

**City Council
Agenda Memo**



**City Council
Meeting Date: November 20th 2014**

TO: David A. Vela, Interim City Manager

FROM: Danette Dunlap, City Secretary

SUBJECT: Resolution Authorizing the Interim City Manager to execute the contract between Taylor County Elections Administrator and the City of Abilene.

GENERAL INFORMATION

On October 23, 2014 the Abilene City Council called a Special Election to fill the vacancy of Council Place 6

The City and the Elections administrator have determined that it is in the public interest of the inhabitants of the city that the administrator furnish to the city certain election services and equipment needed by the city in connection with the holding of the election on January 13, 2015.

Early voting will take place beginning on January 5th through January 9th 2015.

Election Day is Tuesday January 13th 2015.

The City will utilize the Precinct Polling Locations located throughout the City of Abilene.

STAFF RECOMMENDATION – Staff recommends approval of the Resolution

FUNDING IMPACT –.Estimate \$18,411.80

ATTACHMENT

Resolution
Contract
Estimate of Cost Exhibit A
Polling Locations

Prepared by:

Name: Danette Dunlap

Title: City Secretary

Item No. 6.1

Disposition by City Council

- Approved Ord/Res# _____
 Denied
 Other

City Secretary

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE CONTRACT BETWEEN THE CITY OF ABILENE AND TAYLOR COUNTY ELECTIONS ADMINISTRATOR FOR A SPECIAL ELECTION TO BE HELD ON JANUARY 13, 2015.

WHEREAS, On October 23, 2014 the Abilene City Council called a Special Election to fill the vacancy of Council Place 6;

WHEREAS, the City and the Elections administrator have determined that it is in the public interest of the inhabitants of the City that the administrator furnish to the City certain election services and equipment needed by the City in connection with the holding of the election on January 13, 2015.

WHEREAS, early voting will take place beginning on January 5th through January 9th 2015 and voting by personal appearance will be conducted at:

Taylor County Elections Office from 8:00 am. until 5:00 pm January 5th, 6th, 7th and 9th and January 8th from 7:00 am. until 7:00 pm.

Branch Early voting will be conducted at:

Abilene City Hall – 555 Walnut St. January 5th – January 9th from 8:00 a.m. – 5:00 p.m.

Books A Million – Mall of Abilene January 5th – January 9th from 10:00 a.m. – 6:00 p.m.
4310 Buffalo Gap Road

Kmart – 4565 South 1st Street January 5th – January 9th from 10:00 a.m. – 6:00 p.m.

WHEREAS, Election Day is Tuesday January 13th 2015;

WHEREAS, the City will utilize the Precinct Polling locations located throughout the City of Abilene;

101, 107A, 201 Johnston Elementary School – 3602 North 12th, Abilene, TX 79603
202, 205

102, 103, 104,
105, 106, 404,
405 Westminster Presbyterian Church – 4515 South 14th St., Abilene, TX
79605

203, 204, 401 Sears Park Recreation Center – 2250 Ambler Avenue, Abilene, TX 79603

108, 301, 302,
304, 305, 306,
307A New Beginnings United Pentecostal Church – 5535 Buffalo Gap Rd.,
Abilene, TX 79606

402, 403, 406,
407

Hillcrest Church of Christ - 650 East Ambler, Abilene, TX 79601
(Jones County Pct. 302)

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

Part 1. That the Interim City Manager is hereby authorized to execute the Contract with the Taylor County Elections Administrator to hold the Special Called Election on January 13th 2015 binding upon the parties with regards to this election only.

ADOPTED this the 20th day of November 2014.

ATTEST:

Danette Dunlap, City Secretary

Norm Archibald, Mayor

APPROVED:

T. Daniel Santee, City Attorney

THE STATE OF TEXAS

}

CONTRACT FOR ELECTION SERVICES

COUNTY OF TAYLOR

}

THIS CONTRACT IS ENTERED INTO BETWEEN TAYLOR COUNTY ELECTIONS ADMINISTRATOR, KRISTI ALLYN, HEREINAFTER REFERRED TO AS ADMINISTRATOR, AND THE CITY OF ABILENE, HEREINAFTER REFERRED TO AS CITY, ACTING BY AND THROUGH ITS CITY COUNCIL, PURSUANT TO TEX. ELEC. CODE ANN., SEC. 31.091, WITNESSETH:

1. **RECITALS.** THE ADMINISTRATOR IS THE COUNTY ELECTIONS ADMINISTRATOR OF TAYLOR COUNTY, TEXAS, AND IS THE OFFICER IN CHARGE OF ELECTION DUTIES. THE CITY IS A POLITICAL SUBDIVISION SITUATED PARTIALLY WITHIN TAYLOR COUNTY, TEXAS. THE CITY AND THE ADMINISTRATOR HAVE DETERMINED THAT IT IS IN THE PUBLIC INTEREST OF THE INHABITANTS OF THE CITY THAT THE ADMINISTRATOR FURNISH TO THE CITY CERTAIN ELECTION SERVICES AND EQUIPMENT NEEDED IN CONNECTION WITH THE HOLDING OF THE SPECIAL ELECTION ON **JANUARY 13, 2015**. THIS CONTRACTUAL AGREEMENT WILL BE BINDING UPON THE PARTIES WITH REGARD TO THIS SPECIAL ELECTION ONLY. ELECTRONIC VOTING EQUIPMENT IS TO BE USED.

2. **DUTIES AND SERVICES OF ADMINISTRATOR.** THE ADMINISTRATOR SHALL BE RESPONSIBLE FOR PERFORMING THE FOLLOWING DUTIES AND SHALL FURNISH THE FOLLOWING SERVICES AND EQUIPMENT:

(A) PREPARE LIST OF PERSONS TO RECOMMEND FOR APPOINTMENT AS PRESIDING ELECTION JUDGES, ALTERNATE JUDGES, MANAGER OF CENTRAL COUNTING, TABULATION SUPERVISOR, JUDGE OF CENTRAL COUNTING STATION, JUDGE OF EARLY BALLOT BOARD AND ASSISTANTS; RECRUIT AND TRAIN THE JUDGES AND CLERKS; AND CONFIRM JUDGES AND VOTE CENTERS.

(B) DISTRIBUTE ELECTION SUPPLIES.

(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) PREPARE AND DISTRIBUTE ELECTION EQUIPMENT, AND ISSUE ELECTION SUPPLIES TO THE VOTE CENTER JUDGES, WHO SHALL BE RESPONSIBLE FOR PICKING UP ELECTION SUPPLIES AND MATERIALS AT THE TIME AND PLACE DETERMINED BY THE ELECTIONS ADMINISTRATOR.

(E) ARRANGE FOR USE OF A CENTRAL COUNTING STATION AND FOR THE TABULATING PERSONNEL AND EQUIPMENT NEEDED AT THE COUNTING STATION AND PREPARE PROGRAMS AND TEST MATERIALS FOR TABULATION OF THE BALLOTS TO BE USED WITH ELECTRONIC VOTING EQUIPMENT.

(F) PUBLISH LEGAL NOTICE OF THE DATE, TIME AND PLACE OF THE TESTING OF THE ELECTRONIC TABULATING EQUIPMENT AND CONDUCT SUCH TESTING.

(G) SUPERVISE THE HANDLING AND DISPOSITION OF ELECTION RETURNS; VOTED BALLOTS; TABULATE UNOFFICIAL RETURNS AND ASSIST IN PREPARING THE TABULATION FOR THE OFFICIAL CANVASS.

(H) PROVIDE INFORMATION SERVICES FOR VOTERS AND ELECTION OFFICERS.

(I) ASSIST IN PROVIDING GENERAL OVERALL SUPERVISION OF THE ELECTION AND PROVIDE ADVISORY SERVICES IN CONNECTION WITH THE DECISIONS TO BE MADE AND ACTIONS TO BE TAKEN BY OFFICERS OF THE CITY WHO ARE RESPONSIBLE FOR HOLDING THE ELECTION.

(J) PROVIDE TO THE CITY TIMELY CUMULATIVE REPORTS OF THE ELECTION RESULTS AS VOTE CENTERS ARE TABULATED.

(K) SUPERVISE THE CONDUCT OF EARLY VOTING IN PERSON AND BY MAIL AND SUPPLY PERSONNEL TO SERVE AS DEPUTY EARLY VOTING CLERKS.

(L) PROCESS ALL APPLICATIONS FOR EARLY VOTING BALLOTS BY MAIL, INCLUDING THOSE RECEIVED BY THE CITY. CITY SHALL TRANSPORT SUCH REQUESTS ON THE DAY OF RECEIPT TO THE OFFICE OF THE TAYLOR COUNTY ELECTIONS ADMINISTRATOR FOR PROCESSING. PERSONS VOTING BY MAIL WILL SEND THEIR MARKED BALLOTS TO THE OFFICE OF THE TAYLOR COUNTY ELECTIONS ADMINISTRATOR.

(M) ARRANGE FOR PERSONNEL, PLACE, AND TIME FOR ALL EARLY VOTING BALLOTS (THOSE CAST BY MAIL AND THOSE CAST BY PERSONAL APPEARANCE) TO BE PREPARED FOR TABULATION BY AN EARLY VOTING BALLOT BOARD.

- (N) ARRANGE FOR PERSONNEL AND CONDUCT MANUAL COUNT, IF WAIVER IS NOT OBTAINED BY THE CITY.
- (O) CONDUCT CANDIDATE DRAWING FOR BALLOT PLACEMENT
- (P) PROCURE, PREPARE, AND PROOF OFFICIAL AND SAMPLE BALLOT PAGES.
- (Q) BE RESPONSIBLE FOR PAYMENT TO ALL PARTIES WHO HAVE PROVIDED SERVICES, SUPPLIES AND VOTING LOCATIONS FOR THE ELECTION.
- (R) PROCURE ALL ELECTION SUPPLIES, INCLUDING ELECTION DAY AND EARLY VOTING KITS, JUDGES BOOTH CONTROLLERS, DISABLED ACCESS UNITS AND E-SLATES
- (S) ARRANGE FOR SUPPLIES TO BE DELIVERED TO TAYLOR COUNTY ELECTIONS OFFICE, 400 OAK STREET, SUITE 101, ABILENE, TEXAS 79602.
- (T) PAY ALL PERSONNEL FROM PAYROLL SHEETS COLLECTED BY ADMINISTRATOR.

3. **DUTIES AND SERVICES OF CITY.** THE CITY SHALL:

- (A) PREPARE APPROPRIATE DOCUMENTS FOR ESTABLISHING THE PRECINCTS AND VOTE CENTERS.
- (B) PREPARE ALL ELECTION ORDERS, WRITS, RESOLUTIONS, NOTICES, AND OTHER PERTINENT DOCUMENTS FOR ADOPTION FOR EXECUTION BY THE APPROPRIATE OFFICER OR BODY, AND TAKE ALL ACTIONS NECESSARY UNDER LAW FOR CALLING THE ELECTION, APPOINT THE PRESIDING JUDGES, ALTERNATE JUDGES, MANAGER OF CENTRAL COUNTING, TABULATION SUPERVISOR, JUDGE OF THE CENTRAL COUNTING STATION, JUDGE OF EARLY BALLOT BOARD AND ASSISTANTS AND OTHER ELECTION OFFICERS, ESTABLISH PRECINCTS AND VOTE CENTERS, HANDLE CONTESTS, CANVASS THE RETURNS AND DECLARE THE RESULTS.
- (C) PREPARE ALL WRITTEN ELECTION NOTICES FOR PUBLISHING IN THE OFFICIAL CITY NEWSPAPER FOR ADMINISTRATOR. CITY SHALL POST WRITTEN NOTICES AT CITY HALL.
- (D) PROVIDE THE SERVICES NECESSARY TO TRANSLATE ANY ELECTION DOCUMENTS INTO SPANISH.
- (E) PRIOR TO ELECTION DAY THE CITY WILL PROVIDE TO ADMINISTRATOR THE NAME AND TELEPHONE NUMBER OF AN AGENT TO REPRESENT THE CITY. AGENT TO BE ON CALL TO THE ELECTIONS OFFICE DURING THE HOURS OF THE ELECTION.
- (F) PAY ANY ADDITIONAL COSTS INCURRED BY THE ADMINISTRATOR IF A RECOUNT FOR SAID ELECTION IS REQUIRED, OR THE ELECTION IS CONTESTED IN ANY MANNER.
- (G) APPROVE THE PRINTING OF MAIL AND SAMPLE BALLOT PAGES.
- (H) REQUEST WAIVER FOR MANUAL COUNT, IN ACCORDANCE WITH SEC. 127.201 OF THE TEXAS ELECTION CODE, IF NECESSARY.

4. **PAYMENT OF SERVICES:**

CITY SHALL PAY TOTAL ACTUAL EXPENSES OF THE ELECTION PLUS A 10% ADMINISTRATIVE FEE BASED ON THEIR AGREED SHARE OF THE EXPENSES. PAYMENT FOR SERVICES SHALL BE STATED IN THE ATTACHED EXHIBIT A, INCORPORATED HEREIN FOR ALL PURPOSES. RUNOFF ELECTION SHALL BE TREATED AS A SEPERATE ELECTION.

- (A) IN THE SPECIAL ELECTION ON **JANUARY 13, 2015**, COVERED BY THIS AGREEMENT, THE ADMINISTRATOR'S SERVICES SHALL BE AS STATED HEREIN.
- (B) IN THE EVENT OF ANY DISAGREEMENT AMONG SAID PARTIES CONCERNING SAID MECHANICAL AND/OR PROCEDURAL DETAILS OF THE PREPARATION FOR OR CONDUCT OF SAID ELECTION, SUCH DISAGREEMENT OR QUESTION SHALL BE RESOLVED BY FOLLOWING THE METHOD OR PROCEDURE FAVORED BY THE MAJORITY OF SAID PARTIES.
- (C) PAYMENT FOR SERVICES SHALL BE AS STATED IN THE ATTACHED EXHIBIT A.

5. **GENERAL CONDITIONS:**

(A) 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 ELECTION IS TO BE FILED OR ANY OTHER ELECTION FUNCTION PERFORMED AS IS ESTABLISHED BY LAW.

(B) THE CONTRACTING OFFICER SHALL FILE COPIES OF THIS CONTRACT WITH THE COUNTY TREASURER AND THE COUNTY AUDITOR OF TAYLOR COUNTY.

IN WITNESS WHEREOF, CITY AND ADMINISTRATOR CAUSED THIS AGREEMENT TO BE DULY EXECUTED THIS _____ DAY OF _____ 2014.

CITY OF ABILENE

**TAYLOR COUNTY
ELECTIONS ADMINISTRATOR**

BY: _____
INTERIM CITY MANAGER

BY: _____
KRISTI ALLYN
ELECTIONS ADMINISTRATOR

ATTEST: _____
CITY SECRETARY

APPROVED:

CITY ATTORNEY

ESTIMATED COST
City of Abilene Special Election
January 13, 2015

RENTAL OF EQUIPMENT

<u>Early Voting</u>	JBC	2	100.00 ea.	\$	200.00
	DAU	2	100.00 ea.	\$	200.00
	eSlate	8	100.00 ea.	\$	800.00
				\$	1,200.00

<u>Election Day</u>	JBC	5	100.00 ea	\$	500.00
5 Polling Places	eSlate	30	100.00 ea	\$	3,000.00
	DAU	5	100.00 ea	\$	500.00
				\$	4,000.00

SETUP AND CONDUCT EARLY VOTING 2 \$ **2,000.00**

PROGRAMMING AND OPERATING EQUIPMENT \$ **1,000.00**

LEGAL NOTICES

Notice of Public Test \$ **300.00**

SUPPLIES

Packets for Election Judges	16	40.00	\$	640.00
Early Voting by Mail Ballots	200	1.50 ea.	\$	300.00
Early Voting by Personal Appearance	3,000	.02 ea.	\$	60.00
			\$	1,000.00

Misc. supplies and delivery of equipment			\$	300.00
Copies	100	.10 ea	\$	10.00
Postage	200	0.49	\$	98.00
Postage for Mail ballots	200	.90 ea	\$	<u>180.00</u>

\$ 588.00

PERSONNEL

Early Voting Clerks			\$	1,000.00
Election Day Workers			\$	3,200.00
Central Counting Station			\$	300.00
County Employees Overtime			\$	2,000.00
Janitorial Services			\$	<u>150.00</u>

\$ 6,650.00

Sub Total \$ 16,738.00

10% Administrative Fee \$ 1,673.80

ESTIMATED COST \$ 18,411.80

PROPOSED

**CITY OF ABILENE SPECIAL ELECTION
JANUARY 13, 2015**

EARLY VOTING

January 5, 2015 through January 9, 2015

TAYLOR COUNTY PLAZA

400 Oak Street

January 5 th – 7 th (Monday – Wednesday)	8:00 a.m. – 5:00 p.m.
January 9 th (Friday)	8:00 a.m. – 5:00 p.m.

EXTENDED HOURS

January 8 th (Thursday)	7:00 a.m. – 7:00 p.m.
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Branch Early Voting Locations

ABILENE CITY HALL

555 Walnut Street

January 5 th – 9 th (Monday – Friday)	8:00 a.m. – 5:00 p.m.
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Books A Million – Mall of Abilene

4310 Buffalo Gap Road

January 5th – January 9th	10:00 a.m. – 6:00 p.m.
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**Kmart –
4565 South 1st Street**

January 5th – January 9th	10:00 a.m. – 6:00 p.m.
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Last day to register to vote for the January 13, 2015 Special Election

December 15, 2014

Last day to submit an application for ballot by mail

January 5, 2015

PROPOSED

Election Day Polling Places

City of Abilene Special Election January 13, 2015

Precinct #

**101, 107A, 201
202, 205**

Johnston Elementary School – 3602 North 12th, Abilene, TX 79603

**102, 103, 104,
105, 106, 404,
405**

Westminster Presbyterian Church – 4515 South 14th St., Abilene, TX 79605

203, 204, 401

Sears Park Recreation Center – 2250 Ambler Avenue, Abilene, TX 79603

**108, 301, 302,
304, 305, 306,
307A**

New Beginnings United Pentecostal Church – 5535 Buffalo Gap Rd., Abilene, TX 79606

**402, 403, 406,
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**Hillcrest Church of Christ - 650 East Ambler, Abilene, TX 79601
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