

RESOLUTION NO. R20-__

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, AUTHORIZING THE ADOPTION OF THE ELECTION SYSTEMS & SOFTWARE EXPRESSVOTE UNIVERSAL VOTING SYSTEM (BALLOT MARKING DEVICE), EVS 6.0.2.0, FIRMWARE 2.4.0.0; THE ES&S DS200 DIGITAL PRECINCT SCANNER, EVS 6.0.2.0, FIRMWARE 2.17.0.0.; AND ES&S' MODEL DS850 HIGH-SPEED SCANNER AND TABULATOR, VERSION 1, EVS 6.0.2.0., AS THE VOTING SYSTEM TO BE USED IN ALL FORMS OF VOTING IN THE TOWN OF ADDISON, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Dallas County issued a Request for Proposals for (“RFP”) Election Voting Tabulation System and Services, RFP No. 2018-052-6745 on Monday, November 12, 2018; and on August 21, 2018 with Court Order 2018-0996, the Dallas County Commissioners Court (“the Court”) authorized Dallas County Elections Department, Purchasing Department and the District Attorney’s Office - Civil Division to enter into contract negotiations with Election Systems & Software, LLC (“ES&S”) for the aforementioned solicitation.; and

WHEREAS, pursuant to Section 123.035 of the Texas Election Code, the Court has received a letter from the Office of the Secretary of State affirming that the elected voting system satisfies the applicable requirements; and

WHEREAS, in order to continue to contract with Dallas County to hold joint elections, and pursuant to Section 123.001 of the Texas Election Code, the City Council of Addison, Texas must adopt this equipment for use in its elections.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. Findings Incorporated. The findings recited above are incorporated as if fully set forth in the body of this Resolution.

SECTION 2. Adoption of Voting System. That the City Council of Addison, Texas hereby adopts the ES&S ExpressVote Universal Voting System (Ballot Marking Devices), EVS 6.0.2.0, Firmware 2.4.0.0; the ES&S DS200 Digital Precinct Scanner, EVS 6.0.2.0, Firmware 2.17.0.0.; and ES&S’ Model DS850 High-Speed Scanner/Tabulator, Version 1, EVS 6.0.2.0., along with the required ancillary parts and services required for this voting tabulation system equipment for use in Absentee Voting By Mail, Early Voting By Personal Appearance, Regular Voting on Election Day and Provisional Voting.

SECTION 3. Savings/Repealing Clause. All resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Resolution or the Town’s Public Investment Policy, as amended, and adopted in accordance with Chapter 2256, Texas Government Code, the Public Funds Investment Act, are hereby repealed to the extent of such conflict, and the provisions of this Resolution and the Town’s Public Investment Policy, as amended, shall be and remain controlling as to the matters regulated herein.

SECTION 4. Severability Clause. Should any of the clauses, sentences, paragraphs, sections or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon its passage and approval.

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas, on this the 25th day of FEBRURY 2020.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney