

**RESOLUTION NO. 2022-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR ELECTION SERVICES WITH THE ELECTIONS ADMINISTRATOR OF GONZALES COUNTY FOR THE MAY 7, 2022 GENERAL ELECTION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council will order a General Election for the purpose of election a Mayor to be held on May 7, 2022; and

**WHEREAS**, the joint election will be administered by the Gonzales County Election Administrator's office in accordance with Chapter 271 of the Texas Election Code; and

**WHEREAS**, the Joint Election Agreement outlines each party's responsibility during the election process; and

**WHEREAS**, the terms of the Agreement allow for amendments to made upon written approval of the Parties; and

**WHEREAS**, the City finds that entering into a Joint Election Agreement for the May 7, 2022 General Election with Gonzales County is in the best interest of the City of Gonzales.

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

Section 1. The City Council of the City of Gonzales hereby authorizes the Mayor to Execute an Agreement for Election Services with the Elections Administrator of Gonzales County for the May 7, 2022 General Election with Gonzales County for a joint election as specified in Exhibit "A".

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City

Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

**PASSED AND APPROVED this 10<sup>th</sup> day of February, 2022.**



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Mayor, Connie L. Kacir

ATTEST:



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Kristina Vega, City Secretary

**THE STATE OF TEXAS                    §**

**COUNTY OF GONZALES                    §**

This contract made and entered into this the   1   day of   January  , 2022, by and between the **ELECTIONS ADMINISTRATOR OF GONZALES COUNTY, TEXAS**, acting as contracting officer, and the Contracting Officer for the **CITY OF GONZALES, GONZALES ISD, GONZALES MEMORIAL HOSPITAL, GONZALES WATER DISTRICT, GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 1, and GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 2**, Gonzales County, Texas, for the conduct and supervision of the Constitutional Amendments Election, to be held on May 7, 2022.

**WITNESSETH:**

Now, Therefore, in consideration of the premises and mutual promises and obligations herein set forth, it is agreed that:

**I.**

**GONZALES COUNTY** will provide the following supplies:

- a) Elections kits to include Early Voting and Election day;
- b) All required seals and thermal paper for DS200 and ExpressVote voting machines.
- c) Precinct polling place supplies (pens, tape, pencils, ADA supplies, etc.) as required;

**II.**

**GONZALES COUNTY** will provide the following services:

- a) Ordering programming for the election;
- b) Ordering Optical Scan Ballots for Ballot by Mail and Thermal Ballots for Early Voting and Election Day;
- c) Enlist and notice Judges, Alternates and Clerks for Early Voting and Election Day;
- d) Pre-election training;
- e) Receive and process applications for ballot by mail;
- f) Conduct Public L & A Test
- g) Publish the legal notice of the date, time and place of the test of the electronic tabulating equipment.
- h) Deliver equipment to polling location;
- i) Clear equipment after retention;
- j) Provide overall supervision of the election and provide advisory services in connection with the decisions to be made and the actions to be taken by the officers of the Party who is responsible;
- k) Pay all invoices and payroll for Judges, Alternates, Clerk, Early Voting Ballot Board and support staff.
- l) Determine time and places of Polling Locations

**III.**

**CITY OF GONZALES, GONZALES ISD, GONZALES MEMORIAL HOSPITAL, GONZALES WATER DISTRICT, GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 1 and GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 2** shall be responsible for the following:

- a) Proper public Notice of Election;
- b) Rental of ExpressVote and DS200 Precinct Counter;
- c) Conduct ballot order drawing;
- d) Furnish the Gonzales County Election Administrator a complete list of all candidates and all races to be conducted in the above mentioned election by March 8, 2022, with the order they should appear on the ballot;
- e) Canvassing of the election and all other statutory requirements by the Texas Election Code and/or the Federal Voting Rights Act;
- f) Reimbursement of all expenses incurred, including, but not limited to programming, ballots, notices, supplies and payroll as invoiced by Gonzales County.

Early Voting will be April 25, 2022 through May 3, 2022 from 8:00 a.m. to 5:00 p.m.

**IV.**

Only the actual expense directly attributable to the Contract may be charged including administrative fees. (Section 31.100(b), Texas Election Code) The County Elections Officer must submit the actual costs incurred pursuant to this Contract to the Party or Parties no later than 30 days after final election. The Party or Parties must submit payment to Gonzales County no later than 30 days from the date the invoice is received.

The County can hold the Party or Parties responsible for any actual expenses for repairs for any damage that occurs while the equipment is in the Parties possession that are not covered under the vendor's warranty.

IN WITNESS WHERE, the parties have hereunto set their hands, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**CITY OF GONZALES**

**GONZALES ISD**



\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Superintendent

**GONZALES WATER DISTRICT**

**GONZALES MEMORIAL HOSPITAL**

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**GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 1**

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**GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 2**

**GONZALES COUNTY**

  
Elections Administrator