



Brownsville Independent School District

Agenda Category: Contract Board of Education Meeting: 02/06/2024

Item Title: Approval of the Elections Contract X Action
Between Brownsville I.S.D. and the Information
Cameron County Elections Office Discussion

BACKGROUND:

The Brownsville Independent School District will hold a School Trustee Special Election on Saturday, May 4, 2024 in 45 county voting precincts and proposes to open 18 election day polling locations on Election Day. The Cameron County Elections Administrator will serve as Administrator for the B.I.S.D. Election. The Cameron County Election Office agrees to coordinate, supervise, and handle all aspects of administering the election in accordance with provisions in the Texas Election Code and as outlined in this agreement. The estimated costs of the election are \$106,370.00. An initial 60% (\$63,822.00) deposit is due upon approval of signing contract. The remaining 40% (42,548.00) is due 30 days after final invoice is mailed to the District. The funds will be placed in a special election account to be used by the County for paying expenses as outlined in the contract. No funds will be expended by Cameron County except for supplies and services outlined in the contract or except as may be agreed to, in writing, by the District and County.

FISCAL IMPLICATIONS:

Budget Local Funds: Estimated at \$106,370.00

RECOMMENDATION:

Recommend approval to contract with Cameron County Elections Office and to pay 60% deposit for estimated costs of election services for a joint Election to be held on Saturday, May 4, 2024 and to authorize the Superintendent to sign the contract. Estimated at \$106,370.00.

Approved for Submission to Board of Education:

Dr. Jesus H. Chavez
Submitted by: Interim Superintendent

Miguel Salinas
Recommended by: Staff Attorney

Jesus H Chavez
Dr. Jesus H. Chavez
Interim Superintendent

Approved by: Interim Superintendent

THE STATE OF TEXAS §

Contract No.

COUNTY OF CAMERON §

THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICT CONTRACT FOR ELECTION SERVICES

FOR A SPECIAL ELECTION TO BE HELD ON SATURDAY, MAY 4, 2024, TO BE
ADMINISTERED BY THE CAMERON COUNTY ELECTIONS DEPARTMENT

I. JURISDICTION

The Brownsville Independent School District (the Participating Authority) has called an election for May 4, 2024 in forty-five (45) county election precincts and proposes to open eighteen (18) Election Day polling location.

II. ADMINISTRATION

The Cameron County Elections Administrator agrees to coordinate, supervise and handle all aspects of administering the election in accordance with provisions in the Texas Election Code and as outlined in this agreement. The Participating Authority agrees to pay Cameron County for equipment, supplies, services and administrative costs as outlined in this agreement. The Cameron County Elections Administrator will serve as administrator for the Election; however, the Participating Authority remains responsible for the lawful conduct of their elections and for the notice to their electorate of any changes in single-member district boundaries from previous elections.

III. LEGAL DOCUMENTS

The 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 pertaining governing bodies.

Preparation of necessary bilingual materials for notices and preparation of the text for the official ballot will also be the responsibility of the Participating Authority. The Participating Authority will provide a copy of their election notices to the County Elections Administrator.

IV. VOTING LOCATIONS

The County Elections Administrator will select and arrange for the use of and payment for all voting locations. Voting locations will be, whenever possible, the usual voting locations for the precincts. The proposed voting locations are listed in Attachment "A", which is attached hereto and incorporated by reference as if fully set forth herein. In the event a voting location is not available, the Elections Administrator will arrange for the use of an alternate location with the approval of the Participating Authority. The Elections Administrator will notify the Participating Authority of any changes from the locations listed in Attachment A.

~~The Elections Administrator may send the Participating Authority a final version of Attachment A which reflects the actual locations to be used on the day of the election if changes become necessary.~~

V. ELECTION JUDGES, CLERKS AND OTHER ELECTION PERSONNEL

The Elections Administrator will be responsible for the appointment of the presiding judge and alternate for each polling location under the advisement of each Participating Authority. The Election Administrator shall arrange for the training and compensation of all presiding judges and clerks. The proposed election judges are listed in Attachment "B", which is attached hereto and incorporated by reference as if fully set forth herein. If a person is unable or unwilling to serve, the Elections Administrator will name a judge for the precinct.

The Elections Administrator will send the Participating Authority an updated version of Attachment "B", which reflects the names of judges who were sent the letter requesting services for this election, and a final version of Attachment "B" which reflects the names of the judges who actually presided on the day of the election.

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

For Election Day staffing of the Polling Locations, the presiding judge will receive up to \$15.00 per hour, alternate judge up to \$14.00 per hour and the election clerks up to \$13.00 per hour (for a maximum of 16 hours). The election workers will receive compensation for attending the election training session and \$40.00 for delivery of ballots and supplies to the designated sites after the polls close.

The Elections Administrator will employ other personnel necessary for the proper administration of the election, including such part-time help as is necessary to prepare for the election, to ensure the timely delivery of supplies and equipment during the period of early voting and on Election Day.

VI. EQUIPMENT SUPPLIES AND PRINTING

The Elections Department will arrange for the delivery of programmed and tested equipment to the voting locations. The Participating Authority will provide current district maps. The Elections Administrator will instruct the election judges in the reporting precincts that may have more than one ballot style on the procedures to properly conduct the election.

The Participating Authority will furnish the Elections Administrator a list of candidates and or propositions showing the order and the exact manner in which their names and/or proposition(s) are to appear on the official ballot. The list will be delivered to the Elections Administrator as soon as possible after the Participating Authority has determined ballot positions. The Participating Authority will be responsible for proofreading and approving the ballot in so far as it pertains to that authority's candidates and/or propositions.

VII. EARLY VOTING

Remi Garza, Elections Administrator, will be appointed as early voting clerk in compliance with Section 31.097 of the Texas Election Code. Deputy early voting clerks will be appointed as needed to conduct early voting at the main and branch locations. Each early voting supervisor will receive up to \$15.00 per hour and the clerks up to \$13.00 per hour. The early voting supervisor and the clerks will receive compensation for attending the election training session and \$30.00 for delivery of election supplies to the designated sites.

Early Voting by personal appearance will be conducted each weekday from Monday, April 22, 2024 through Tuesday, April 30, 2024, at on the intervening weekend depending on location. Please see locations, dates and hours of operation listed for each location in Attachment C:

Persons voting by mail will send their request and voted ballots to: Cameron County Elections Department
P. O. Box 3587
Brownsville, Texas 78523.

All ballots voted by mail will be prepared for counting by an early voting ballot board appointed in accordance with Section 87.001 of the Texas Election Code.

The Participating Authority agrees to appoint Laura Lee Ortiz as presiding judge of the Early Voting Ballot Board. A list of members will be furnished to the Participating Authority. The Early Voting Ballot Board will convene as the Late Ballot Board to consider properly postmarked overseas military ballots to be delivered and any provisional ballots cast.

VIII. RETURNS OF ELECTIONS

The Elections Department will be responsible for establishing and operating the Central Counting Station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this agreement.

The Participating Authority, in accordance with Sections 127.002, 127.003, and 127.005 of the Texas Election Code, appoints the following Central Counting Station officials:

Manager	Remi Garza, County Elections Administrator
Presiding Judge	Deborah Sloss
Tabulating Supervisor	Mary Vasquez

The manager or his representative will deliver timely cumulative reports of the election results as precincts are tabulated. The manager will be responsible for releasing cumulative totals and precinct returns from the election to the participating authorities, the press, and general public. Cameron County will operate an election result center (Central Count) to release election results at the County Courthouse, Central Jury Room, 974 East Harrison, Brownsville, Texas. The Participating Authority, upon request, may require release of returns be given only at a specified location other than from the result center.

The Cameron County Elections Department will prepare the unofficial canvass report after all precincts have been counted, and will deliver a copy of the unofficial canvass to the Participating Authority as soon as possible after all returns have been tabulated. Each participant will be responsible for the official canvass of their elections.

IX. ELECTION EXPENSES

A general administrative fee not to exceed 10% of the total cost of the election shall be assessed as authorized by the Texas Election Code, Sec. 31.100.

Final election expenses will be determined within 60 days after the election. The Elections Administrator will provide each Participating Authority a final accounting in writing of all funds deposited into their account and an accounting of all payments from each Participating Authority's account.

If additional funds are needed, the Elections Administrator will bill each Participating Authority in accordance with the expense formula previously agreed to by the Participating Authority. Any amount remaining will be refunded accordingly to each Participating Authority.

In the event of cancellation of this election, the Elections Administrator may assess charges for costs incurred and services rendered in preparation for the election.

X. DEPOSIT OF FUNDS

The Participating Authority agrees to deposit with the Cameron County Elections Administrator, by no later than March 8, 2024, a sum equal to 60% of the total estimated cost (Attachment D) of election expenses to be paid to Cameron County as administrator of the election. The final payment to be paid within 30 days after receipt of the summary of final cost submitted to the Participating Authority by the Office of the Elections Administrator. The funds will be placed in a special election account to be used by the County for paying expenses as outlined in this agreement. No funds will be expended by Cameron County except for supplies and services outlined in this agreement, or except as may be agreed to, in writing, by the Participating Authority.

The estimated cost is \$106,370.00. The amount to be deposited is \$63,822.00. Deposits should be delivered to:

Remi Garza
County Elections Administrator
1050 E. Madison St.
P. O. Box 3587
Brownsville, Texas 78520

XI. RECORDS OF THE ELECTION

Remi Garza, Elections Administrator, is hereby appointed general custodian of the voted ballots and all records of the 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 Elections Department, 1050 E. Madison, Brownsville, Texas, at any time during normal business hours. The Elections Administrator 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 records retention schedules which may have been adopted by each Participating Authority, and 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 Request, the Election Administrator 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 Elections Administrator any notice of any pending election contest, investigation, litigation, or Texas Open Records Request which may be filed with a Participating Authority.

XII. RUNOFF ELECTION

In the event a runoff is necessary, the agreement will automatically be extended to cover the runoff. The Elections Administrator will provide participants in the runoff election with an estimate of funds to be deposited in a runoff election account. The funds must be deposited no later than seven (7) days after the runoff estimate figures are received from the Elections Administrator.

XIII. CONTRACT WITHDRAWAL

The participants may withdraw from the election contract in accordance with Sections 2.051, 2.052 and 2.053 of the Texas Election Code. Any expenditure incurred prior to withdrawal shall be billed separately and shall be removed from the contract (see also Section IX of this contract).

XIII. NOTICE

Whenever this agreement requires any consent, approval notice, request or demand, it must be in writing to be effective and shall be delivered to the party intended to receive it as shown below:

Remi Garza
County Elections Administrator
P. O. Box 3587
Brownsville, Texas 78523

Dr. Jesus H. Chavez
Interim Superintendent
Brownsville Independent School District
1900 E. Price Rd., #307
Brownsville, Texas 78521

Executed on this _____ day of _____, 2024.

RECOMMENDED FOR APPROVAL BY
COUNTY OF CAMERON


Remi Garza
Elections Administrator

2/2/24
Date

ACCEPTED AND AGREED TO BY
Brownsville Independent School District

Dr. Jesus H. Chavez
Interim Superintendent

Date

ATTEST:

Date



Notice of Early Voting Locations for the Brownsville ISD Special Election to be held on May 4, 2024

ATTACHMENT "C"

Early voting by personal appearance will be conducted at the following locations, dates and times:

LOCATION	ADDRESS	DATES	TIMES
Main Office	954 E. Harrison St. Brownsville, Texas	Monday, April 22 thru Friday, April 26	9:00 a.m. to 6:00 p.m.
		Saturday, April 27	10:00 a.m. to 5:00 p.m.
		Monday, April 29 thru Tuesday, April 30	9:00 a.m. to 6:00 p.m.
Brownsville Public Library Main Branch	2600 Central Blvd. Brownsville, Texas	Monday, April 22 thru Friday, April 26	9:00 a.m. to 6:00 p.m.
		Saturday, April 27	10:00 a.m. to 5:00 p.m.
		Monday, April 29 thru Tuesday, April 30	9:00 a.m. to 6:00 p.m.
Southmost Public Library	4320 Southmost Rd. Brownsville, Texas	Monday, April 22 thru Friday, April 26	9:00 a.m. to 6:00 p.m.
		Saturday, April 27	10:00 a.m. to 5:00 p.m.
		Monday, April 29 thru Tuesday, April 30	9:00 a.m. to 6:00 p.m.
Texas Southmost College	Fort Brown Memorial Center 80 Fort Brown Brownsville, Texas	Monday, April 22 thru Friday, April 26	9:00 a.m. to 6:00 p.m.
		Saturday, April 27	10:00 a.m. to 5:00 p.m.
		Monday, April 29 thru Tuesday, April 30	9:00 a.m. to 6:00 p.m.
Brownsville Fire Station No 8	Training Room 1855 Foust Rd Brownsville, Texas	Monday, April 22 thru Friday, April 26	9:00 a.m. to 6:00 p.m.
		Saturday, April 27	10:00 a.m. to 5:00 p.m.
		Monday, April 29 thru Tuesday, April 30	9:00 a.m. to 6:00 p.m.
Los Fresnos Community Center	204 N. Brazil St. Los Fresnos, Texas	Monday, April 22 thru Friday, April 26	9:00 a.m. to 6:00 p.m.
		Saturday, April 27	10:00 a.m. to 5:00 p.m.
		Monday, April 29 thru Tuesday, April 30	9:00 a.m. to 6:00 p.m.
BISD Administrative Bldg	1900 E. Price Rd Brownsville, Texas	Monday, April 22 thru Friday, April 26	9:00 a.m. to 6:00 p.m.
		Saturday, April 27	10:00 a.m. to 5:00 p.m.
		Monday, April 29 thru Tuesday, April 30	9:00 a.m. to 6:00 p.m.



Brownsville Independent School District

1900 Price Road Brownsville, Texas 78521-2417 (956) 698-6379 Fax: (956) 548-8115

Dr. Jesus H. Chavez
Interim Superintendent

Miguel Salinas
Staff Attorney

To: Dr. Jesus H. Chavez
From: Miguel Salinas
Date: 02/02/2024

RE: Brownsville I.S.D and the Cameron County Elections Office

Dear Dr. Chavez:

I have reviewed the above-referenced contract, and it is approved as to form.

Thank you.

BISD does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or genetic information in employment or provision of services, programs or activities.
BISD no discrimina a base de raza, color, origen nacional, sexo, religión, edad, discapacidad o información genética en el empleo o en la provisión de servicios, programas o actividades.