

- (A) Procure, program, prepare, and distribute adequate election equipment and transport equipment to and from the polling locations, including early voting substations, for City of Progreso, Texas ;
- (B) Distribute the lists of registered voters to be used in conducting the election, as provided by Hidalgo County Voter Registration pursuant to the request by City of Progreso, Texas;
- (C) Provide information for election officers;
- (D) Provide general overall supervision of the election and advisory services; and
- (E) Provide such incidental related services as may be necessary to effect the election.

ARTICLE III

SCHEDULE FOR PERFORMANCE OF SERVICES

3.01. Specific services to be provided related to the general services identified in Article II shall be performed in accordance with the time requirements set out in the Texas Election Code.

ARTICLE IV

SERVICES NOT PROVIDED BY COUNTY

4.01. ADMINISTRATOR shall have no responsibility for insuring the passage of the appropriate Election Order by City of Progreso, Texas, preparing or sending Justice Department Submissions, publishing and (or) posting the election notice as required by the Texas Election Code Section 4.003, or canvassing election results. ADMINISTRATOR shall have no responsibility as custodian of City of Progreso, Texas election records.

ARTICLE V

TERM

5.01. Except as hereinafter set out, the term of this Contract shall be from the time of execution until all items with respect to this Contract and the election held hereunder have been completed.

ARTICLE VI

COST OF SERVICE AND BILLING

6.01 In consideration for the services provided hereunder by ADMINISTRATOR, City of Progreso, Texas agrees to pay ADMINISTRATOR the amount of \$100.00 leasing fee for each iVotronic and \$100.00 leasing fee for each ADA iVotronic, AND a \$50.00 programming fee used in the initial Election. The above described fees for each machine and programming fee shall be additionally charged for any Runoff Election.

6.02 Payment shall be made by City of Progreso, Texas within 30 days after receiving an itemized invoice from ADMINISTRATOR. Payment shall be made by check payable to the Hidalgo County Elections Administrator and mailed to:

Yvonne Ramon
Hidalgo County Elections Administrator
PO Box 659
Edinburg, Texas 78540

6.03 Any monies remaining after the payment of all costs of elections bills, shall be the property of the City of Progreso, Texas and returned to it.

ARTICLE VII

7.01 IF ANY OF THE ELECTION EQUIPMENT COMES LOST, STOLEN, DESTROYED, OR DAMAGED, THE CITY, SCHOOL DISTRICT OR ENTITY WHO LEASED THE EQUIPMENT IS LIABLE FOR THE DAMAGE AND AGREES TO PAY THE ADMINISTRATOR THE COST OF THE REPLACEMENT OR REPAIR OF THE ELECTION EQUIPMENT SO LOST, STOLEN, DESTROYED OR DAMAGED.

ARTICLE VIII

GENERAL PROVISIONS

8.01. This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Hidalgo County, Texas.

8.02. In case any one or more of the provisions contained in this Contract 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 thereof, and this Contract shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

8.03. This Contract constitutes the sole and only agreement of the parties hereto and supersedes any prior understanding or written or oral agreement between the parties respecting the written subject matter.

8.04. No amendment, modification, or alteration of the term hereof shall be binding unless the same be in writing, dated subsequent to the date hereof and duly executed by the parties hereto.

SIGNED this 4th day of September, 2008

ELECTIONS ADMINISTRATOR

BY: _____
YVONNE RAMON

City of Progreso, Texas
NAME OF LEASING ENTITY

BY: Alfredo Espinoza
PRINT: Alfredo Espinoza
TITLE: City administrator

APPROVAL COUNTY OF HIDALGO:

BY: _____
JUAN DE DIOS "JD" SALINAS, III
COUNTY JUDGE

ATTEST
BY: _____
PRINT: _____
TITLE: _____

ATTEST

BY: _____
ARTURO GUAJARDO, JR.
COUNTY CLERK

APPROVED AS TO LEGAL FORM:

ATLAS & HALL L.L.P.,

BY: _____
STEPHEN L. CRAIN

CITY OF PROGRESO

The following reflect the minutes of the Regular Meeting of the Board of Aldermen held September 1, 2008 at 12:00 P.M.

Mayor Omar Vela called the meeting to order and established a quorum at 12:00 P.M.

| <u>1. Call meeting to order and establish a quorum</u> | <u>Present</u> | <u>Absent</u> |
|---|-----------------------|----------------------|
| Mayor Omar Vela | X | |
| Mayor Pro-Tem Orlando Vela | X | |
| Alderman Ruben Abundiz | X | |
| Alderman Eric Chaidez | | X |
| Alderman Charlie Vasque | X | |
| Alderman Paz Urbina | | X |

Other Present:

City Administrator Alfredo Espinosa

City Secretary Frank Alanis

Others Absent:

City Attorney Kevin Ohanlan

2. Certification of Agenda:

City Administrator Alfredo Espinosa Certified that the agenda was posted September 1, 2008 at 12:00 p.m.

3. Discussion and action on giving the authority City Administrator Alfredo Espinosa to appoint city Election workers for November 2008

Mayor Pro-Tem Orlando Vela made the motion to approve Ruben Abundiz second motion All voted in favor motion pass

4. Items from the Council;

None

5. Items from the Staff;

None

6. Items from the Citizens;


None

7. **Adjournment:**

There being no further discussion, Mayor Omar Vela adjourned the Regular meeting at 12:15 p.m.

Passed and approved this the 4th day of September, 2008

Attest:


City Secretary - Frank Alanis


Mayor- Omar Vela