRATOR