

RESOLUTION NO. 63-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN ELECTION SERVICES CONTRACT WITH THE KAUFMAN COUNTY ELECTION OFFICER IN CONNECTION WITH THE GENERAL ELECTION TO BE HELD NOVEMBER 5, 2019.

WHEREAS, the City Council of the City of Mesquite, Texas, called the general election to be held November 5, 2019.

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

SECTION 1. That the Mayor is hereby authorized to execute an Election Services Contract with the Kaufman County Election Officer in substantially the form and substance as attached hereto as Exhibit "A."

SECTION 2. That this resolution shall take effect immediately upon date of passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 16th day of September 2019.



Stan Pickett
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:



Sonja Land
City Secretary



David L. Paschall
City Attorney

CONTRACT FOR ELECTION SERVICES – November 5, 2019

THE STATE OF TEXAS

COUNTY OF KAUFMAN

THIS CONTRACT is made this 17 day of Sept., 2019 by and between City of Mesquite, ("Entity"), and Brenda Samples, Tax Assessor-Collector of Kaufman County, ("County Election Officer"), collectively referred to as "the Parties", and by authority of section 31.092 (a) Texas Election Code, for the conduct and supervision of an Entity Election or Joint Election, if applicable, including subsequent recounts, run-off-election, and election contests.

THIS CONTRACT is made pursuant to the authority vested in the Parties in Texas Government Code, Chapters 791 and 271, in order to increase the efficiency and effectiveness of Entity's elections and improve both turnout and access to Entity's elections. For purposes of this Contract, the election date for which services are to be provided is November 5, 2019 ("Election").

THIS CONTRACT is entered into in consideration of the mutual covenants and agreements hereinafter set out. IT IS AGREED AS FOLLOWS:

I. DUTIES AND SERVICES OF THE COUNTY ELECTION OFFICER

The County Election Officer agrees to coordinate, supervise and handle all aspects in administering the Entity's Election as outlined in this Contract, including:

- (a) Arrange for notification, including writ of Election, training and compensation for all presiding judges and alternate judges, and for determining the number of clerks or other election workers authorized to work at each voting location. Election judges shall be responsible for picking up election supplies and materials at the time and place determined by the County Elections Officer.
- (b) Provide bilingual voter assistance in compliance with Texas Election Code Section 272.009.
- (c) Arrange for the use and compensation of polling locations.
- (d) Pay cost of election judges and clerks: 1.) Early Voting: \$11.00 per hour for judges and \$10.00 per hour for clerks during early voting activity; 2.) Election Day: Each election judge will receive \$11.00 per hour and each clerk will receive \$10.00 per hour for election work. The election judge or his/her designated clerk will receive an additional \$25.00 for delivering election returns and all supplies to the County Election Officer after the polls close.

- (e) Procure, prepare, proof and distribute ballots and election judge kits, and all other election materials and supplies.
- (f) Prepare the list and all copies of the list of registered voters to be used in conducting the election at no cost.
- (g) Provide legal notice of the date, time and place of the testing of the election tabulation equipment.
- (h) Provide all equipment, materials, supplies and appropriate training necessary to comply with state and federal law, rules and regulations, including Help America Vote Act (HAVA).
- (i) Supervise the handling and disposition of election returns and voted ballots; tabulate unofficial returns and assist in preparing the tabulation for the official canvass; prepare the unofficial tabulation report after all precincts have been counted; and provide a copy of the report to the Entity as soon as possible so the Entity can conduct the official canvass of the election.
- (j) Submit an electronic report to Entity and to the Secretary of State as required by Section 67.017(b) and provide, at no cost, for the storage of election records as provided by law.
- (k) Provide, at no cost, copies of all invoices received by the County Election Officer for payment of services or supplies of which the Entity is to reimburse the County Election Officer.
- (l) Supervise the conduct of early voting in person and by mail and supply personnel to serve as deputy early voting clerks and judges.
- (m) Process all requests for early voting ballots by mail (requests received by the Entity will be forwarded on the day of receipt to the office of the County Election Officer for processing) and receive marked ballots directly. An Early Voting Ballot Board will prepare all early voting ballots (those cast by mail and by personal appearance) for count.
- (n) Be responsible for payment to all parties who have provided services, supplies and voting locations for the Election.
- (o) File copies of the Contract with the County Judge and the County Auditor for Kaufman County, Texas.
- (p) Is hereby appointed as the custodian of voted ballots to be preserved in accordance with Chapter 66 of the Texas Election Code and other applicable law.

II. DUTIES AND SERVICES OF ENTITY

The Entity, in connection with the holding and supervision of the Election, shall assume the following responsibilities and shall directly bear any attendant costs for the same:

- (a) Preparation of election orders, resolutions, notices and other pertinent documents for adoption or execution as appropriate.
- (b) Posting or publication of election notices.
- (c) Deliverance to the County Election Officer as soon as possible, but not later than the day after closing of candidate filing deadlines, the official wording for the Election to be printed on the ballot with the exact forms, candidate order, wording and spelling to be used.
- (d) Payment of any additional costs incurred by the County Election Officer if a recount for the Election is required, or the Election is contested in any manner.
- (e) Submission to the U.S. Department of Justice under the Federal Voting Rights Act, the required notification of voting changes.
- (f) Provide services as listed in Sec. 31.096 of the Texas Election Code, except that the Entity appoints the County Election Officer as the custodian of voted ballots.

III. PAYMENT OF SERVICES

- (a) The Entity shall pay to Kaufman County a prorated share of the actual costs incurred by Kaufman County in conducting this Election, together with an additional ten percent (10%) Administrative fee, pursuant to the Texas Election Code, Section 31.100.
- (b) The estimated allocated costs for such services will be computed by the County Election Officer and delivered to the Entity thirty (30) days prior to the Election. After the Election, the County Election Officer shall compute the final statement for all services rendered, together with administrative fees, less any partial payments already received, and bill the Entity such net sum to be paid within thirty (30) days.
- (c) The Entity will have the right to conduct a good faith financial audit ("Financial Audit") for the deposits and expenditures related to this Contract. The County Election Officer shall review and assess the findings of the Financial Audit and will negotiate, in good faith, to resolve any disputes for overcharges with the Entity. The financial records will be retained at the County Election Officer's office until the conclusion of the Financial Audit and resolution of all outstanding audit disputes.

IV. TERMINATION

This Contract shall automatically terminate upon completion of the activities related to the Election.

V. AMENDMENT

This Contract together with a referenced attachment constitutes the entire agreement between the Entity and Kaufman County, supersedes all prior written oral understandings, and may only be amended, supplemented, modified or cancelled by a duly executed written statement.

VI. MODIFICATION OF ESTIMATED COSTS FOR ELECTION

The Estimated Costs of Election attached to this Agreement may be modified as necessary by the County Election Officer. The Entity Official shall be notified of the modified costs and reason for such modifications.

IN WITNESS WHEREOF, the Parties hereto have made and entered into this Contract on the date first set forth above.

BY:

Brenda Samples
Brenda Samples
Kaufman County Election Officer
9/23/19
Date

CITY OF MESQUITE

By: [Signature]
Stan Pickett, Mayor
9.17.2019
Date

ATTEST:

By: [Signature]
Sonja Land, City Secretary

APPROVED AS TO FORM:

By: [Signature]
Assistant City Attorney

November 05, 2019 ELECTION

CHARGES WITHOUT PAPER BALLOTS	City of Mesquite
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BALLOT PROGRAMMING	\$1000.00
ELECTION DAY KITS	\$30.97
EARLY VOTING KITS	\$23.12
BALLOT PAPER	\$0.46 per ballot issued
KAUFMAN HERALD LAT	\$20.41
MONITOR LAT AD	\$5.70
MESSENGER LAT AD	\$10.80
EARLY VOTING SALARIES	\$1,256.28
ELECTION DAY SALARIES	\$460.40
EQUIP. PICKUP & DELIVERY FEES	\$56.00
POLLING LOCATION FEES	\$50.00
SUB-TOTAL	2913.68
10% ADMIN. FEE	291.37
TOTAL	3205.05

**This is an estimate
only..... ballots will be
charged after the
election is over.
Kaufman County uses
County Wide Vote
Centers and your
ballot will be
presented at all
locations**



**EARLY VOTING LOCATIONS AND TIME PERIODS
November 5, 2019 GENERAL ELECTION**

Early Voting: Monday, October 21, 2019 through Friday, November 1, 2019

Early voting hours:

Hours: 8:00 A.M. – 5:00 P.M. Monday October 21, 2019 through Friday October 25, 2019.

Hours: 7:00 A.M. – 7:00 P.M. Saturday October 26, 2019

Hours: 1:00 P.M. – 6:00 P.M. Sunday October 27, 2019

Hours: 7:00 A.M. – 7:00 P.M. Monday October 28, 2019 through Friday November 1, 2019

Locations:

Kaufman County Courthouse Annex
100 N. Washington Street
Kaufman, TX 75142

Forney Sub Courthouse
200 E Main St.
Forney, TX 75126

Kemp Sub Courthouse
103 N. Main
Kemp, TX 75143

Terrell Sub Courthouse
408 E. College
Terrell, TX 75160

Lewis Elementary
1309 Lukenbach
Forney, TX 75126

Criswell Elementary
401 FM 740
Forney, TX 75126

Crosby Elementary
495 Diamond Creek Dr.
Forney, TX 75126

Blackburn Elementary
2401 Concord
Forney, TX 75126

Henderson Elementary
12755 FM 1641
Forney, TX 75126

Voting by Mail: Mail-in ballots should be sent to the address below. ****Last day to apply: Oct 25, 2019****

Brenda Samples
Early Voting Clerk
Kaufman County Courthouse Annex
P.O. Box 339
Kaufman, Texas 75142

ELECTION DAY On Election Day, November 5, 2019 voters may vote at our Election Day County Wide Polling places from:

7:00 A.M to 7:00 P.M.

CENTRAL COUNTING STATION
Kaufman County Courthouse Annex
100 N. Washington St.
Kaufman, Texas 75142

HAVA COMPLIANT EQUIPMENT
ES&S (Election Systems and Software)
DS200: Digital Image Scanner
Express Vote BMD



KAUFMAN COUNTY ELECTION DAY VOTE CENTERS

November 5, 2019 General Election

Election Day Polls Open 7:00 AM – 7:00 PM

VOTER CENTERS-Registered voters in Kaufman County may vote at any location.

<u>Precinct</u>	<u>Location</u>	<u>Address</u>
1	St Ann Catholic Church	806 S. Washington St., Kaufman TX 75142
2	Ola Church of Christ	9720 St. Hwy 243, Kaufman TX 75142
3	First Baptist Church, Forney	1003 FM 741, Forney TX 75126
4	Talty Baptist Church	5210 N FM 148, Crandall TX 75114
5	Terrell Service Center	400 Industrial Blvd., Terrell TX 75160
6	Ables Springs Fire Station	30000 FM 429, Terrell TX 75161
7	Devonshire HOA	1201 Ravenhill Rd., Forney TX 75126
8	Emmanuel Baptist Church	1717 N. Francis St., Terrell TX 75160
9	The Elmo Fire Station	12777 FM 2728, Terrell TX 75161
10	Scurry Rosser Admin. Bldg.	10705 St. Hwy 34, Scurry TX 75158
11	Beacon Hill Baptist	594 Hwy 80 West, Forney TX 75126
12	Lively Baptist Church	18075 S. FM 148, Kemp TX 75143
13	Mustang Creek Church	13851 FM 548, Forney TX 75126
15	First Baptist Church, Kemp	1320 S. Elm, Kemp TX 75143
16	Mabank City Hall	129 E. Market St., Mabank TX 75147
17	Pontview Baptist Church	110 Hwy 3039, Combine TX 75159
18	Crandall/Combine Comm. Cntr.	500 W Lewis/FM 3039, Crandall TX 75114
19	First Assembly of God Church	203 Main St., Terrell TX 75160
20	Bingo Hall-Terrell	14701 Hwy 205, Terrell TX 75160
21	Abner Baptist Church	6877 FM 2727, Kaufman TX 75142
22	Post Oak Bend Comm. Cntr.	1175 Co. Rd. 278, Kaufman TX 75142
25	Forney Sub Courthouse	200 E. Main St., Forney TX 75126
26	Bethlehem Baptist Church	500 S. Francis St., Terrell TX 75160
27	East Side Church of Christ	627 S. FM 548, Forney TX 75126
28	Kaufman County Library	3790 S. Houston St., Kaufman TX 75142
29	Heartland Comm. Ctr.	6622 FM 741, Heartland TX 75126
30	Warsaw Comm. Ctr.	6430 FM 148, Kaufman TX 75142

*Precincts 14, 23 & 24 are represented at any of the above polling locations