

PURPOSE

Section 127.007 of the Texas Election Code requires the City Elections Administrator of the central counting station (“CCS”) to “establish and implement a written plan for the orderly operation of the central counting station.” This plan is to be made available to the public upon request no later than 5 p.m. on the fifth day before the date of the election. The City of McAllen adheres to procedures prescribed by the Texas Secretary of State & the Texas Election Code.

Section 127.007(b) provides that a CCS plan "must address the process for comparing the number of voters who signed the combination form with the number of votes cast for an entire election."

LOCATION

The City of McAllen Counting Station will be located at 1300 Houston Ave. | City Hall-City Commission Chambers, 3rd Floor - McAllen, Texas 78501.

ROLES AND RESPONSIBILITIES

The following are the roles and responsibilities inside the Central Counting Station, as contained in Sections 127.002-127.006 of the Texas Election Code:

- The Election Administrator (Perla Lara) will serve as the Central Counting Station Manager to manage the overall administration of the Central Counting Station and the supervision of personnel.
- The Interim Deputy City Secretary (Cindy Zuniga) will serve as the Tabulation Supervisor to operate the automatic tabulating equipment.
- The following personnel will serve as the Assistant Tabulation Supervisors to assist the Tabulation Supervisor: employees of ES&S, and other qualified employees (as needed).
- The Presiding Judge (Ron Tomlinson) will serve to maintain order at the Central Counting Station, administer oaths, and receive ballots to be counted.
- The Alternate Presiding Judge (Liz Parra) serves in the capacity of the presiding judge if the presiding judge is absent. Otherwise, the alternate judge performs the duties assigned by the presiding judge.
- Central Counting Station Clerks may be appointed as needed by the Central

Counting Station Manager and the Presiding Judges as outlined Section 127.006 of the Election Code. The clerks perform the duties assigned by the tabulation supervisor and/or the presiding judge.

POLL WATCHER RIGHTS & RESPONSIBILITIES

Poll watchers are entitled to be present during the time the CCS personnel has convened for the “purpose of processing or preparing to process election results and until the election officers complete their duties at the station.” (Sec. 33.055)

1. The poll watcher must deliver their certificate of appointment to the Presiding Judge of the CCS, and the Judge must countersign certificate.
2. Poll watcher(s) are permitted to observe (without disturbing) the counting activities. The Judge may dictate where the poll watcher(s) may stand or sit in order to prevent interference with the duties of the Central Counting Station personnel while they observe all activities.
3. All activities of poll watcher(s) shall comply with Sections 33.055, 33.056, 33.060 and the current Poll Watchers Guide issued by the Secretary of State.

CONVENING OF THE CENTRAL COUNT STATION

Section 87.0241 of the Texas Election Code dictates when an entity is permitted to count ballots. The Central Counting Station may not begin the process to count early voting ballots until:

1. The polls open on election day.

The Central Counting Station will convene for the purpose of receiving, counting, and tabulating Early Voting Mail Ballots, Early Voting In-Person Ballots, and Election Day Ballots for the 2023 General City Election at the following time:

May 6, 2023 11 am - 7 pm

ADMINISTRATION OF OATH

Section 127.0015 of the Texas Election Code prescribes a required oath for all CCS personnel. The administration of oaths will take place prior to each individual commencing his or her duties at CCS.

The Early Voting Clerk/City Secretary will administer the Oath for Early Voting Ballot Board and Central Counting Station Personnel (Form AW 8-3a Sec. 87.006, 127.0015):

"I swear (or affirm) that I will objectively work to be sure every eligible voter's vote is

accepted and counted, and that only the ballots of those voters who violated the Texas Election Code will be rejected. I will make every effort to correctly reflect the voter's intent when it can be clearly determined. I will not work alone when ballots are present and will work only in the presence of a member of a political party different from my own. I will faithfully perform my duty as an officer of the election and guard the purity of the election."

City Secretary (Election Administrator) will accept paperwork for any poll watchers. Name badges will be provided for everyone. Staff will advise Judge to collect all phones.

EARLY VOTING MAIL BALLOTS / PROVISIONAL BALLOTS

The Ballot Board and Signature Verification Committees will process each mail ballot (Sec.87.041). CCS staff will do the following:

EARLY VOTING IN PERSON

- Delivery of materials to the Early Voting Ballot Board. City Secretary will also provide Judge with bag containing keys (sealed money pouch bag, supplies/booklet.) The sealed pouch money bags are used to place result tapes from the 3 early voting sites. There will be several keys provided to Judge. Some keys will be for the sealed pouch money bags, keys for ballot boxes for each location (site). There is also another set of keys for the Firemen's Park location used to open the building as this location is routinely closed and not used on Election Day.
- Members present are Ballot board, staff members, Poll Watcher(s) and an ES&S representative. All will accompany Board in bus trolley to visit three (3) Early Voting Polling sites: Palmview Community Center, Lark Community Center, and Firemen's Park.
- Once on trolley, staff will remind board about the integrity of election and provide instructions not to speak, shake hands with, or greet any voter, candidate, or representatives of candidates. The main responsibility is to gather totals from early voting sites.
- The Judge and clerks will open the DS 200 machine at each location and print out results. The Judge will start up machine with key credentials. If he requires assistance, the ES&S representative will assist. Three sets are printed per polling site. Sets are printed along with an affidavit, to be signed. Tapes are placed in each sealed money pouch bag for each location. After the result tapes are printed, the ballot box (blue box) located in DS 200 must be removed. The Judge and clerks shall confirm/verify that there are no ballots left outside box or in DS 200 machine. Once confirmed, the Judge and clerks shall lock the ballot box and close DS 200 machine. DS 200 machine will be locked in a locked room.

- The ballot box for each location shall be securely locked and shall be transported with the Board on the trolley.
- This process will be repeated at each site. The Judge and clerks shall carry the sealed pouch money bags with them at all times. These are not to be left on trolley. The ballot box may be left in trolley as it is securely locked and cannot be opened but shall be attended by the driver.
- After results are gathered from each of the three (3) sites, the Board returns to City Hall (CCS). These ballot boxes will be taken to designated area by Judge to area confirmed by City Secretary (Election Administrator).
- The Ballot Board shall initiate the counting process by assigning each clerk a task. They will also remind poll watchers of their rights as poll watchers. A reminder shall be issued that no one may communicate with others who are not part of the ballot board. No poll watchers or members of ballot board may leave unless approved by Judge.
- The Judge, clerks, poll watchers and staff members will go to the Records Management Office where the mail in ballots are securely kept. Ballot board will retrieve the ballot boxes for the mailed in ballots received. The Judge & Board shall ensure that each ballot box is intact. Ballot board will carry the boxes back to the conference/meeting room and sign a confirmation of received ballot form.
- The Judge may recommend gathering early voting results from the sites first as the mail in process will require a large amount of time. Judge will pass out a results tape for each of the board member. Judge will read information to board from results tape which will be the total votes cast for each candidate by Single Member District for each polling place. After results have been confirmed, the Board (each member) will sign each tape from each site and date it. They will also each have a copy of an excel sheet, they will all plug in their totals on this sheet and sign and date.
- Judge will provide the early voting results to the City Secretary (Election Administrator) to add to unofficial spreadsheet.

MAIL-INS

- Judge shall review and qualify mail in ballots. A staff member shall ensure that the Judge has all ballot boxes in place and that the board has a listing of all registered voters who applied for a mail-in ballot.
- Votes shall be qualified by placing two boxes on a table (one for accepted ballots and one for rejected ballots). For rejected ballots, a note shall be placed on the carrier/application stating the reason for rejection. The Judge shall consult the other two board members before rejecting a ballot.
- If the voter has met all requirements, the ballot shall be accepted for voting and placed in accepted box. The board will review one district at a time. The rejected ballots shall be placed in the rejected box with reason for rejection.
- After Ballot board has completed the review of that district or race, the board can begin placing these ballots in DS 200 machine for the counting of ballots. This step may be repeated until all districts have been completed. After all ballots have been placed the Judge may print out district totals for each district or race (use

affidavit selection so that each ballot board member can review, sign, and accept these totals.) The totals can be placed in excel sheet provided by the City Secretary.

- The Judge must ensure that the ballot board has accounted for all mail-in ballots and that all forms are correctly filled out and given to the Election Administrator (City Secretary). Staff member is to ensure ballot board place all mail in ballots in blue ballot box and locked up for retention period.
- Staff shall ensure that all forms are picked up and/or filled out by board.
- Print the DS200 results, count (Provisional or Mail) and complete spreadsheet results.
- Upload each DS200 into the Election Management System for Election Night Results and complete the unofficial results spreadsheet.
- Unofficial results shall be released in the City Commission Chambers – 3rd Floor at 7:00 pm or as soon as practicable thereafter.
- All media (usbs and tapes) in sealed money pouch bags will be secured and transferred to the ballot storage area for the remaining 60-day preservation period.

ELECTION DAY MEDIA

- Election Judge delivers the Election Media USB (in sealed money pouch bags) and election supplies to the City Secretary's Office.
- City Secretary Staff will verify the vote center location information and take custody of Election Media USB, voted ballots, and election supplies.
- City Secretary Staff shall receive Election Media USBs (in sealed money pouch bag) and deliver them to the Central Counting Station.
- CCS tabulation supervisor verifies and documents that the *total number of votes* matches the *number of voters* on the roster form.
- All money pouch bags will be secured and transferred to the ballot storage area for the remaining 60-day preservation period.

RECONCILIATION

The process for comparing the number of voters listed as having voted and the number of ballots cast is done in three ways:

1. Early Voting in Person - EVB verifies.
2. Early Voting by Mail – EVB verifies.
3. Election Day - EVB verifies.

Additionally, in accordance with Texas Election Code Section 127.131 (f), the Presiding Judge of the central counting station shall provide and attest to a written reconciliation of votes and voters at the close of tabulation for election day and again after the central

counting station meets for the last time to process late-arriving ballots by mail and provisional ballots using a form created and rules promulgated by the Secretary of State to facilitate compliance with this subsection. Once completed, the form shall be posted on a website maintained by the City along with election returns and results.

RETURNS AND ELECTION TOTALS

Pursuant to Section 127.127, the Tabulation Supervisor and the assistants are the only individuals authorized to operate the automatic tabulating equipment or handle ballots that are automatically counted. After the counting of ballots has occurred, the Presiding Judge of the CCS is responsible for preparing the election returns. The Presiding Judge is required to sign the returns to certify their accuracy.

The unofficial election results shall be released as soon as available after the polls close. Alternatively, the Presiding Judge of the CCS, in cooperation with the Elections Administrator may withhold the release of unofficial results until the last voter has voted. (Section 121.1311, Texas Election Code).

Unofficial election results will be released via City of McAllen webpage, beginning no earlier than 7:00 p.m. on Election Day. (Section 121.1311, Texas Election Code).

RETENTION OF ELECTION MATERIALS

Records created as part of an election will be retained for twenty-two (22) months. Electronic records shall be secured in a locked container sealed with one or more uniquely identified tamper- resistant.

SECURITY

A Licensed Peace Officer will be posted at the CCS as required (Section 127.1232(a), Texas Election Code).