

RESOLUTION NO. 2022-49

**A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF
TOMBALL, TEXAS, APPROVING THE HART INTERCIVIC VERITY
VOTING 2.5 SYSTEM EQUIPMENT FOR ELECTIONS HELD BY THE
CITY OF TOMBALL; AND PROVIDING FOR AN EFFECTIVE DATE**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

WHEREAS, on October 17, 2022, the City Council of the City of Tomball, Texas approved the purchase of election voting tabulation systems and services manufactured, provided and supported by Hart Intercivic through the COOP BuyBoard; and

WHEREAS, the City of Tomball procured the Hart Intercivic Verity Voting 2.5 System (including Verity firmware and software components, Verity controllers, Verity Duo ballot marking devices, Verity standard booths, Verity access modules, Verity accessible booths, Verity headphones, Verity digital ballot scanners, Verity ballot boxes, Verity Due Go portable carrier, Verity ballot box lock kit, vDrives, Verity electronic security keys, Professional services , and annual license and support), along with the required ancillary parts and services required for this voting tabulation system equipment; and

WHEREAS, pursuant to Texas Election Code, Sections 122.035(a) and (b), the Texas Secretary of State and the Texas Attorney General appointed examiners who determined that the Verity Voting 2.5 system, including its hardware and software components, meets the standards for certification as prescribed by Section 122.001 of the Texas Election Code. Specifically, the VerityVoting 2.5 system and its components, among other things:

1. Preserve the secrecy of the ballot;
2. Are suitable for the purpose for which they are intended;
3. Operate safely, efficiently, and accurately and comply with the voting system standards adopted by the Election Assistance Commission;
4. Are safe from fraudulent or unauthorized manipulation;
5. Permit voting on all offices and measures to be voted on at the election;
6. Prevent counting votes on offices and measures on which the voter is not entitled to vote;
7. Prevent counting votes by the same voter for more than one candidate for the same office or, in elections in which a voter is entitled to vote for more than one candidate for the same office, prevent counting votes for more than the number of candidates for whom the voter is entitled to vote;
8. Prevent counting a vote on the same office or measure more than once;
9. Permit write-in voting; and
10. Are capable of providing records from which the operation of the voting system may be audited.

WHEREAS, this system has been certified by the Texas Secretary of State as of April 1, 2021, and by the United States Election Assistance Commission as of September 9, 2020; and

WHEREAS, the Texas Election Code, Section 123.001 Adoption of Voting System Required, requires political subdivisions to officially adopt the system for use in and for its elections;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:

Section 1. The City of Tomball, Texas officially adopts the Hart Intercivic Verity Voting 2.5 System for use in and for its elections; said System shall be used for early voting by personal appearance and voting on Election Day.

Section 2. This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

PASSED, APPROVED and RESOLVED this ____ day of _____.

LORI KLEIN QUINN, Mayor
City of Tomball

ATTEST:

DORIS SPEER, City Secretary
City of Tomball