

ORDINANCE NUMBER O2024-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, TEXAS ORDERING A GENERAL ELECTION TO BE HELD ON THE 4TH DAY OF MAY, 2024 FOR THE PURPOSE OF ELECTING THREE COUNCIL PERSONS FOR POSITIONS ONE (1), TWO (2) AND THREE (3); AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF DAYTON, THE DAYTON INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES AND THE LIBERTY COUNTY CLERK; PROVIDING FOR EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF DAYTON, TEXAS:

Section 1.

It is hereby ordered that a General Election be held in the City of Dayton, Texas ("City") on the first Saturday in May, the 4th day of May 2024, at which election the qualified voters of the City will elect three Councilpersons for positions one (1), two (2) and three (3). The three councilmembers elected in this election year shall, upon taking the oath of office, collectively draw to determine which position shall have a transitional term of office for two years and the other two positions will start serving three-year terms.

Section 2.

That the election be held jointly between the City of Dayton, Dayton Independent School District, and any other contracting entities. The election shall be conducted by the Liberty County Clerk as stated per the terms of the 2024 Joint Election Agreement and Elections Services Contract. The City Council authorizes the City Manager to negotiate and execute the 2024 Joint Election Agreement and Election Services Contract with the Liberty County Clerk and the joint election agreement with Dayton ISD.

Section 3.

The present boundaries of the City of Dayton constitute one election precinct, and the polls shall be open for voting on Election Day, May 4, 2024, from 7:00 a.m. until 7:00 p.m. at the following polling places. The Liberty County Clerk shall have the authority to add and/or remove polling locations for both early voting and election day voting as deemed appropriate.

1. Pct. 1: Rye/Romayor consolidated with Precinct 2
2. Pct. 2: Moss Hill United Pentecostal Church, 127 Hwy. 105 E., Liberty, Texas
3. Pct. 3: Hardin City Hall, 142 C.R. 2010, Hardin, Texas
4. Pct. 4: Devers Elementary School, 201 Chism St., Devers, Texas
5. Pct. 6: Calvary Baptist Church, 15 C.R. 129, Liberty, Texas

6. Pct. 7: The Sanctuary Pentecostal Church, 100 E. Hanson St., Cleveland, Texas
7. Pct. 8: Dolen Baptist Church Gym, 10078 F.M. 787, Cleveland, Texas
8. Pct. 9: Hi-Way Tabernacle, 108 C.R. 2250, Cleveland, Texas
9. Pct. 10: St. Anne's Catholic Church Hall, C.R. 622 & F.M. 686, Eastgate (Dayton), Texas
10. Pct. 11: Sacred Heart Catholic Church, 3730 F.M. 160, Raywood, Texas
11. Pct. 13: Hull-Daisetta High School, 117 N. Main St., Daisetta, Texas
12. Pct. 18: Mother of Mercy Catholic Church, 101 Donatto Drive, Liberty, Texas
13. Pct. 19: Jack Hartel Admin. Building, 318 San Jacinto St., Liberty, Texas
14. Pct. 20: Cleveland Civic Center, 210 Peach Ave., Cleveland, Texas
15. Pct. 21: Kenefick Southern Baptist Church, 3536 F.M. 1008, Kenefick, Texas
16. Pct. 22: Dayton Community Center, 801 S. Cleveland St., Dayton, Texas
17. Pct. 23: Sante Fe Administration Building, 1680 C.R. 3549, Cleveland, Texas
18. Pct. 24: Pathways Church, 9160 F.M. 1409, Dayton, Texas
19. Pct. 25: Tarkington Prairie Baptist Church, 25 C.R. 306, Cleveland, Texas
20. Pct. 26 (consolidated with Precinct 7)
21. Pct. 30: Pleasant Hill Baptist Church, 803 S. Colbert St., Dayton, Texas
22. Pct. 31: Plum Grove City Hall, 155 C.R. 345, Plum Grove, Texas

#### Section 4.

The Liberty County Clerk shall act as Contracting Officer and Early Voting Clerk. The Liberty County Clerk shall be authorized to add or remove early voting locations and to amend the early voting schedule. The location for Early Voting for such election is hereby designated as:

#### EARLY VOTING POLLING PLACES:

Jack Hartel Building  
318 San Jacinto Street  
Liberty, Texas 77575

Hardin City Hall  
142 C.R. 2010  
Hardin, Texas

Cleveland Civic Center  
210 Peach Avenue  
Cleveland, Texas

Dayton Community Center  
801 S. Cleveland St.  
Dayton, Texas 77535

The Sanctuary Pentecostal Church  
100 E. Hanson St.  
Cleveland, Texas

Early voting by personal appearance shall be conducted on the dates and times set forth below:

- Monday through Friday, April 22nd – April 26th from 9:00 a.m. to 6:00 p.m.
- Saturday, April 27<sup>th</sup> – 7:00 a.m. to 7:00 p.m.
- Sunday, April 28<sup>th</sup> – 1:00 p.m. to 7:00 p.m.
- Monday through Tuesday, April 29<sup>th</sup> – April 30<sup>th</sup> from 7:00 a.m. to 7:00 p.m.

The Liberty County Clerk's address to which ballot applications and ballots voted by mail may be sent is:

Liberty County Clerk  
Liberty County Courthouse  
1923 Sam Houston Street  
Liberty, Texas 77575

All requests for early voting ballots by mail that are received by the City of Dayton, Texas will be transported to the Liberty County Clerk, Liberty County Courthouse, 1923 Sam Houston, Liberty, Texas 77575.

Election officials for the District's Early Voting and Election Day Polling Locations shall be designated by the Contracting Officer, in accordance with the provisions of the Texas Election Code.

#### Section 5.

All election equipment, election supplies, and election services used to coordinate, supervise, and administer the Joint Election shall be in accordance with the provisions of the Texas Election Code. Each polling location for both early voting and election day voting shall be accessible to disabled voters. The Contracting Officer shall prepare the voting system for polling locations during Early Voting and on Election Day. Election materials as outlined in the Texas Election Code, shall be printed in both English and Spanish for use at the polling place and for Early Voting and Election Day for said election.

#### Section 6.

Notice of this election shall be published in the official newspaper of the City not earlier than the 30<sup>th</sup> day or later than the 10<sup>th</sup> day before election day, and shall be posted in the place used to post notice of City of Dayton's City Council Meetings not later than the 21<sup>st</sup> day before election day, in accordance with the provisions of the Texas Election Code.

#### Section 7.

Said election shall be held in accordance with the Texas Election Code and the Federal Voting Rights Act of 1965, as amended. The Mayor and/or the City's Attorney are hereby authorized and directed to make any filings required by the Federal Voting Rights Act. The Mayor and/or the City's Attorney are further authorized and directed to take any action necessary to comply with provisions of the Texas Election Code, the Federal Voting Rights Act and the terms and provisions of the 2023 Joint Election Agreement and Election Services Contract.

#### Section 8.

That if any section, subsection, sentence, clause, or phrase of this order should for any reason be held to be unconstitutional or invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this order, and to such end the various portions and provisions of

this order are declared to be severable; and the City Council of the City of Dayton, Texas, declares it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 9.

This Order shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Dayton, this the 18 day of January 2024.

  
\_\_\_\_\_  
Mayor, Martin Mudd

ATTEST: 

