

**CITY OF STAGECOACH, TEXAS
ELECTION
RESOLUTION # R-2016-2**

**JOINT ELECTION AGREEMENT WITH MONTGOMERY COUNTY AND OTHER
INTERESTED POLITICAL ENTITIES AND CONTRACT WITH
MONTGOMERY COUNTY FOR ELECTION SERVICES**

Effective Date: January 19, 2016

PURPOSE: A resolution authorizing the Mayor to sign a joint election agreement and contract for election services conducted by Montgomery County between Montgomery County and other interested political entities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STAGECOACH, TEXAS:

That whereas the City of Stagecoach, Texas, will hold a general election on May 7, 2016, for the purpose of electing the Mayor, Alderman Position #1, and Alderman Position #3; and whereas, the City of Stagecoach, Texas, desires to enter into a contract for election services conducted by Montgomery County between the Montgomery County and other interested political entities,

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

That the Mayor of the City of Stagecoach, Texas, is hereby authorized to execute for and on behalf of the City of Stagecoach, Texas, a joint election agreement and contract with Montgomery County between the Montgomery County and other interested political entities for election services for the May 7, 2016 General Election.

Motioned By: Alderman Bill McGahen

Seconded By: Alderman James Osteen

Recorded Vote:	<u>For</u>	<u>Against</u>	<u>Abstaining</u>
Alderman Sharon McClure	x		
Alderman Jim Cooley (absent)			
Alderman James Osteen	x		
Alderman Mark McGill (absent)			
Alderman Bill McGahen	x		

PASSED, APPROVED AND ENACTED ON THIS 19TH DAY OF JANUARY, 2016.

For the City of Stagecoach, TX:



Galen Mansee
Mayor

Attested by:



Brenda Rutt
City Secretary-Treasurer-Court Clerk

SEAL

Joint Election Agreement

Political Subdivision of City of Stageroach

WHEREAS, the undersigned Political Subdivisions (collectively referred to hereinafter as "Participating Entities") will each hold an election on May 7, 2016; and

WHEREAS, Montgomery County Elections Administrator, Suzie Harvey, as Montgomery County's Election Officer, has entered into separate Election Services Agreements with each of the undersigned Participating Entities wherein the County's Elections Officer will administer elections occurring on May 7, 2016, to be held in precincts in Montgomery County, as authorized under Subchapter D of Chapter 31 of the Texas Elections Code ("Election Services Agreements"); and

WHEREAS, the Participating Entities desire to enter into a Joint Election Agreement for the purpose of sharing election equipment, election officials, precinct polling locations, and electronic voting equipment where appropriate.

NOW, THEREFORE, Participating Entities enter this Joint Election Agreement under the terms that follow:

I. Scope of Joint Election Agreement

The Participating Entities enter this Joint Election Agreement ("Agreement") for the purpose of jointly conducting elections to be held on May 7, 2016 ("Joint Election").

II. Appoint Election Officer

The Participating Entities appoint Suzie Harvey, Montgomery County Elections Administrator ("Contracting Officer"), to serve as the Election Officer to perform the duties and responsibilities of Election Officer itemized in the Election Services Agreements for the Joint Election.

III. Early Voting and Election Day

Early voting and election day voting shall be held in **common** precincts where **appropriate**, at the dates, times, and locations adopted by Montgomery County Commissioners' Court and/or authorized and ordered by the governing body of each Participating Entity.

IV. Joint Election Costs; Adjustment of Costs in the Event of Cancellation of Election; Payment

The estimated election expenses for each Participating Entity, including administrative costs and expenses for facilities, personnel, supplies, equipment, and training are reflected in the Exhibit D - Cost Estimate incorporated into each Election Services Agreement. The Participating Entities agree that they will be responsible for and will pay from budgeted funds their share of the actual election expenses attributable to each entity according to the table incorporated into the Election Services Agreements as the Final Invoice.

V. Reasonable Cooperation

The Participating Entities agree to reasonably cooperate with each other as is necessary to carry out the terms of this Agreement.

VI. Miscellaneous Provisions

1. This Agreement becomes effective with respect to each Participating Entity upon execution by that Participating Entity. The obligations of this Agreement will continue as to each Participating Entity until each Participating Entity has made full payment of its share of election costs under this Agreement and its respective Election Services Agreement, which costs are related to the Joint Election.
2. If for any reason a Participating Entity does not participate in the Joint Election, this Joint Election Agreement shall remain in effect between all remaining Participating Entities.
3. Notices given under this Agreement must be in writing and may be effected by hand delivery, fax, email, or by certified mail to the Contracting Officer and/or the Participating Entities at the addresses listed on their respective signature blocks below.
4. This Agreement may not be amended or modified except in writing executed by the Contracting Officer and the respective Participating Entity with whom the amendment or modification has been mutually agreed.
5. The obligations under this Agreement are performable in Montgomery County, Texas.
6. Venue for any dispute arising under this Agreement shall be in Montgomery County, Texas. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the United States of America.
7. If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement; and the Participating Entities shall perform their obligations under this Agreement as expressed in the terms and provisions of this Agreement.
8. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original for all purposes. Faxed signatures and/or electronic signatures shall have the same force and effect as an original signature.


IN TESTIMONY WHEREOF, this Agreement is executed by the Contracting Officer and each Participating Entity on the dates indicated below.

See attached signature page(s):

DATE SIGNED:

January 8, 2016
Date

Signature:
Printed name:


Suzie Harvey
"Contracting Officer"

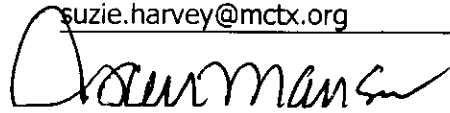
All correspondence to be directed to:

Address:
City, State, Zip:
Telephone:
Fax:
Email:

Montgomery County Elections Office
P. O. Box 2646
Conroe, Texas 77305-2646
(936) 539-7843
(936) 788-8340
suzie.harvey@mctx.org

1-20-16
Date

Signature:
Printed name:
Political Subdivision
Address:
City, State, Zip:
Telephone:
Fax:
Email:


Galen Mansee
City of Stagecoach
16930 Boot Hill Rd.
Stagecoach, TX 77355
281-259-0022
281-259-7720
office@stagecoachtx.us

Date

Signature:
Printed name:
Political Subdivision
Address:
City, State, Zip:
Telephone:
Fax:
Email:

Date

Signature:
Printed name:
Political Subdivision
Address:
City, State, Zip:
Telephone:
Fax:
Email:

EXHIBIT A
MAY 7, 2016 JOINT ELECTION
EARLY VOTING POLLING LOCATIONS AND TIMES

April 25 – 30	Monday – Saturday	8:00 am – 5:00 pm
May 2 – 3	Monday – Tuesday	7:00 am – 7:00 pm

Lee G. Alworth Building
(Main Early Voting Polling Place)
207 West Phillips - Conroe, Texas 77301

Magnolia Community Building
422 Melton Street - Magnolia, Texas 77354

South County Community Building
2235 Lake Robbins Drive - The Woodlands, Texas 77380

North Montgomery County Community Center
600 Gerald Street - Willis, Texas 77378

East County Courthouse Annex
21130 U. S. Highway 59 South - New Caney, Texas 77357

Lone Star Community Center
2500 Lone Star Parkway - Montgomery, Texas 77356

Election Central
(Limited Ballots, Special Forms of Early Voting and Ballot by Mail only)
9159 Airport Road - Conroe, Texas 77303

Montgomery County Elections

Exhibit B

Report Time:1/8/2016 3:55:44 PM

City of Stagecoach					
PCT	Polling Location	Suspense	Active	Total	PCT
*13	Decker Prairie Community Building	43	298	341	*13
*28	Decker Prairie Elementary School	4	54	58	*28
		47	352	399	2

City of Willis					
PCT	Polling Location	Suspense	Active	Total	PCT
*01	Willis Community Building	169	761	930	*01
*22	Lake Conroe Hills Community Building	146	315	461	*22
*23	Cargill Education Support Center	116	701	817	*23
*43	Panorama City Hall			0	*43
*50	Far Hills Utility District Building	8	30	38	*50
*57	Stow Away Marina Cafe			0	*57
*85	Northridge Baptist Church	8	58	66	*85
		447	1,865	2,312	7

City of Woodbranch Village					
PCT	Polling Location	Suspense	Active	Total	PCT
*53	Woodbranch City Hall	122	780	902	*53
		122	780	902	1

City of Woodloch					
PCT	Polling Location	Suspense	Active	Total	PCT
*56	Montgomery County Hospital District EMS Station 20	25	119	144	*56
		25	119	144	1

* Jurisdiction Occupies only a part of the Precinct

May 7, 2016
Montgomery County Joint Election
Exhibit C - Timetable

The Participating Entities agree that timing is critical, and failure to adhere to this Timetable without prior agreement of Contracting Officer may result in additional charges or cancellation of Contracting Officer's duties and obligations to conduct Political Subdivision's election under this Agreement.

The dates in this Exhibit C - Timetable that pertain to deadlines provided by statute are for convenience only and are not to be considered legal advice. Refer to the website of the Texas Secretary of State <http://www.sos.texas.gov/elections> for a complete calendar of events including citations to the Texas Election Code and for information specific to entity type. Confer with your attorney on any statutes that govern your entity. Comply with all requirements for orders, postings and notices for your Political Subdivision.

Notices

Contracting Officer will provide the publication in English and Spanish of:

- public notice of the date, time, and place of the logic and accuracy test and first test of automatic tabulating equipment in *The Courier* and
- one notice of joint election in Montgomery County newspaper(s).

Immediately

If your entity is not listed on Exhibit B, "Need to Confirm Streets" is indicated on Exhibit B, has annexed territory, or has made any boundary changes, you must contact Contracting Officer at Suzie.Harvey@mctx.org and Matt.Murray@mctx.org immediately. Streets and block ranges in your jurisdictional boundaries must be defined, and this process can be lengthy. An Approval Form for streets must be signed by **February 2, 2016**, in order for you to participate in the Joint Election.

January 28, 2016

Deadline to email Suzie.Harvey@mctx.org **notification of participation** in Joint Election, even if your election might be canceled if it is uncontested. We are unable to accommodate anyone who responds late. If notice is not received by this date, political subdivision will not be included in future correspondence regarding the Joint Election or in the Exhibit D - Cost Estimate.

February 2, 2016

Entity Fact Sheet due.

February 11, 2016

Electronic Ballot Template (without candidate names) due. This must be emailed in a **Word Document** on our Ballot Template Form to Suzie.Harvey@mctx.org and Jason.Lay@mctx.org. Email candidate names separately, immediately following the Candidate Filing deadline. Email the order of candidates on the ballot immediately following your ballot position drawing.

February 19, 2016

Deadline to **order an election**, unless otherwise provided by statute. Please forward a copy of your Order of Election to Contracting Officer.

5:00 PM - Candidate Filing deadline, unless otherwise provided by statute.*

*Schedule your ballot position drawing as soon as possible, but no later than the **Candidate Withdrawal** deadline, and email the order of candidates on the ballot (see entry under **February 26**).

Notice of ballot position drawing must be posted for 72 hours immediately preceding drawing.

Political subdivision other than a city: The authority conducting the ballot position drawing must mail written notice of the date, hour, and place of the drawing to candidates not later than the fourth day before the drawing.

City: On receipt of a candidate's written request accompanied by a stamped, self-addressed envelope, the authority conducting the ballot position drawing must mail written notice of the date, hour, and place of the drawing to the candidate.

5:15 PM - Deadline to notify Suzie.Harvey@mctx.org whether Political Subdivision has a **contested election** for election with candidate race(s). Political subdivision will not be included in the Joint Election if we do not receive notice.

5:15 PM - Deadline to email **candidate names** exactly as they are to be printed on the ballot.

February 23, 2016

12:00 PM - Deadline to email **phonetic pronunciation** of all candidate names that are not obvious, which will be used for the ballot audio recording.

5:00 PM - Write-In Declaration Filing deadline, unless otherwise provided by statute.*

5:15 PM - If a Write-In causes election to be **contested**, deadline to notify Suzie.Harvey@mctx.org.

5:15 PM - Deadline to email the names of **Write-In candidates**.

5:15 PM - If election is uncontested as of 5:00 PM on this date, Deadline to **cancel election** with Contracting Officer and incur **no fees** under this Agreement. If election is contested as of this date, but a candidate withdrawal after this date causes election to be uncontested, no charges will be assessed if Contracting Officer is notified of cancellation on the date of the withdrawal.

February 26, 2016

5:00 PM - Candidate Withdrawal deadline, unless otherwise provided by statute.

5:15 PM - Deadline to email Suzie.Harvey@mctx.org **withdrawals** or **election cancellation**.

5:15 PM - If a candidate withdrawal on this date causes election to be uncontested, Deadline to **cancel election** with Contracting Officer and incur **no fees** under this Agreement.

7:00 PM - Deadline to email **order of candidates on ballot** (please email as soon as it is available).

Deadlines for ballot proofing and ballot approval will be emailed with ballot proofs. The Participating Entities must adhere to deadlines in order for our office to meet the Federal and/or State deadlines to mail or email, as applicable, any military and overseas ballots.

March 4, 2016

Deadline to receive executed **Election Services Agreement** and **Joint Election Agreement** by mail, delivery (addresses on last page), or email Suzie.Harvey@mctx.org.

March 8, 2016

Deadline to receive **copy of Order of Election**.

March 23, 2016

Deadline to receive **deposit – 60%** of estimated cost on official **Exhibit D - Cost Estimate**, payable to Montgomery County Elections Administrator (addresses on last page).

March 24, 2016

9:00 AM - Public Logic and Accuracy Test and First Test of Automatic Tabulating Equipment held at Election Central, 9159 Airport Road, Conroe, Texas 77303.

April 7, 2016

Last day to register to vote for the **May 7, 2016** Election.

April 25 – May 3, 2016

Early Voting period.

April 26, 2016

Last day to accept **applications for early voting ballot by mail** and Federal Post Card Applications. The Early Voting Clerk may now receive applications beginning at any time during the calendar year, but no later than this date.

Applications for ballot by mail should be sent to:

<u>Mail</u>	<u>Fax</u>	<u>EMail</u>
Suzie Harvey Elections Administrator P. O. Box 2646 Conroe, TX 77305-2646	(936) 788-8340	Election.Ballot@mctx.org

Any application submitted directly to Participating Entity must be hand delivered or faxed to Election Central on the day of receipt. If faxed, the original application must also be mailed to Contracting Officer.

May 6, 2016

If applicable, last day to post notice at the entrance to **any** polling place from Political Subdivision's preceding election that is different from the polling place used for this election and provide the location of the new polling place pursuant to Texas Election Code Section 43.062.

Saturday, May 7, 2016

7:00 AM to 7:00 PM - Election Day

May 12, 2016

Deadline to receive ballots mailed from overseas.

Canvass Dates

Dates set by law to conduct official local canvass of returns are **May 10 - 18**, but it is recommended that you schedule your canvass date for **May 16 (evening) - 18**.

The Early Voting Ballot Board may be processing provisional ballots and overseas mail ballots as late as **May 12 - 16**. Canvass reports will be emailed as soon as possible, but they might not be available until **May 16**.

June 6, 2016

Deadline to file electronic Precinct By Precinct returns with the Texas Secretary of State.

30 days from date of Final Invoice

Pay balance due for election services. Checks should be made payable to:
Montgomery County Elections Administrator.

November 8, 2016

First day that non-permanent election records* may be destroyed IF no contest or criminal investigation has arisen and IF no open records request has been filed.

*Permanent Records: (Sec. 66.001, 67.004, 67.006, Texas Election Code)

Election results in tabulated form must be preserved as a permanent record in the election register for each local canvassing authority by:

City: the city secretary

Political subdivision other than a county or city: the secretary of the governing body or, if there is no secretary, the presiding officer of the governing body

Candidate Applications must be retained by the governing body for two years after the date of the election (Sec. 141.036, Texas Election Code).

Suzie Harvey
Montgomery County Elections Administrator

Email
Suzie.Harvey@mctx.org

Mail
P. O. Box 2646
Conroe, TX 77305-2646

Delivery
9159 Airport Road
Conroe, TX 77303