

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

DEPARTMENT: City Clerk

AGENDA DATE: July 10, 2018

CONTACT PERSON NAME AND PHONE NUMBER: Laura D. Prine, (915) 212-0049

DISTRICT(S) AFFECTED: 1, 5, 6, and 8

STRATEGIC GOAL: 6 – Set the Standard for Sound Governance and Fiscal Management

SUBGOAL: 6.8 – Support Transparent and Inclusive Government

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.**

Discussion and action on a Resolution of the City Council of the City of El Paso, Texas, calling for the 2018 General Election in the City of El Paso, to be held on November 6, 2018, to fill the expired terms of District Representative Nos. 1, 5, 6 and 8; and making provisions for the conduct of the Election; and authorizing a contract with El Paso County to furnish election services and equipment.

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?

General Elections are held every two years. The 2018 General Election is called to fill the expiring terms of District Representatives Nos. 1, 5, 6 and 8.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes, every election year. All City General Elections are called by City Council.

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 General Election is budgeted.

Department ID: 111 (City Clerk)

Fund: 1000 (General Fund)

Division: 11020 (City Clerk)

Account: 522030 (Elections – Contracts)

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Laura D. Prine

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, CALLING FOR THE 2018 GENERAL ELECTION IN THE CITY OF EL PASO, TO BE HELD ON NOVEMBER 6, 2018, TO FILL THE EXPIRED TERMS OF DISTRICT REPRESENTATIVE NOS. 1, 5, 6 AND 8; AND MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT.

WHEREAS, pursuant to the Texas Election Code, as amended, and the City of El Paso Charter, an election will be held on Tuesday, November 6, 2018 in the City of El Paso, Texas for the purpose of electing the following officers of the City of El Paso: four District Representatives from Single-Member District Nos. 1, 5, 6 and 8; and

WHEREAS, by this Resolution, it is the intention of the El Paso City Council to adopt all requirements of this election order in accordance with state law, and to authorize a contract with El Paso County for election services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

SECTION 1 – OFFICIAL POSITIONS TO BE FILLED

A general election of the City of El Paso is hereby called to elect one City Council Representative for, respectively, District Nos. 1, 5, 6 and 8. Such election shall take place on the November 6, 2018 uniform election day.

Such election shall be held in the manner and form prescribed by the laws of the State of Texas. At such election all qualified voters of the City shall be permitted to vote at said election, and shall vote at the polling place designated for the election precinct in which they reside. The candidate receiving a majority of the votes cast for each position shall be declared elected to such office.

Such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other locations as may be designated prior to the election by the El Paso County Elections Administrator or City Clerk, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election.

SECTION 2 – ELECTION SERVICES CONTRACT

The City Manager is hereby authorized to execute the necessary contract(s) and agreements, joint or otherwise, with the El Paso County Elections Administrator, or any other public entity, for the purpose of having El Paso County furnish all or any portion of the election services and equipment needed by the City Clerk to conduct the election. The contract document and election services provided therein shall conform to Chapter 31, Subchapter D, of the Texas Election Code and all other applicable statutes and laws.

The election services contract with the County shall provide (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day, (b) notification and training for election judges and clerks, (c) an estimate and final payment terms for the election services provided, (d) agreements for early voting equipment and voting machine rental, and (e) other procedures necessary to conduct the election.

SECTION 3 – EARLY VOTING CLERK

Lisa Wise, El Paso County Elections Administrator, 500 E. San Antonio, Suite 314, El Paso, Texas, 79901, is hereby appointed as Early Voting Clerk. Applications for ballot by mail must be received no later than the close of business on October 26, 2018, sent to this address.

SECTION 4 – EARLY VOTING

Early voting by personal appearance shall be conducted at the El Paso County Courthouse, located at 500 E. San Antonio, El Paso, Texas 79901. In addition, early voting may also occur at such branch early voting polling places as are designated herein or otherwise designated by the El Paso County Elections Administrator and posted at City Hall by the City Clerk. The locations and hours for early voting by personal appearance shall be authorized for such election as set forth in Exhibit "A."

In addition, mobile voting stations may be authorized and used for early voting at publicly owned buildings in the City as established by the El Paso County Elections Administrator. The City Clerk is authorized to make corrections or revisions to the list of these mobile stations, including the respective hours for early voting by personal appearance at these stations. The City Clerk is further authorized to make corrections or revisions to the list of early voting stations as set forth above, including the respective hours for early voting by personal appearance at these stations, and revise and correct all election notices regarding the early voting locations and the mobile voting stations, and the dates and times for such voting.

For purposes of processing ballots cast in early voting, the election officers for the Early Voting Ballot Board shall be appointed and designated in accordance with the provisions of the election agreement with El Paso County.

SECTION 5 – FILING FOR PLACE ON BALLOT

Applications for candidacy to the offices set forth in Section 1 shall be made to the City Clerk of the City of El Paso beginning on July 21, 2018 and ending on August 20, 2018, in the manner and form as prescribed by law.

The names of eligible and qualified candidates for such offices shall be placed on the ballots for such election by the City Clerk at the time and in the manner prescribed by law.

SECTION 6 – VOTING MACHINES AND ELECTION RESULTS

Voting machines used for the conduct of the election, shall be procured, maintained, operated, sealed and the votes therefrom tabulated pursuant to procedures established and authorized by the laws of the State of Texas.

The results of the election shall be certified, canvassed, and returned in the form and manner prescribed by law.

SECTION 7 – NOTICE OF ELECTION

The notice of the election hereby ordered and called shall be promulgated, published and posted in keeping with the state and local laws. A substantial copy of this resolution shall serve as proper notice of said election.

The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish in the Office of the City/Municipal Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in a newspaper in the City as required by law.

The City Clerk shall deliver notice of this election to the county clerk and voter registrar of El Paso County, as required by law.

SECTION 8 – RUNOFF ELECTION

Any runoff election required for the election of the named official City positions, following the general election of November 6, 2018, shall be held on a date that is permitted by and in accordance with Section 2.025 Election Code of the State of Texas. Such election, if any, shall be called by the City Council. Early voting dates and sites will be identified if such runoff election shall be held.

SECTION 9 – OTHER ACTION AND COMPLIANCE WITH APPLICABLE LAWS

The City Manager and the City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the election, whether or not expressly authorized herein.

APPROVED this ____ day of _____, 2018.

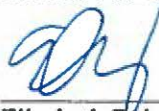
CITY OF EL PASO

Dee Margo
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Elizabeth Ruhmann
Assistant City Attorney

ATTACHMENT "A"

***List of Early, Mobile and Election Day Voting Locations
follows on the next page***