

Nevada

CITY OF NEVADA

424 E FM 6 NEVADA, TX 75173 | 972-853-0027

AGENDA

CITY COUNCIL MEETING

Tuesday, February 6, 2024 7:00PM at City Hall

Mayor - Benito Ponce

Council Member Place 1 – Mike Laye Council Member Place 2 – Donald Deering Council Member Place 3 – Kerrie Longoria Council Member Place 4 – Clayton Laughter Council Member Place 5 – Frank Hudson

REGULAR MEETING

- 1. Call to Order and Declaration of Quorum-Time:
- 2. Invocation.
- 3. Pledge of Allegiance to the United States of America -I pledge Allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with Liberty and Justice for all.

Pledge of Allegiance to the Texas Flag -Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.

4. Public Comment -

Citizens are invited to address the meeting with public comments. Comments regarding items for which notice has not been given will be limited to three minutes. Responses shall be in accordance with Sec. 551.042 of the Texas Government Code. Comments regarding an item on the agenda may be given before or during discussion of that item when recognized by the Chair. An intentional act intended to disrupt a government meeting is a violation of law.

REPORTS

- 5. Reports:
- a. City Secretary Report
- b. City Attorney Report
- c. Code Enforcement Report
- d. Financial Report (2nd Council Meeting)
- e. Mayor Pro Tem Report
- f. Mayor's Report/Status
- g. NVFD Report (2nd Council Meeting)

CONSENT AGENDA: ACTION

6. Approval of Previous Meeting(s) Minutes – January 23, 2024.

REGULAR AGENDA

- Discuss and take appropriate action on the Joint Election Services Contract with Collin County Elections Administration and the City of Nevada.
 Summary: Collin County Deputy Elections Administrator, Kaleb Breaux, sent the contract that is in the agenda packet. City Secretary Kowaleski sent the contract to City Attorney Shepherd for review.
- Deliberate and take any appropriate action on the removal of EDC Director, Thad Anderson.
 Summary: This agenda item was requested by EDC President, Bruce Mathews.
- Deliberate and take any appropriate action on the Nevada Economic Development Committee (NEDC) application received from Nevada citizen, Shawn Pharr.
 Summary: Mr. Pharr's application was submitted to the City on January 11, 2024.
- Discuss and take any appropriate action on the dedicated use of the ARPA Funds.
 Summary: It is the recommendation of city CPA, Ray Smith to allocate the ARPA Funds for Revenue Replacement to fund city operations.
- 11. Discuss and take any appropriate action on the refreshment project for City Hall.
- 12. Discuss and take any appropriate action to plan a public meeting to discuss the tax rollback.

FUTURE AGENDA ITEMS

Future Agenda Items

Future agenda items shall be designated by the Mayor. In addition, a motion and a second from any two Councilpersons shall be sufficient to add an agenda item for a future meeting. Staff and counsel shall have prior consent of the Mayor to add an agenda item for a future meeting.

1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

Executive Session - Time:

Regular Session: Reconvene from Executive Session - Time:

If required, take any action deemed necessary as the result of any executive session deliberations.

Adjournment / Closing - Time:

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting, the Council reserves the right to adjourn into executive session on any of the above-posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of an interest in real property], 551.073 [contract for gift to City], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices] 551.087 [deliberation regarding economic development negotiations].

The City of Nevada is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary at (469) 788-7610 Ext: 102 for information.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the other boards, commissions and/or committees shall not deliberate or decide any matters relating to items listed on this agenda and no minutes shall be prepared.

A member or member of the government body holding this meeting may attend via videoconference pursuant to the provisions of Tex. Gov't Code 551.127. In the event that a member or members of the government body holding this meeting attends via videoconference, a quorum of the government body holding this meeting will be physically present at the location identified above.

I certify that the above agenda for this meeting of the City Council of the City of Nevada, Texas, was posted on the bulletin board at City Hall, in Nevada, Texas, on Friday, February 2, 2023, at 5:00 pm pursuant to Chapter 551 of the Texas Government Code.

<u>Morgan Kowaleski</u> Morgan Kowaleski, City Secretary

CITY SECRETARY REPORT

CITY ATTORNEY REPORT

MAYOR PRO TEM'S REPORT

MAYOR'S REPORT

AGENDA ITEM #6



MINUTES

CITY COUNCIL MEETING

Tuesday, January 23, 2024 7:00PM at City Hall

Mayor - Benito Ponce

Council Member Place 1 – Mike Laye Council Member Place 2 – Donald Deering Council Member Place 3 – Kerrie Longoria

Council Member Place 4 – Clayton Laughter Council Member Place 5 – Frank Hudson

City Staff: City Engineer, Chris Donnan City Attorney, Jim Shepherd City CPA, Ray Smith Citizens: James Gracey, Russell Newton, Bruce Mathews, Jim Woomer, Bart Carroll, Gary Fuller, Shawn Pharr, Chris Fuller, Brian Pfahning, Kyle Caperton, Nathan Olson

REGULAR MEETING

1. <u>Call to Order and Declaration of Quorum –</u> Time: 7:09PM

2. Invocation –

Mayor Benito Ponce asked EDC President Bruce Mathews to lead the invocation.

3. <u>Pledge of Allegiance to the United States of America –</u>

I pledge Allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with Liberty and Justice for all. Those in attendance pledged allegiance to the United States of America.

4. <u>Pledge of Allegiance to the Texas Flag –</u>

Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.

Those in attendance pledged allegiance to the Texas Flag.

5. <u>Reports:</u>

a. <u>City Secretary Report –</u>

Good evening citizens and council,

Council Places 1 & 2 are up for re-election, as well as the mayor for the City of Nevada. The deadline to apply for the ballot is February 16th.

TMCA Clerk's Certification – I have completed all the required homework for Course 1, and my first exam is scheduled for January 26th. Heather is now also enrolled in the Clerk's Certification program so she can begin her courses as well.

Street Signs – I have been unsuccessful in getting a call or email back from the company Deuce was in contact with. However, I have been in contact with a few surrounding municipalities who provided their recommendations. I provided the list of street signs needing repair or replacement, as well as our street sign ordinance to three companies and requested a quote. I am hopeful to have those back to present to the council at the next meeting. MPT suggested I reach out to Cope Homes, so I have also sent an email to Jim Woomer to see if he could direct me to the company they have used in Lexington Heights.

Revize website – I have sent back to Revize a revised site map, adding in a "Mayor's Blog" section and am awaiting their response. Once the sitemap has been finalized, they will provide us with a demo site to review.

WOPAC Repairs – I reached out to Adam from WOPAC last week asking for a tentative start date for the pothole repairs that were approved at the last council meeting. He did get back with me very quickly with a response letting me know that he will provide that to me ASAP, pending the upcoming weather.

Flags – With all of the high winds we had a week or so ago, the clips that attached the flags to the rope broke so I took them down. I have reached out to a couple of local Scout troops to see if any would be available to replace the rope/flags (provided by the City) and do a flag raising ceremony.

- **b.** <u>City Attorney Report –</u> N/A
- c. <u>Code Enforcement Report –</u> N/A
- d. Financial Report (2nd Council Meeting) -

Council reviewed the December 2023 Financial Report. Mayor Pro Tem Longoria asked that infrastructure fees collected from Developers/Builders be delineated on the future financial reports.

e. <u>Mayor Pro Tem Report –</u> N/A

f. Mayor's Report/Status -

- Mayor Benito Ponce shared a few updates with the council & citizens:
- The recent compromise of the Assistant City Secretary's email.
- The meeting and tour of the city with Senior Developer for Corporate Chick Fil A.

- TXDOT will break ground on the FM 6 expansion in December 2026.
- There is a development outside of Nevada city limits, but in the SUD's CCN that is building a wastewater treatment facility for future commercial enterprises.
- There is a citizen that wants to petition for alcohol sales in Nevada city limits.

g. <u>NVFD Report (2nd Council Meeting) –</u>

N/A

CONSENT AGENDA

6. <u>Approval of Previous Meeting Minutes – January 2, 2024 –</u>

Council Member Longoria made a motion to approve the minutes as written. Council Member Deering seconded the motion to approve the minutes. Motion carried with a 5-0 Vote.

REGULAR AGENDA

7. Deliberate and take any appropriate action on the Downtown Drainage Project –

City Engineer Chris Donnan spoke on this agenda item and proposed two potential starting locations for the downtown drainage project. No action was taken.

8. <u>Deliberate and take any appropriate action on the audit conducted by Murrey, Paschall & Caperton, P.C. –</u>

Kyle Caperton spoke on this agenda item; the audit report was on display for council and citizens to view. Council Member made a motion to approve the audit report. KL seconded the motion. Motion passed 5:0 vote.

9. Deliberate and take any appropriate action on the Nevada Economic Development Committee (NEDC) application received from Nevada citizen, Shawn Pharr – City Council will revisit this application when a position arous on the EDC. No action was taken

City Council will revisit this application when a position opens on the EDC. No action was taken.

10. <u>Deliberate and take any appropriate action on amending the ½ Acre Ordinance 010323; changing the Roof Pitch to 6:12 and the Accessory Building Roof Height to 20ft as recommended by the Planning & Zoning Commission –</u>

P&Z Chairman Russell Newton, City Attorney Shepherd, and Bart Carroll spoke on this agenda item. No action was taken. A public hearing for the amendment of the ½ Acre Ordinance 010323 must be held before any action can be taken.

11. <u>Deliberate and take any appropriate action on amending the Comprehensive Zoning Ordinance 17-09; changing the Roof Pitch to 6:12 and the Accessory Building Roof Height to 20ft as recommended by the Planning & Zoning Commission –</u>

P&Z Chairman Russell Newton, City Attorney Shepherd, and Bart Carroll spoke on this agenda item. No action was taken.

12. Deliberate and take any appropriate action on the Bear Creek Preliminary Plat -

P&Z Chairman Russell Newton provided the P&Z's recommendation for approval to the Council. Cope Equities representative, Jim Woomer assured the Council that park fees will be paid at final plat recording. Nathan Olson from Olson Engineering, working with Cope spoke on the council's concerns regarding homeowners being able to build a fence on the water easement.

Council Member Laye made a motion to accept the Bear Creek Preliminary Plat pending a letter allowing homeowners to build on the easement from the water utility at Final Plat. Council Member Hudson seconded the motion. Motion passed with 4:1 (Nay – Council Member Longoria)

13. Deliberate and take any appropriate action on the proposed RFP for Waste Service vendors -

City Attorney Jim Shepherd recommended sending the RFP as soon as possible. The timeline agreed upon was:

Published in Wylie News on January 31, 2024.

Questions deadline – February 7, 2024.

Proposal deadline – February 28, 2024.

Review Bids – March 5, 2024.

The council discussed and agreed upon sending the termination letter with an official termination date of April 30, 2024. Council Member Laye made a motion to approve sending the 90-day termination letter to CARDS. Council Member Longoria seconded the motion to approve. Motion carried with a 5:0 vote.

14. <u>Deliberate and take any appropriate action on the 90-day termination notice to be sent to CARDS.</u> <u>City will begin to receive RFPs from Waste Service vendors –</u>

City Attorney Jim Shepherd recommended sending the 90-day notice as soon as possible per the contract. The council discussed and agreed upon sending the termination letter with an official termination date of April 30, 2024.

Council Member Laye made a motion to approve sending the 90-day termination letter to CARDS. Council Member Longoria seconded the motion to approve. Motion carried with a 5:0 vote.

15. <u>Deliberate and take any appropriate action on the quote provided by WOPAC for the asphalt level</u> <u>ups on Eugene Street –</u>

After deliberation of the quote provided by WOPAC, Council Member Deering made a motion to reject the proposal. Council Member seconded the motion to reject the proposal. Motion carried with a 5:0 vote.

16. <u>Future Agenda Items –</u>

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- 1. Maximum Roof Height ¹/₂ acre joint meeting
- 2. Drainage Project Update
- 3. Public Meeting for Tax Rollback Election
- 4. ARPA Funds uses
- 5. City Hall Repairs

17. Executive Session -

Time: 9:22PM

- 1. As authorized by Section 551.071 Govt. Code 551.071 -- confidential legal advice regarding city legal position on development and roadways limited by legislation passed in the last legislative session regarding mandatory dedication of right of way.
- 2. As authorized by Section 551.071 Govt. Code 551.071 -- confidential legal advice regarding a lease for city office space at the B. Carroll building at 201 W FM 6, Nevada TX 75173.
- **18.** <u>**Regular Session: Reconvene from Executive Session** 9:54PM</u>
- 19. If required, act on items reviewed in Executive Session -

Council Member Longoria made a motion to accept the lease agreement for the Annex Office space. Council Member Laughter seconded the motion to accept. Motion passed with a 4:1 vote (Nay – Council Member Laye)

20. Adjournment/Closing -

Time: 9:55PM

Benito Ponce, Mayor

Attest:

Morgan Kowaleski, City Secretary

AGENDA ITEM #7

Collin County Election Services May 4, 2024 Joint Election

City of Nevada

Registered Voter Percentag									1,052 0.0759560%
Fercentag	Estimated					Eat	imated		0.0739300 /8
	Polling	Fstim	ated Units or				ction	Fsti	mated Entity
Category	Locations		ription	Cos	t Per Unit		enses		enses
Early Voting by Mail		2000							
Kits - Mail Ballots			4,000	\$	1.15	\$	4,600.00	\$	3.49
Postage			4,000		0.88	\$	3,520.00	\$	2.67
Paper Ballot Printing Services			0		0.31	\$	-	\$	-
Paper Ballot Shipping (per box)			0		30.00	\$	-	\$	-
Ballot Stock - BOD			4,000	\$	0.12	\$	480.00	\$	0.36
Category Subtotal						\$	8,600.00	\$	6.53
General Election Expenses									
Mileage				Pe	er Election	\$	500.00	\$	0.38
		9 var	ns for 6 weeks						
Van / Car Rental		@\$	650 per week	Pe	er Election	\$	35,100.00	\$	26.66
Election Night Receiving Cover				Pe	er Election	\$	3,167.80	\$	2.41
Polling Place Rental				Pe	er Election	\$	20,000.00	\$	15.19
Notice of Election				Pe	er Election	\$	9,700.00	\$	7.37
Security - EV				Pe	er Election	\$	2,000.00	\$	1.52
Security - ED including Traffic Control				Pe	er Election	\$	2,000.00	\$	1.52
Early Voting Ballot Board				Pe	er Election	\$	13,869.00	\$	10.53
FICA - Election Workers		\$	430,718.00	Pe	er Election	\$	32,949.93	\$	25.03
County Employee/IT Overtime - EV/ED				Pe	er Election	\$	30,000.00	\$	22.79
Process Pollworker Checks - EV	38		304	\$	1.50	\$	456.00	\$	0.35
Process Pollworker Checks - ED	45		360	\$	1.50	\$	540.00	\$	0.41
Drayage Per Location - ED	45		90	\$	202.00	\$	18,180.00	\$	13.81
Drayage Per Location - EV	38		76	\$	202.00	\$	15,352.00	\$	11.66
Category Subtotal						\$	183,814.73	\$	139.62
Programming									
Coding Services					25 Days	\$	70,000.00	\$	53.17
Balotar Programming				Pe	er Election	\$	1,250.00	\$	0.95
Category Subtotal						\$	71,250.00	\$	54.12
Early Voting by Personal Appearance				•		•	17 000 00	•	
Election Judge OT - EV (with OT)				\$	15.00	\$	45,980.00	\$	34.92
Alternate Judge OT - EV (with OT)				\$	14.00	\$	42,978.00	\$	32.64
Clerk OT - EV (6 per location, with OT)				\$	13.00	\$	234,156.00	\$	177.86
ES&S Support Staff / Field Techs - EV					40 Days	\$	121,500.00	\$	92.29
Equipment Assembly - EV	38		38	\$	50.00	\$	1,900.00	\$	1.44
Category Subtotal						\$	446,514.00	\$	339.15
Election Day and Tabulation						¢	42.000.00	¢	20.04
Election Day/Post Election Vendor Support					15 Days	\$	43,200.00	\$	32.81
Notice of Inspection/Tabulation Test				Pe	er Election	\$ ¢	1,500.00	\$ ¢	1.14
Category Subtotal						\$	44,700.00	\$	33.95

City of Nevada								
Registered Voter	S							1,052
Percentage	e							0.0759560%
	Estimated				Est	imated		
	Polling	Estimated Units or			Election		Estimated Entity	
Category	Locations	Description	Cost	t Per Unit	Exp	penses	Expe	enses
Supply Cost								
Ballots - Card Stock ExpressVote - EV		60,000		0.14	\$	8,100.00	\$	6.15
Ballots - Card Stock ExpressVote - ED		30,000	\$	0.14	\$	4,050.00	\$	3.08
Test Ballots		3,000	\$	0.14	\$	420.00	\$	0.32
Kits - ED	38			51.00	\$	1,938.00	\$	1.47
Kits - EV	45	45	\$	19.00	\$	855.00	\$	0.65
Kits - Provisional EV	38	38	\$	48.35	\$	1,837.30	\$	1.40
Kits - Provisional ED	45	45	\$	38.10	\$	1,714.50	\$	1.30
Polling Place Maps - EV	38			25.00	\$	950.00	\$	0.72
Polling Place Maps - ED	45			25.00	\$	1,125.00	\$	0.85
Signs Metal (5 per location)	83			5.00	\$	2,075.00	\$	1.58
Signs Wood	83	83	\$	2.00	\$	166.00	\$	0.13
Ballot Card Stock - Provisional - EV (50 PL)	38			0.21	\$	389.50	\$	0.30
Ballot Card Stock - Provisional - ED (50 PL)	45	•		0.16	\$	360.00	\$	0.27
Ballots - Sample - All Packs	0			Election	\$	3,000.00	\$	2.28
Printer Labels - EV (1 roll per location)	38	152	\$	6.97	\$	1,059.44	\$	0.80
Printer Labels - ED (1 roll per location)	45	90	\$	6.97	\$	627.30	\$	0.48
Category Subtotal					\$	28,667.04	\$	21.77
Equipment								
Cabinet Security - EV	38		\$	200.00	\$	10,400.00	\$	7.90
Cabinet Security - ED	45			200.00	\$	11,800.00	\$	8.96
Computer Cabinet - EV	38			50.00	\$	1,900.00	\$	1.44
DS200 Ballot Counter - EV	38			350.00	\$	18,200.00	\$	13.82
DS200 Ballot Counter - ED	45			350.00	\$	20,650.00	\$	15.68
ExpressVote - EV (9 per location)	38			200.00	\$	93,600.00	\$	71.09
Expres Vote - ED (9 per location)	45			200.00	\$	106,200.00	\$	80.67
ExpressTouch - EV	38			200.00	\$	10,400.00	\$	7.90
ExpressTouch - ED	45	59	\$	200.00	\$	11,800.00	\$	8.96
Category Subtotal					\$	284,950.00	\$	216.44
Personnel								
Election Judge - ED			\$	15.00	\$	13,950.00	\$	10.60
Alternate Election Judge - ED			\$	14.00	\$	13,095.00	\$	9.95
Clerk - ED (6 per location)			\$	13.00	\$	66,690.00	\$	50.66
Category Subtotal					\$	93,735.00		71.20
Election Expense					\$	1,162,230.77		882.78
Cost (minimum)							\$	3,500.00
10% Administrative Fee							\$	350.00
Total Cost							\$	3,850.00
<u>90% deposit due Friday, March 29, 2024</u>							\$	3,465.00

Exhibit C



JOINT ELECTION SERVICES CONTRACT

("Election Services Contract")

ELECTION SERVICES AGREEMENT

BETWEEN

THE COLLIN COUNTY ELECTIONS ADMINISTRATOR ("Contracting Election Officer")

AND

CITY OF NEVADA, TEXAS ("Participating Political Subdivision")

FOR THE CONDUCT OF A JOINT ELECTION

TO BE HELD ON SATURDAY, MAY 4, 2024

TO BE ADMINISTERED BY THE COLLIN COUNTY ELECTIONS ADMINISTRATOR

1. ADMINISTRATION AND STATUTORY AUTHORITY

- a. Bruce Sherbet ("Bruce Sherbet") is the duly appointed County Elections Administrator ("Elections Administrator") of Collin County, Texas, and the Department Head of the Collin County Elections Department. As such, Mr. Sherbet is the Election Administrator of Collin County, Texas and authorized by Subchapter D of Chapter 31 of Title 3 of the Texas Election Code to enter into this Election Services Contract with the contracting authority of the Participating Political Subdivision.
- b. The contracting authority of the Participating Political Subdivision is hereby participating in the Joint Election to be held in Collin County, Texas on Saturday, May 4, 2024. The Participating Political Subdivision is hereby contracting with the Elections Administrator of Collin County, Texas and all other joining jurisdictions to perform the election services set forth in this Election Services Contract under Subchapter D of Chapter 31 of Title 3 of the Texas Election Code.
- 2. DUTIES AND SERVICES OF THE CONTRACTING ELECTION OFFICER
 - a. The Contracting Election Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:
 - i. The Contracting Election Officer will prepare and publish the required Notice of Election and post the required orders and resolutions to the Collin County Elections Department website.
 - ii. The Contracting Election Officer shall arrange for appointment, notification (including writ of election), training and compensation of all presiding judges, alternate judges, the judge of the Central Count Station and judge of the Early Voting Ballot Board.
 - iii. The Contracting Election Officer shall be responsible for notification of each Election Day and Early Voting presiding judge and alternate judge of his/her appointment. The presiding election judge of each vote center will use his/her discretion to determine when additional workers are needed, during peak voting hours.
 - iv. The Contracting Election Officer will determine the number of clerks to work in the Central Count Station and the number of clerks to work on the Ballot Board.
 - 1. Election judges shall attend the Contracting Election Officer's school of instruction (Election Law Class). A training event calendar will be provided.
 - 2. Election judges and alternate judges shall be responsible for picking up and returning election supplies to the County Election Warehouse located at 2010 Redbud Blvd., Suite 102, McKinney. Compensation for this pickup and delivery of supplies will be \$25.00.
 - v. The Contracting Election Officer shall compensate each election judge and worker. Each judge shall receive \$15.00 per hour, each alternate judge shall receive \$14.00 per hour, and each clerk shall receive \$13.00 per hour for services rendered. Overtime will be paid to each person working more than 40 hours per week.

- b. The Contracting Election Officer shall procure, prepare, and distribute voting machines, election kits, and election supplies.
 - i. The Contracting Election Officer shall secure election kits, which include the legal documentation required to hold an election and all supplies.
 - ii. The Contracting Election Officer shall secure the tables, chairs, and legal documentation required to run the Central Count Station.
 - iii. The Contracting Election Officer shall provide all lists of registered voters required for use on Election Day and for the Early Voting period required by law.
 - iv. The Contracting Election Officer shall procure and arrange for the distribution of all election equipment and supplies required to hold an election.
 - Equipment includes the rental of ES&S ExpressVote Universal Voting Machines (EVS 6.1.1.0), ES&S ExpressTouch Curbside Voting Machines (EVS 6.1.1.0), ES&S DS200 Ballot Counters (EVS 6.1.1.0), ES&S Model DS450 and DS850 High-Speed Scanners/Tabulators (EVS 6.1.1.0), ADA compliant headphones and keypads, voting signs, and election supply cabinets.
 - 2. Supplies include paper ballot cards, Early Voting and Election Day supply kits, provisional ballot kits, security seals, pens, tape, markers, etc.
- c. The Contracting Election Officer, Bruce Sherbet, shall be appointed the Early Voting Clerk.
 - i. The Contracting Election Officer shall supervise and conduct Early Voting by mail and in person and shall secure personnel to serve as Early Voting Deputies.
 - ii. The Contracting Election Officer shall select the Early Voting polling locations and arrange for the use of each.
 - Early Voting by personal appearance for the Participating Political Subdivision shall be conducted during the Early Voting dates and times and at the locations listed in Exhibit "A" attached and incorporated by reference into this Election Services Contract.
 - All applications for an Early Voting mail ballot shall be received and processed by the Collin County Elections Administration Office located at 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069.
 - 1. Applications for mail ballots erroneously mailed to the Participating Political Subdivision shall immediately be faxed to the Contracting Officer for timely processing. The original application shall then be forwarded to the Contracting Election Officer for proper retention.
 - 2. All Federal Post Card Applications (FPCA) will be sent a mail ballot. No postage is required.
 - v. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be prepared for counting by the Early Voting Ballot Board in accordance with Section 87.000 of the Texas Election Code. The Contracting Officer shall appoint the presiding judge of this Board.
- d. The Contracting Election Officer shall select the Election Day vote centers and arrange for the use of each.
 - i. The Participating Political Subdivision shall assume the responsibility of remitting their portion of cost of all employee services required to provide access, provide security or provide custodial services for the vote centers.
 - ii. The Election Day vote centers are listed in Exhibit "B", attached and incorporated by reference into this Election Services Contract.

- e. The Contracting Election Officer shall be responsible for establishing and operating the Central Count Station to receive and tabulate the voted ballots in accordance with Section 127.001 of the Election Code and of this agreement. The Central Count Station Manager shall be Bruce Sherbet. The Central Count Station Judge shall be Kathi-Ann Rivard. The Tabulation Supervisor shall be Brian Griesbach.
 - i. The Tabulation Supervisor shall prepare, test and run the County's tabulation system in accordance with statutory requirements and county policies, under the auspices of the Contracting Election Officer.
 - ii. The Public Logic and Accuracy Test and Hash Validation of the electronic voting system shall be conducted in accordance with Texas Election Code. The Contracting Election Officer will post the required Notice of Logic and Accuracy Testing and Hash Validation.
 - iii. Election night reports will be available to the Participating Political Subdivision at the Central Counting Station on election night. Provisional ballots will be tabulated after election night in accordance with State law.
 - iv. The Contracting Election Officer shall prepare the unofficial canvass report after all precincts have been counted, and will provide canvassing documents to the Participating Political Subdivision as soon as possible after all returns have been tallied.
 - v. The Contracting Election Officer shall be appointed as the custodian of the voted ballots and shall retain all election materials for a period of 22 months.
 - 1. Pending no litigation and as prescribed by law, the voted ballots shall be shredded 22 months after the election.
- f. The Contracting Election Officer shall conduct a partial manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the Participating Political Subdivision in a timely manner. If applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201 of the aforementioned code.

3. DUTIES AND SERVICES OF THE PARTICIPATING POLITICAL SUBDIVISION

- a. The Participating Political Subdivision shall assume the following duties:
 - i. The Participating Political Subdivision will prepare, adopt, and publish all legally required election orders, resolutions, and other documents required by, or of, their governing bodies. The Participating Political Subdivision are required to send Collin County Elections Department a copy of any election order or resolution related to this Joint Election within three business days of publishing, adopting or ordering it.
 - ii. The Participating Political Subdivision shall provide the Contracting Election Officer with an updated map and street index of their jurisdiction in an electronic (PDF and shape files preferred) or printed format as soon as possible but no later than Friday, February 16, 2024.
 - iii. The Participating Political Subdivision shall procure and provide the Contracting Election Officer with the ballot layout and Spanish translation in an electronic format.
 - The Participating Political Subdivision shall deliver to the Contracting Election Officer as soon as possible, but no later than 5:00 p.m. Friday, February 16, 2024, the official wording for the Participating Political Subdivision's May 4, 2024 Joint Election.
 - 2. The Participating Political Subdivision shall approve the ballot proofs format within 24 hours of receiving the ballot proof and prior to the final printing.

- a. If the Participating Political Subdivision fails to approve the ballot proofs within 24 hours of receiving the proofs, the Contracting Election Officer will presume that the ballot proofs have been approved by the Participating Political Subdivision. Any costs incurred by making any changes to the ballot (designing, printing, programming, etc.) from this point forward will be the responsibility of the Participating Political Subdivision.
- iv. The Participating Political Subdivision shall compensate the Contracting Election Officer for all associated costs including any additional verified cost incurred in the process of running this election or for a manual recount, this election may require, consistent with charges and hourly rates shown on Exhibit "C" for required services.
 - 1. The charges incurred during the manual recount are outlined in Sec. 212 of the Texas Election Code.
- b. The Participating Political Subdivision shall pay the Contracting Election Officer 90% of the estimated cost to run the said election prior to Friday, March 29, 2024. The Contracting Election Officer shall place the funds in a "contract fund" as prescribed by Section 31.100 of the Texas Election Code. The deposit should be made payable to the "Collin County Treasury" with a note "For election services" included with the check documentation and delivered to the Collin County Treasury, 2300 Bloomdale Rd., #3138, McKinney, Texas 75071.
- c. The Participating Political Subdivision shall pay the cost of conducting said election, less partial payment, including the 10% administrative fee, pursuant to the Texas Election Code, Section 31.100, within 30 days from the date of final billing. Additionally, all payments in excess of the final cost to perform the election will be refunded to the Participating Political Subdivision.
- 4. COST OF SERVICES.
 - a. See Exhibit "C".
 - b. Note: A Participating Political Subdivision shall incur a minimum cost of \$3,500.00 to conduct a joint election with the Collin County Elections Department.
- 5. RUNOFF ELECTIONS
 - a. Each Participating Political Subdivision shall have the option of extending the terms of this contract through its Runoff Election, if applicable. In the event of such Runoff Election, the terms of this contract shall automatically extend unless the Participating Political Subdivision notifies the Elections Administrator in writing within 3 business days of the original election.
 - b. Each Participating Political Subdivision shall reserve the right to reduce the number of Early Voting polling locations and/or Election Day vote centers in a Runoff Election. If necessary, any voting changes made by a Participating Political Subdivision between the original election and the Runoff Election shall be submitted by the authority making the change to the United States Department of Justice for the preclearance required by the Federal Voting Rights Act of 1965, as amended.
 - c. Each Participating Political Subdivision agrees to order any Runoff Election(s) at its meeting for canvassing the votes from the May 4, 2024 Joint Election, and to conduct its drawing for ballot positions at, or immediately following, such meeting in order to expedite preparations for its Runoff Election.
 - d. Each Participating Political Subdivision eligible to hold Runoff Elections after the May 4, 2024 Uniform Election Date agrees that the date of a necessary Runoff Election shall be held in accordance with the Texas Election Code, which will be Saturday, June 15, 2024.

6. GENERAL PROVISIONS

- a. Nothing contained in this Election Services Contract shall authorize or permit a change in the officer with whom, or the place at which any document or record relating to the Participating Political Subdivision's May 4, 2024 Joint Election are to be filed, or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.
- b. Upon request, the Contracting Election Officer will provide copies of all invoices and other charges received in the process of running said election for the Participating Political Subdivision.
- c. If the Participating Political Subdivision cancels their elections pursuant to Section 2.053 of the Texas Election Code, the Participating Political Subdivision shall pay the Contracting Officer a contract preparation fee of \$75.00 and will not be liable for any further costs incurred by the Contracting Officer.
- d. The Contracting Officer shall file copies of this contract with the County Judge and the County Auditor of Collin County, Texas.

WITNESS BY MY HAND THIS _____DAY OF ______2024.

Bruce Sherbet, Elections Administrator Collin County, Texas

WITNESS BY MY HAND THIS _____ DAY OF _____ 2024

Ву: _____ Benito Ponce, Mayor City of Nevada, Texas

Attest: _____

Jim Shepherd, City Attorney City of Nevada, Texas

AGENDA ITEM #9

Name of Nominee: Shawn Pharr Home Address: Exington in City: Nevada E-mail: State: Tx Number of years as a Nevada Resident: 7 months Nominated by (if not nominated by self): Occupation: USAF RETIRED Business/Company Name: Work Address: City: State: City: City: City: City: City: City: City: City: City: Cell Phone:		
City: Nevada State: Tx E-mail:		
E-mail:		
E-mail:		
Number of years as a Nevada Resident: 7 months Nominated by (if not nominated by self):		
Nominated by (if not nominated by self): Occupation: USAF RETIRED Business/Company Name:		
Occupation: USAF RETIRED Business/Company Name:		
Work Address:		
Work Address:		
City: State:	Zincoda:	
Degree(s) Earned and School Attended (i.e. Bachelor of Science from UTA) Associates Degree in Aircraft Maintenance Technology Professional experience: (include professional memberships and previous employment)		
20 year United States Air Force		
Community activities: (include civic clubs, volunteer activities, service organizations, etc.)		
Comments/Special qualifications:		

cityofnevadatx.org