

JOINT ELECTION AGREEMENT
(Authorized by the Texas Election Code Chapter 271)

I. JURISDICTION

The City of Mansfield plans to hold a City Council Election on May 12, 2012, in Johnson and Ellis County voting precincts for the purpose of electing the City of Mansfield Council Places 3, 4 and 5.

The Mansfield Independent School District Board of Trustees plans to hold a Board of Trustees Election on May 12, 2012, in the portion of Johnson County defined by MISD boundaries for the purpose of electing school trustees to Places 1 and 2.

II. ADMINISTRATION

The City of Mansfield's City Secretary agrees to coordinate, supervise, and handle all aspects of administering the Joint Election in accordance with the provisions of the Texas Election Code and as outlined in this agreement. The Mansfield Independent School District agrees to pay the City of Mansfield for equipment, supplies, services and administrative costs as outlined in this agreement. The City of Mansfield's City Secretary will serve as administrator for the election; however, each participating authority remains responsible for the lawful conduct of their respective election.

III. LEGAL DOCUMENTS

Each participating authority will be responsible for preparation, adoption and publication of all required election orders, resolutions, notices and any other pertinent documents required by their respective governing bodies.

If needed, the City of Mansfield will be responsible for making the submission required by the Federal Voting Rights Act of 1965, as amended, with regard to administration of the joint election and the use of HAVA mandated voting equipment. A copy of the submission will be furnished to the Mansfield ISD. Any other changes which require preclearance by the U.S. Department of Justice will be the responsibility of each participating authority. Each entity will be responsible for the publication of any required legal notices.

IV. VOTING SYSTEM

Each participating authority agrees that voting at the joint election will be by paper ballot and an AutoMark accessibility unit voting equipment approved by the Secretary of State in accordance with the Texas Election Code for HAVA compliance.

The City of Mansfield agrees to provide voting booths for the election.

V. VOTING LOCATIONS

Early voting by personal appearance shall be conducted at the following times:

Monday, April 30, 2012: 8:00 a.m. – 5:00 p.m.

Tuesday, May 1, 2012: 8:00 a.m. – 5:00 p.m.

Wednesday, May 2, 2012: 8:00 a.m. – 5:00 p.m.

Thursday, May 3, 2012: 8:00 a.m. – 5:00 p.m.

Friday, May 4, 2012: 8:00 a.m. – 5:00 p.m.

Saturday, May 5, 2012: 7:00 a.m. – 7:00 p.m.

Sunday, May 6, 2012: 11:00 a.m. – 4:00 p.m.

Monday, May 7, 2012: 7:00 a.m. – 7:00 p.m.

Tuesday, May 8, 2012: 7:00 a.m. – 7:00 p.m.

Early Voting by personal appearance shall be at Mansfield City Hall, 1200 East Broad Street, Mansfield, Texas 76063. Applications for early voting by mail may be delivered to the City Secretary at Mansfield City Hall, 1200 East Broad Street, Mansfield, Texas, 76063, not earlier than March 13, 2012, and not later than the close of business on April 27, 2012, if delivered in person, and May 4, 2012, if delivered by mail. Early Voting ballots shall be mailed to Early Voting Clerk, 1200 East Broad Street, Mansfield, Texas 76063.

It is further agreed by the participating authorities that the following polling place will be used on Election Day:

Location: Mansfield City Hall

Address: 1200 East Broad Street, Mansfield, Texas 76063

Precincts: 7, 8, 35 and 101

VI. ELECTION JUDGES, CLERKS AND OTHER ELECTION PERSONNEL

The City of Mansfield will be responsible for the appointment of the presiding judge and alternate for the polling location, and also for the appointment of the Early Voting Ballot Board. It is agreed by the participating authorities to employ the number of election clerks as the need determines, and that all election workers shall be paid \$8.50 per hour and the alternate judge shall be paid \$9.50 an hour. The election judge will be paid \$10.00 per hour and will receive an additional \$25.00 for picking up the election supplies prior to Election Day and for delivering election returns and supplies to their designated drop off site.

It is further agreed by the participating authorities to employ early voting clerks, during the early voting period (April 30 – May 8, 2012) with a minimum of three election workers at the polling place during the voting hours.

The City of Mansfield's City Secretary is responsible for notifying all election judges of the eligibility requirements under Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to insure that all election judges appointed for the joint election are eligible to serve. The presiding judges, with the City Secretary's assistance, will be responsible for insuring the eligibility of each appointed clerk hired to assist the judge in the conduct of the election.

The participating authorities agree to hold one (1) public school of instruction on elections laws and on the use of the AutoMark accessibility unit voting equipment.

The election judges are responsible for picking up of election supplies at the time and place determined by the City Secretary (which will be set forth in the election judge letter requesting service for this election).

VII. SUPPLIES AND PRINTING

The City of Mansfield will arrange for all election supplies and election printing, including, but not limited to, ballots (electronic and paper), all forms, signs and other materials used by the election judges at the voting locations. The City of Mansfield will prepare all necessary bilingual materials for the official ballot. Preparation of necessary bilingual materials for notices will be the responsibility of each participating authority.

The Mansfield Independent School District will furnish the City of Mansfield's City Secretary a list of candidates showing the order and the exact manner in which their names are to appear on the official ballot. This will be done as soon as possible after ballot position has been determined by the MISD candidates.

VIII. BALLOT TABULATION AND RETURNS OF ELECTION

The City of Mansfield will be responsible for the tabulation of ballots at the Election Day polling location, and for the tabulation of early votes at the Mansfield City hall, 1200 East Broad Street, Mansfield, Texas 76063. Following the tabulation of ballots on Saturday, May 12, 2012 the City of Mansfield shall notify MISD of the unofficial results in person at the election day polling location, or by telephone, or by E-mail, and will prepare the following election records to be returned to MISD no later than 12:00 p.m., Monday, May 14, 2012: (1) a Return Sheet from each polling location, and for early voting, showing the number of votes received by each candidate and the total number of voters; (2) copy of the Combination Form (Poll List/Signature Roster) from each polling location, and for early voting.

Mansfield ISD will be responsible for securing these records from the City of Mansfield by the date and time specified above.

IX. RECORDS OF ELECTION

Vicki Collins, City Secretary, is hereby appointed general custodian of the voted ballots and all records of the Joint Election as authorized by Section 271.010 of the Texas Election Code.

Access to the election records will be available to each participating authority as well as to the public in accordance with the Texas Public Information Act, Chapter 552, Government Code, at the City of Mansfield, City Secretary's Office, 1200 East Broad Street, at any time during normal business hours. The City Secretary shall ensure that the records are maintained in an orderly manner, so that records are clearly identifiable and retrievable per records storage container.

Records of the election will be retained and disposed of in accordance with the provisions of Title 6, Subtitle C, Chapters 201 through 205, Texas Local Government Code, including the minimum retention requirements established by the Texas State Library and Archives Commission. If records of the election are involved in any pending election contest, investigation, litigation, or Texas Public Information Act, the City Secretary shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of any participating authority to bring to the attention of the City Secretary any notice of any pending election contest, investigation litigation, or Texas Public Information Act request which may be filed with a participating authority.

On the first business day which follows the date that the records of the election are eligible for destruction, the City Secretary will notify in writing each participating authority of the planned destruction of any records of the election. Within fifteen days of receipt of the City Secretary's notice of intent to destroy the records, each participating authority will provide the City Secretary with written authorization to proceed with destruction or written instruction to withhold destruction.

X. ELECTION EXPENSES

The participating authorities agree to equally sharing the costs of administering the May 12, 2012, election. The City of Mansfield agrees to provide the MISD with an estimate of election expenses as soon as possible but no later than April 16, 2012. MISD agrees to remit to the City of Mansfield, two weeks after receipt of estimate a sum equal to 50% of the total estimated cost of election expenses for only the costs associated with the Johnson County voters. Final election expenses will be determined within 30 days of the election, and the City will provide MISD with a final accounting. It is agreed that the remaining balance owed by MISD will be remitted to the City no later than thirty (3) days after receipt of the final accounting.

XI. EARLY VOTING APPOINTMENT (ADMINISTRATION)

Vicki Collins, City Secretary, will be appointed as early voting clerk in compliance with Section 271.006 of the Texas Election Code. Other deputy early voting judges/clerks will be appointed as needed to process early voting mail and to conduct early voting at the main location.

Early voting by personal appearance will be conducted in accordance with the election order of the participating authorities.

MAIN EARLY VOTING POLLING PLACE

CITY OF MANSFIELD CITY HALL
1200 East Broad Street
Mansfield, Texas 76063

All requests for early voting ballots by mail that are received by participating authorities will be delivered by the most efficient means on the day of receipt to the City of Mansfield, City Secretary's Office, City Hall, 1200 East Broad Street, Mansfield, for processing. Persons voting by mail will send their voted ballots to the City of Mansfield, City Secretary's Office.

All early voting ballots will be prepared for counting by an Early Voting Ballot Board appointed in accordance with Section 87.001 of the Texas Election Code.

XII. CONTRACT WITHDRAWAL

Any participating authority that certifies their election in accordance with Section 2.051, 2.052, and 20.53 of the Texas Election Code, may withdraw from the joint election contract. Any expenditures incurred prior to withdrawal shall be billed separately and that contracting authority shall be removed from the contract. In the event of election cancellation by the City of Mansfield, MISD agrees to conduct their election at their own expense. In the event of election cancellation by the MISD, the City of Mansfield agrees to conduct their election at their own expense.

APPROVED BY THE MANSFIELD CITY COUNCIL ON THE 23rd DAY OF APRIL, 2012.

David L. Cook, Mayor, City of Mansfield

ATTEST:

Vicki Collins, City Secretary

ACCEPTED AND AGREED TO BY THE MANSFIELD INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES ON THE _____ DAY OF _____, 2012.

Sandra Vathauer
Board President
Mansfield Independent School District

Dr. Michael Evans, Secretary
Board Secretary
Mansfield Independent School District