

ACTION FORM BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING: July 8, 2014		DATE SUBMITTED: June 23, 2014	
DEPARTMENT OF ORIGIN: City Secretary		SUBMITTED BY: Mary Lynne Stratta	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	STRATEGIC INITIATIVE:
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input checked="" type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> STATUTORY		<input type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input type="checkbox"/> INFRASTRUCTURE
			<input checked="" type="checkbox"/> QUALITY OF LIFE
AGENDA ITEM DESCRIPTION: Consideration – Approval of Joint Election Agreement			
<p>Consider approval of an interlocal agreement with Brazos County for the joint conduct of the November 4, 2014, City of Bryan general and possible special Charter Amendment elections and the general elections for state and county officers. (<i>Considerar la aprobación de un acuerdo interlocal con el Condado de Brazos para la realización conjunta el 04 de noviembre del 2014, la elección general de ciudad de Bryan y la elección especial para la enmienda a la Constitución posible y las elección general para los oficiales del estado y del condado.</i>)</p>			
SUMMARY STATEMENT: State law requires that governmental entities conducting joint elections approve an interlocal agreement setting forth the terms and conditions of the election conduct. The attached joint election agreement mirrors the agreement from last November and fairly sets forth the conditions for the sharing of expenses for the joint elections.			
STAFF ANALYSIS AND RECOMMENDATION: Staff recommends approval of the proposed agreement. The attached interlocal mirrors the agreement approved last year, is fair to all parties involved, and complies with State law. The conduct of joint elections addresses the City Council’s strategic initiatives of service and quality of life. Holding joint elections increases voter convenience, reduces voter confusion, and saves participating entities money.			
OPTIONS (In Suggested Order of Staff Preference):			
<ol style="list-style-type: none"> 1. Approve. 2. Postpone action. 3. Do not approve. 			
ATTACHMENTS: Joint Election Agreement			
FUNDING SOURCE: City Secretary’s Election Budget			
APPROVALS: Mary Lynne Stratta 6/23/2014; Hugh R. Walker, 06/24/2014			
APPROVED FOR SUBMITTAL: CITY MANAGER Kean Register, 06/30/2014			
APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 07/01/2014			

INTERLOCAL GOVERNMENT AGREEMENT
Joint Election

This agreement is made this ____ day of _____, 2014, by and between Brazos County (“the County”) and the City of Bryan (“the City”).

WHEREAS, Brazos County will conduct a general election on Tuesday, November 4, 2014; and

WHEREAS, the City of Bryan will call for a general municipal election to be held within the city limits of Bryan, Texas, on November 4, 2014; and

WHEREAS, Brazos County and the City of Bryan will hold elections on the same day; and

WHEREAS, the parties to this agreement desire that a joint election be held that is cost effective and convenient for the voters of the entities;

NOW, THEREFORE, IT IS AGREED that a joint election will be held by the County and the City under the following terms and conditions, and the parties hereto agree with said conditions:

1. That there shall be one ballot that contains all appropriate races and propositions available for qualified voters of the two entities.
2. That there shall be one set of voting equipment to be used at the common polling places.
3. That election forms be used and records be maintained in a manner convenient and adequate to record and report the results of the election for the County and the City.
4. That the joint tabulation of the precinct results shall be in a manner to facilitate the independent canvass of returns by the two entities.
5. That each entity shall be responsible for the preparation, publication and Spanish translations of its own Notice of Election and Order of Election.
6. That the implementation, conduct and management of said election shall be by the Brazos County Clerk. The Brazos County Clerk is hereby designated as the Chief Election Official and Early Voting Clerk for the two entities for the elections to be held on November 4, 2014. The implementation, conduct and management of the election shall include, but not be limited to:
 - A. The securing of qualified individuals to serve as election judges for each polling place.
 - B. The securing of locations and facilities where the election is to be conducted.
 - C. The securing of the election materials and supplies requisite to the proper administration of the election, and the programming and preparation of DRE voting equipment to be used in the election.

- D. The securing of a contract with an independent, qualified contractor for election services and supplies.
 - E. The Brazos County Clerk will be responsible for the conduct of joint early voting by personal appearance and by mail, with the City Secretary serving as Joint Early Voting Clerk.
7. The amount to be paid by the City to the County for services rendered by the County in the November 4, 2014, election is:
- A. Brazos County will first fund all costs in full, other than the publication of each entity's Notice of Election.
 - B. The City of Bryan will reimburse the County for certain costs as follows:
 - 1. One-fifth (1/5) the cost for payment of the early voting election workers.
 - 2. One-fifth (1/5) the cost paid to an independent, qualified contractor for election services and supplies.
 - 3. Each entity shall fund one-third (1/3) the expenses of the election day polling places within its City limits, when that entity has items appearing on the ballot for that precinct.
 - 4. One-fifth (1/5) of the cost of publication for all jointly required notices.
 - 5. The cost of rental of two (2) DRE voting equipment used in the precinct in which the City has items appearing on the ballot for that precinct.
 - 6. One-fifth (1/5) the cost of the Early Ballot Board, Central Counting Station, the tabulation supervisor and data processing manager.
 - 7. Administrative fee of 10% for the City's portion of expenses as allowed in the Texas Election Code.
8. Should any of the five (5) governmental entities that hold elections on the uniform election date (Brazos County, City of Bryan, City of College Station, Bryan ISD, College Station ISD) cancel all or part of their elections, then the distribution of expenses above shall be prorated accordingly.
9. Each entity shall be responsible for any necessary submissions to the U.S. Department of Justice for preclearance under the Federal Voting Rights Act.
10. The financial obligations of the parties under this agreement are payable from current revenues of the respective parties.
11. That the undersigned are the duly authorized representatives of the parties' governing bodies, and their signatures represent adoption and acceptance of the terms and conditions of this agreement.

APPROVED AND AGREED this _____ day of _____, 2014.

BRAZOS COUNTY

Karen McQueen, County Clerk

CITY OF BRYAN

Jason P. Bienski, Mayor

Janis K. Hampton, City Attorney

Attest:

Mary Lynne Stratta, City Secretary