

RESOLUTION NO. 08-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CONFIRMING THAT THE CITY SECRETARY, AS CHIEF ELECTION OFFICER OF THE CITY OF MESQUITE, SHALL PROVIDE, FOR ANY ELECTION ORDERED ON OR AFTER JANUARY 1, 2006, AT LEAST ONE VOTING STATION IN EACH POLLING LOCATION THAT ALLOWS A PRACTICAL AND EFFECTIVE MEANS TO PERMIT VOTERS WITH PHYSICAL DISABILITIES TO CAST A SECRET BALLOT IN COMPLIANCE WITH SECTION 61.012 OF THE TEXAS ELECTION CODE; AND CONFIRMING THAT COMPLIANCE WITH SECTIONS 123.032 AND 123.035 OF THE TEXAS ELECTION CODE MAY BE ACHIEVED BY THE CITY CONTRACTING WITH THE DALLAS COUNTY ELECTIONS DEPARTMENT TO HOLD ITS MAY 13, 2006 GENERAL ELECTION AND SUBSEQUENT ELECTIONS.

WHEREAS, Section 61.012 of the Texas Election Code requires that the City of Mesquite must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006; and

WHEREAS, this voting system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot; and

WHEREAS, the Office of the Texas Secretary of State has certified that the ADA iVotronic v. 8.0.1.0 provided by Election Systems and Software and used by the County of Dallas, Texas, is an accessible voting system that may legally be used in Texas elections; and

WHEREAS, Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems.

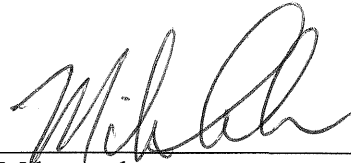
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That as chief election officer of the City of Mesquite, Texas (“City”), the City Secretary shall provide at least one accessible voting station in every polling location used to conduct any election ordered on or after January 1, 2006, that allows a practical and effective means to permit voters with physical disabilities to cast a secret ballot in compliance with Section 61.012 of the Texas Election Code.

SECTION 2. That the accessible voting system may be acquired by any legal means available to the City as authorized or required by Sections 123.032 and 123.035 of the Texas Election Code.

SECTION 3. That compliance with Sections 61.012, 123.032 and 123.035 of the Texas Election Code, which requires that each polling location must provide at least one accessible voting system that permits voters with physical disabilities to cast a secret ballot, may be achieved by the City contracting with the Dallas County Elections Department to hold its May 13, 2006 General Election and subsequent elections.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 20th day of February, 2006.



Mike Anderson
Mayor

ATTEST:

APPROVED:



Judy Womack
City Secretary



B. J. Smith
City Attorney