

JOINT RESOLUTION CSO#5394-02-2024

WHEREAS, by Resolution the City of Burleson called a general election to be held on May 4, 2024; and

WHEREAS, Burleson Independent School District will consider on February 12, 2024 calling a general election on to be held on the same date; and

WHEREAS, the City of Burleson and the Burleson Independent School District will conduct their general elections jointly at the Burleson Sub-Courthouse, 247 Elk Drive, Room 212, on Saturday, May 4, 2024; and

WHEREAS, the laws of the State of Texas authorize governmental entities to mutually agree to combine certain aspects of the election; and

WHEREAS, the City of Burleson and the Burleson Independent School District have an interest in further accommodating the voter; and

THEREFORE, BE IT RESOLVED BY THE BURLESON CITY COUNCIL AND THE BURLESON INDEPENDENT SCHOOL DISTRICT OF BURLESON, TEXAS; that

SECTION 1.

Joint Election Agreement Approved.

The City of Burleson (the “City”) and the Burleson Independent School District (“BISD”) hereby approve the Joint Election Agreement attached hereto as Exhibit “A”, and incorporated herein for all purposes.

SECTION 2.

Early Voting and Ballots by Mail.

A. Early Voting Clerk – The City Secretary, Amanda Campos is hereby designated as the Early Voting Clerk for the City of Burleson and may appoint the necessary deputy clerks as required for early voting.

B. Early Voting by Personal Appearance - Early voting by personal appearance shall be conducted at the Burleson Sub-Courthouse, 247 Elk Drive, Room 212, Burleson, Texas, 76028. All eligible City of Burleson voters may vote early at the Burleson Sub-Courthouse; 247 Elk Dr., Room 212, Burleson, Texas 76028 the Main Early Voting location. Early voting by personal appearance will begin on April 22, 2024, and will end April 30, 2024. Early voting by personal appearance will be between the hours of 8 a.m. to 5 p.m. all weekdays. There will be voting on Saturday, April 27, 2024, 9 a.m. to 3 p.m., no voting on Sundays or legal Holidays.

C. Voting by Mail – All voted ballots by mail that are returned on or before Election Day shall be counted. Voted ballots received on the next business day after Election Day will also

be counted if they have been postmarked by Election Day. Voted ballots mailed from U.S. citizens residing outside the United States may be counted if clearly postmarked on or before Election Day and received not later than the fifth day after Election Day.

D. Applications for Ballot by Mail. Applications for a ballot by mail may be submitted beginning January 1, 2024. Application for ballot by mail for the May 4, 2024 General Election must be received by 5:00 p.m. on April 23, 2024. The physical and mailing address of the Early Voting Clerk – Amanda Campos, Early Voting Clerk, 141 W. Renfro St., Burleson, TX, 76028. Phone number: 817-426-9665.

City Election Cancellation.

(a) In the event of a cancelled election at the City of Burleson, due to unopposed candidates, the early voting for the Burleson Independent School District Board of Trustees election will be conducted at the School Administration Building, 1160 S.W. Wilshire Blvd., Burleson, Texas, during the period April 22 through April 26, 2024, and April 29 through April 30 between the hours of 8:00a.m. and 5:00 p.m., on each day except Saturdays, Sundays, and legal state holidays.

(b) Election Day Voting on Saturday, May 4, 2024, will also be conducted at the School Administration Building, 1160 S.W. Wilshire Blvd., Burleson, Texas between the hours of 7:00 a.m. and 7:00 p.m.

Burleson ISD Election Cancellation.

(a) In the event of a cancelled election at the Burleson ISD, due to unopposed candidates, the identified schedule will not change.

(b) The last day for candidates to file for a place on the ballot is February 16, 2024 as a regular candidate or February 20, 2024 as a write-in candidate therefore the last day for the Burleson ISD to notify the City of cancellation is February 21, 2024.

SECTION 3.

That the terms and provisions of this resolution shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this resolution shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this resolution and the remainder of such resolution shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

RESOLVED AND ENTERED into this the 5th day of February, 2024, by the Burleson City Council.

RESOLVED AND ENTERED into this the 12th day of February, 2024, by the Burleson Independent School District Board of Trustees.


Chris Fletcher, Mayor
City of Burleson


Staci Eisner, President
Board of Trustees
Burleson ISD

ATTEST:

ATTEST:


Amanda Campos
City Secretary
City of Burleson


Jerri McNair Secretary
Board of Trustees
Burleson ISD



(City Seal)

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

I. JURISDICTION

The City of Burleson plans to hold a City Council General Election on May 4, 2024, in Johnson and Tarrant County voting precincts for the purpose of electing the City of Burleson Council Places 1, 3, and 5.

The Burleson Independent School District Board of Trustees plans to hold a Board of Trustees General Election on May 4, 2024, in the portion of Tarrant and Johnson Counties defined by BISD boundaries for the purpose of electing school trustees Places 5, 6, and 7.

II. ADMINISTRATION

The City of Burleson'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 Burleson Independent School District agrees to pay the City of Burleson for equipment, supplies, services and administrative costs as outlined in this agreement. The City of Burleson'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 Burleson will be responsible for making the submission to the U.S Department of Justice 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 Burleson ISD. 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 Hart Verity 7.2 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 Burleson agrees to provide voting booths for the election.

V. VOTING LOCATIONS

Early Voting by Personal Appearance - Early voting by personal appearance shall be conducted at the Burleson Sub-Courthouse, 247 Elk Drive, Room 212, Burleson, Texas, 76028. All eligible City of Burleson voters may vote early at the Burleson Sub-Courthouse; 247 Elk Dr., Room 212, Burleson, Texas 76028 the Main Early Voting location. Early voting by personal appearance will begin on April 22, 2024, and will end April 30, 2024. Early voting by personal appearance will be between the hours of 8 a.m. to 5 p.m. all weekdays. There will be voting on Saturday, April 27, 2024, 9 a.m. to 3 p.m., no voting on Sundays or legal Holidays.

Applications for Ballot by Mail. Applications for a ballot by mail may be submitted beginning January 1, 2024. Application for ballot by mail for the May 4, 2024 General Election must be received by 5:00 p.m. on April 23, 2024. The physical and mailing address of the Early Voting Clerk – Amanda Campos, Early Voting Clerk, 141 W. Renfro St., Burleson, TX, 76028. Phone number: 817-426-9665.

Election Day Voting. The polling for the election shall be the Burleson Sub-Courthouse, 247 Elk Drive, Room 212, Burleson, Texas, 76028 between the hours of 7:00 a.m. and 7:00 p.m. on election day

The polling place listed above for this joint election is designated pursuant to Section 271.003 of the Texas Election Code, and each participating authority independently finds that the location can most adequately and conveniently serve the voters in this election, and that this location will facilitate the orderly conduct of the election.

VI. ELECTIONS JUDGES, CLERKS AND OTHER ELECTION PERSONNEL

The City of Burleson will be responsible for the appointment of the presiding election judge and alternate presiding judge for each polling location, and also for the appointment of the Early Voting Ballot Board, the Central Counting Station, and Signature Verification Committee. 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 \$16.00 per hour and the alternate judge shall be paid \$18.00 per hour. The election judge will be paid \$20.00 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 22 – April 30, 2024) with a minimum of four election workers at the polling place during the voting hours.

The City of Burleson's City Secretary is responsible for notifying all election judges of the eligibility requirements of 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) joint public school of instruction on election laws and on the use of any and all voting equipment.

The election judges are responsible for picking up 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 Burleson 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 Burleson 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 Burleson Independent School District will furnish the City of Burleson'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 no later than February 23, 2024. If Burleson Independent School District does not furnish said list of candidates to the City as described above by February 23, 2024, the parties agree that the City of Burleson may cancel and terminate this Agreement by giving written notice to BISD of such cancelation, and BISD agrees to conduct their election at their own expense.

VIII. BALLOT TABULATION AND RETURNS OF ELECTION

The City of Burleson will be responsible for the tabulation of ballots at the Election Day polling location, and for the tabulation of early votes at the Early Voting polling location. Following the tabulation of ballots on Saturday, May 4, 2024 the City of Burleson shall notify BISD 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 BISD no later than 12:00 p.m., Monday, May 13, 2024: (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; (3) results of any provisional ballots cast.

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

IX. RECORDS OF ELECTION

Amanda J. Campos, 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 Burleson, City Secretary's Office, 141 West Renfro 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 instructions to withhold destruction.

X. ELECTIONS EXPENSES

The participating authorities agree to equally sharing the costs of administering the May 4, 2024, election. The City of Burleson agrees to provide the BISD with an estimate of election expenses as soon as possible but no later than April 5, 2024. BISD agrees to remit to the City of Burleson, two weeks after receipt of estimate a sum equal to 50% of the total estimated cost of election expenses. Final election expenses will be determined within 30 days after the election, and the City will provide BISD with a final accounting. It is agreed that the remaining balance owed by BISD will be remitted to the City no later than thirty (30) days after receipt of the final accounting.

XI. EARLY VOTING APPOINTMENT (ADMINISTRATION)

Amanda J. Campos, 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

**BURLESON SUB-COURTHOUSE
247 ELK DRIVE, ROOM 212
BURLESON, TEXAS 76028**

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 Burleson, City Secretary's Office, City Hall, 141 West Renfro Street, Burleson, for processing. Persons voting by mail will send their voted ballots to:

**AMANDA CAMPOS, EARLY VOTING CLERK
141 W RENFRO ST
BURLESON, TX 76028**

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 2.053 of the Texas Election Code, may withdraw from the joint election contract. Any expenditure 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 Burleson, BISD agrees to conduct their election at their own expense, and assign all duties given to the City Secretary pursuant to this agreement to authorized personnel. In the event of election cancellation by the BISD, the City of Burleson agrees to conduct their election at their own expense.

XIII. MISCELLANEOUS PROVISIONS

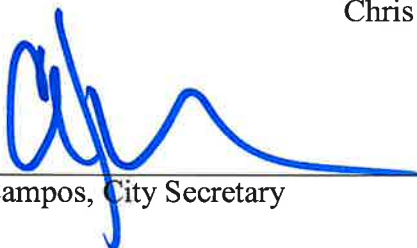
1. This agreement shall be construed under and in accord with the laws of the State of Texas.
2. In the event that one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
3. The waiver by any party of a breach of any provision of this agreement shall not operate as or be construed as a waiver of any subsequent breach.

APPROVED BY THE BURLESON CITY COUNCIL ON THE 5TH DAY OF FEBRUARY, 2024.



Chris Fletcher, Mayor City of Burleson

ATTEST:



Amanda Campos, City Secretary



ACCEPTED AND AGREED TO BY THE BURLESON INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES ON THE 10TH DAY OF FEBRUARY, 2020. 2024



Staci Eisner, Board President
Burleson Independent School District
School District



Jerri McNair, Board Secretary
Burleson Independent

CSO Document Processing Form

Type of Document: Resolution

Agenda Item Description:

Consider approval of a Joint Election Resolution with the Burleson Independent School District for the May 4, 2024 General Election.

Attachments that are part of the final document: N/A

Contract start date: 2/5/2024

Terms of Contract:

Coordinate outside Signatures: N/A

Distribute outside organization: N/A

File with County: N/A

Distribution needed after execution:

Monica Solko

- email Lydica Smiley BSD for signatures

Staff Contact:

Monica Solko