

ORDINANCE NO. 2025-01-28-03

AN ORDINANCE OF THE CITY OF CLEVELAND, TEXAS ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 3, 2025, FOR THE PURPOSE OF SUBMITTING PROPOSED CHARTER AMENDMENTS TO THE VOTERS FOR THEIR APPROVAL; PROVIDING FOR BALLOTS; DESIGNATING THE TIME AND PLACE FOR HOLDING SUCH ELECTIONS; PROVIDING FOR NOTICES; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council (the “Council”) of the City of Cleveland, Texas (the “City”) desires to order a special election to submit proposed amendments to the City Charter to the voters in accordance with Section 9.004 of the Texas Local Government Code; and

WHEREAS, Section 3.005 of the Texas Election Code requires that special elections be ordered not later than the 78th day before the date of the election; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND, TEXAS:

Section 1. The findings contained in the preamble of this Ordinance are hereby found to be true and correct and are hereby adopted as part of the Ordinance.

Section 2. In accordance with the general laws and the Constitution of the State of Texas, a Special Municipal Election is hereby called and ordered for Saturday, May 3, 2025, the same being the first Saturday in May, at which the election of the following propositions for proposed amendments to the City Charter of the City of Cleveland shall be submitted to the qualified voters of the City for their action thereon. The proposed amendments to the Charter are set forth below, a separate number begin assigned to each subject on which an amendment is proposed for convenience in reference. In the election, the registered voters of the City shall decide by voting “Yes” or “No” whether they are in favor of the following propositions:

Proposition A

(Relating to updating procedural rules for the extension of boundaries)

SHALL SECTION 1.03 OF THE CITY CHARTER RELATED TO THE EXTENSION OF BOUNDARIES BE AMENDED TO PROVIDE FOR PROCEDURAL RULES CONSISTENT WITH STATE LAW AND REMOVE SPECIFIC LOCAL GOVERNMENT CODE REFERENCES?

YES

NO

In the event of approval of this proposition, Section 1.03 of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through:

“Section 1.03. Extension of boundaries.

The City Council may, by Ordinance, Annex Territory lying adjacent to the City limits and as otherwise authorized by State law, with or without the consent of the inhabitants or owners thereof, not inconsistent with the procedural rules prescribed by law applicable to the cities operating under charters as adopted or amended under State law. ~~and subject only to such procedural rules as may be~~ described in Chapter 43 of the Local Government Code of the State of Texas entitled Municipal Annexation, as it now exists, is hereinafter amended. “

Proposition B

(Relating to adding procedures and requirements for disannexation.)

SHALL THE CITY CHARTER BE AMENDED BY ADDING A NEW SECTION 1.04 TO PROVIDE FOR PROCEDURES AND REQUIREMENTS FOR DISANNEXATION CONSISTENT WITH STATE LAW?

YES

NO

In the event of approval of this proposition, Section 1.04 shall be added to read as follows, with additions being underlined and deletions struck through:

“Section 1.04. Contraction of Boundaries—Disannexation.

Any area of the City may be disannexed pursuant to any procedure allowed under state law and whenever, in the opinion of the City Council, there exists within the corporate limits of the City a territory not suitable or necessary for City purposes, the City Council may discontinue said territory as part of the City by ordinance following a petition or by ordinance following public notice.

However, any territory so detached shall be liable for its pro rata share of any debts incurred while it was a part of the City, and the City shall continue to levy and collect taxes on the property within said territory until indebtedness has been discharged.”

Proposition C

(Relating to a new council member position to be filled at the May 2026 election)

SHALL SECTION 3.01 OF THE CITY CHARTER BE AMENDED TO PROVIDE FOR A NEW COUNCIL POSITION 6 TO BE ELECTED AT THE REGULAR MUNICIPAL ELECTION TO BE HELD IN MAY OF 2026?

YES

NO

In the event of approval of this proposition, Section 3.01 of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

“Section 3.01. Number selection and term.

The legislative and governing body of the City shall consist of a Mayor and six five (65) Council members and shall be known as the "City Council of the City of Cleveland. Council member position 6 will be filled at the regular municipal election held in May of 2026."

Proposition D

(Relating to permitting the Mayor to vote on all matters following the May 2026 election.)

SHALL SECTION 3.01(B) OF THE CITY CHARTER BE AMENDED TO PROVIDE THAT THE MAYOR BE ENTITLED TO VOTE ON ALL MATTERS FOLLOWING THE REGULAR MUNICIPAL ELECTION HELD IN MAY OF 2026?

YES

NO

In the event of approval of this proposition, Section 3.01(b) of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

“(b) The Mayor shall be the presiding officer of the City Council and shall be recognized as the head of the City Government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no regular administrative duties. Following the regular municipal election in May of 2026, the Mayor shall be entitled to vote on all matters under consideration by the City Council. In the interim period until the regular municipal election

in May of 2026, the Mayor shall be entitled to vote only in the event of a tie.”

Proposition E

(Relating to increasing the terms of the Mayor and Council members from two to three years.)

SHALL THE CITY CHARTER BE AMENDED BY ADDING A NEW SECTION 3.01(C) AND SECTION 3.01(D) TO INCREASE THE TERMS OF OFFICE FOR THE MAYOR AND COUNCIL MEMBERS FROM TWO TO THREE YEARS COMMENCING WITH THE OFFICERS ELECTED AT THE REGULAR MUNICIPAL ELECTION HELD IN MAY OF 2025?

YES

NO

In the event of approval of this proposition, Section 3.01(c) of the City of Cleveland Charter shall be amended to read as follows, and Section 3.01(d) shall be added to read as follows, with additions being underlined and deletions struck through. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

“(c) The Mayor and each member of the Council shall hold office for a three (3) year term. No person shall be elected to more than three (3) consecutive regular ~~three two (32)~~ year terms as a Council member or Mayor.

(d) The following election process is established to provide for the transition from two (2) year terms to three (3) year terms:

(1) At the regular municipal election to be held in May of 2025 the Mayor and Council members for positions 1 and 2 shall be elected for a term of three (3) years and in May of every third year thereafter shall be elected for a term of three years.

(2) At the regular municipal election to be held in May of 2026 Council members for positions 3, 4, 5, and 6 shall be elected for a term of three (3) years and in May of every third year thereafter shall be elected for a term of three years.”

Proposition F

(Relating to non-substantive revisions of outdated dollar amounts related to Mayor and Council member salaries.)

SHALL ARTICLE III, SECTION 3.04, OF THE CITY CHARTER BE AMENDED TO CORRECT NON-SUBSTANTIVE ISSUES BY REMOVING OUTDATED DOLLAR AMOUNTS RELATED TO MAYOR AND COUNCIL MEMBER SALARIES?

YES

NO

In the event of approval of this proposition, Section 3.04 of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through:

“Section 3.04. Compensation.

The annual salary of the Mayor and each Council member shall be set ~~Councilmen shall be \$300.00, the annual salary of the Mayor shall be \$600.00,~~ until changed by ordinance, but shall not be increased during the current term of the Mayor and Council members enacting such ordinance.”

Proposition G

(Relating to electronic and other web based notices instead of newspaper publication for an alternate meeting location)

SHALL SECTION 3.08 OF THE CITY CHARTER BE AMENDED TO REMOVE NEWSPAPER PUBLICATION REQUIRMENTS FOR ALTERNATE MEETING LOCATIONS WHERE ALLOWED BY STATE LAW?

YES

NO

In the event of approval of this proposition, Section 3.04 of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through:

“Section 3.08. Meetings of the city council.

The City Council shall hold at least one regular meeting in each month at a time to be fixed by ordinance, and may hold as many additional meetings during the month as may be necessary for the transaction of the business of the City and its citizens. All meetings of the City Council shall be public except where authorized by law and shall be held at the City Hall, except that the City Council may designate another place for such meetings ~~after publishing the notice thereof in one issue of a paper in general circulation in the City of Cleveland.~~ The Mayor or any two

members of the City Council may call special meetings of the City Council at any time.”

Proposition H

(Relating to clarifying inconsistencies in the roles of City Council and the City Manager.)

SHALL SECTIONS 3.07(A), 3.07(B), 4.01(C), AND 4.02 OF THE CITY CHARTER BE AMENDED TO CLARIFY INCONSISTENCIES AND MATCH ACTUAL PRACTICES, IN DEFINING THE ROLES OF CITY COUNCIL AND THE CITY MANAGER?

YES

NO

In the event of approval of this proposition, *Sections 3.07(a), 3.07(b), and 4.01(c)(1)* of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

“Section 3.07(a)-(b).

- (a) Remove from any office or position ~~of employment~~ in the City Government any officer or ~~employee or~~ member of any board or commission appointed by the Council.
- (b) Establish, consolidate or abolish administrative departments and ~~distribute the work of~~ divisions.”

“Section 4.01(c) Powers and Duties of the City Manager:

- (1) Shall be the Chief Administrative and Executive Officer (CAO/CEO) of the City, responsible for the operations and affairs of the City.
- ~~(2)~~ Appoint and remove any employee of the City, except as otherwise provided by this Charter.
- ~~(3)~~ Prepare the budget annually and submit it to the City Council, and be responsible for its administration after adoption.
- ~~(4)~~ Prepare and submit to the City Council as of the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year.

- (54) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may seem proper.
- (65) Perform such duties as may be prescribed by this Charter or may be required of him by the City Council, not inconsistent with this Charter.
- (76) Within a reasonable time after assuming office, the City Manager shall reside in the City limits of Cleveland.

“Section 4.02. Other departments.

With approval of tThe City Council, the City Manager may abolish or consolidate such offices and departments as it may deem to be to the best interest of the City, and may divide the administration of any such departments as it may deem advisable; may create new departments, and may discontinue any offices or departments at its discretion, except those specifically established by this Charter.“

Proposition I

(Relating to permitting the City Council to waive the City Manager's residency requirement if approved by a vote of two-thirds (2/3) of the entire City Council.)

SHALL SECTION 4.01(C)(6) OF THE CITY CHARTER BE AMENDED TO AUTHORIZE THE CITY COUNCIL TO WAIVE THE CITY MANAGER'S RESIDENCY REQUIREMENT IF APPROVED BY A TWO-THIRDS (2/3) VOTE OF CITY COUNCIL?

YES

NO

In the event of approval of this proposition, 4.01(c)(6) of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

“Section 4.01(c)(6)

- (6) Within a reasonable time after assuming office, the City Manager shall reside in the City limits of Cleveland, **unless otherwise approved by a vote of two-thirds (2/3) of the entire City Council.**”

Proposition J

(Relating to providing that the City Manager prepare and file the budget in accordance with state law and to removing current provisions listing specific requirements)

SHALL SECTION 6.02 OF THE CITY CHARTER BE AMENDED TO PROVIDE THAT THE CITY MANAGER SHALL PREPARE AND FILE THE BUDGET IN ACCORDANCE WITH STATE LAW, AND TO REMOVE DUPLICATIVE AND OUTDATED PROVISIONS LISTING SPECIFIC REQUIREMENTS?

YES

NO

In the event of approval of this proposition, 4.01(c)(6) of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through:

“Section 6.02. Preparation and submission of budget.

The City Manager, ~~between sixty and ninety days prior to the beginning of each fiscal year~~ shall, not later than the date prescribed by state law, prepare and submit to the Council a proposed budget, which budget shall provide a complete financial plan for the ensuing fiscal year, and shall contain all items and contents required by State law or by the City Council. ~~the following:~~

- ~~(a) A budget message, explanatory of the budget, which message shall contain an outline of the proposed financial policies of the City for the fiscal year, shall set forth the reasons for salient changes from the previous fiscal year in expenditure and revenue items, and shall explain any major changes in financial policy.~~
- ~~(b) A consolidated statement of anticipated receipts and proposed expenditures for all funds.~~
- ~~(c) An analysis of property valuations.~~
- ~~(d) An analysis of tax rate.~~
- ~~(e) Tax levies and tax collections by years for at least the five years immediately preceding.~~
- ~~(f) General fund resources in detail.~~
- ~~(g) Special fund resources in detail.~~

- ~~(h) Summary of proposed expenditures by function, department, and activity.~~
- ~~(i) Detailed estimates of expenditures shown separately for each activity to support the summaries.~~
- ~~(j) A description of all bond issues outstanding, showing rate of interest, date of issue, maturity date, amount authorized, amount issued and amount outstanding.~~
- ~~(k) A schedule of requirements for the principal and interest of each issue of bonds.~~
- ~~(l) The Appropriation ordinance.~~
- ~~(m) The tax levying ordinance.~~
- ~~(n) Anticipated revenues and proposed expenditures compared with other years. The City Manager in the preparation of the budget shall show in parallel columns opposite the various properly classified items of revenues and expenditures, the actual amount of such items for the last completed fiscal year, the estimated amount for the current fiscal year and the proposed amount for the ensuing fiscal year.”~~

Proposition K

(Relating to adding two alternates on the Charter Review Commission and removing outdated references.)

SHALL SECTION 8.05 OF THE CITY CHARTER BE AMENDED TO PROVIDE FOR TWO ALTERNATES ON THE CHARTER REVIEW COMMISSION AND REMOVE OUTDATED YEAR REFERENCES?

YES

NO

In the event of approval of this proposition, 4.01(c)(6) of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

“Section 8.05. Charter review commission.

The City Council shall appoint a Charter Review Commission consisting of five (5) members and two (2) alternates at its regular meeting in January ~~2013, and~~ at least once every five (5) years ~~thereafter~~. All members shall be residents of the City of Cleveland. It shall be the duty of the Charter Review Commission to:"

Proposition L

(Relating to non-substantive revisions correcting outdated references, language inconsistencies, and state law references, changing or removing obsolete provisions and language superseded by state or federal law, and conforming to current practices.)

SHALL THE CITY CHARTER BE AMENDED TO MAKE NON-SUBSTANTIVE REVISIONS TO:

SECTION 1.02 – TO ADD MONTGOMERY AND SAN JACINTO COUNTIES TO THE DESCRIPTION OF BOUNDARIES OF THE CITY?

SECTION 2.02 – TO REPLACE AN OUTDATED REFERENCE TO THE REVISED CIVIL STATUTES OF THE STATE OF TEXAS OF 1925 WITH THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

SECTION 3.02 – TO CONFORM WITH STATE AND FEDERAL LAW BY REMOVING REFERENCES CONCERNING INDEBTEDNESS TO THE CITY BEING A DISQUALIFICATION FOR ELIGIBILITY FOR OFFICE AND CORRECT LANGUAGE INCONSISTENCIES?

SECTION 3.05 – TO CLARIFY THE ANNUAL DELIVERY OF THE STATE OF THE CITY ADDRESS RATHER THAN WITHIN THE FIRST QUARTER OF THE CALENDAR YEAR?

SECTION 3.07(P) – TO REMOVE OUTDATED REFERENCES TO THE INSPECTION OF DAIRIES, SLAUGHTER PENS AND SLAUGHTER HOUSES?

YES

NO

In the event of approval of this proposition, Sections 1.02, 2.02, 3.02 and 3.05, 3.07(P) of the City of Cleveland Charter shall be amended to read as follows, with additions being underlined and deletions struck through. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

“Section 1.02. The boundaries.

The boundaries of the City of Cleveland shall be the same as have heretofore been established and they existed on January 1, 2013, as further expanded in accordance with this Charter, which boundaries are more fully described by metes and bounds in a document titled "Boundaries of the Corporate Limits of the City of Cleveland in, Liberty, Montgomery and San Jacinto Counties, Texas" which is filed in the City Hall of the City of Cleveland, and entered in the minute book.”

“Section 2.02. General powers adopted.

The enumeration of the particular powers in this charter shall not be held or deemed to be exclusive but in addition to the powers enumerated herein or implied hereby or appropriated to the exercise of such powers, the City shall have and may exercise all power of local self-government and all powers which, under the constitution and laws of the State of Texas, it would be competent for this charter specifically to enumerate. The City of Cleveland shall have all the powers granted to cities by the constitution and laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers granted and may exercise all the powers enumerated in Article 1175, Chapter 13, Title 28, of the Revised Civil Statutes of the State of Texas of 1925 as now or hereafter amended.”

“Section 3.02. Qualifications.

The Mayor shall be a resident citizen of the City of Cleveland, at least twenty-one (21) years of age, and a qualified voter of the State of Texas: and shall have been a resident of the City of Cleveland for a period of not less than twelve (12) months immediately preceding his election, and shall satisfy any other eligibility requirements prescribed by law for the office for which they are a candidate shall not be indebted to the City of Cleveland.

Each Council member ~~Councilman~~ shall be a resident citizen of the City of Cleveland, at least twenty-one (21) years of age, and shall have been a resident of the City of Cleveland for a period of at least twelve (12) months immediately preceding the election, shall be a qualified voter of the State of Texas, and shall satisfy any other eligibility requirements prescribed by law for the office for which they are a candidate shall not be indebted to the City of Cleveland. If the Mayor or any Council member fails to maintain the foregoing qualifications or shall be absent from three (3) consecutive regularly scheduled meetings without valid excuse, or shall move from the legally established boundaries of the City of Cleveland, the City Council must at its next regular meeting declare a vacancy to exist and shall fill said vacancy as set forth in Section 3.06 of this charter. “

“Section 3.05. Mayor and mayor pro-tem.

- (a) The Mayor shall preside over all City Council meetings; annually within the first quarter of the calendar year, deliver a State of the City address to the City Council and the members of the public; and perform such other duties and

exercise such other authority as may be prescribed and conferred by City Council when not inconsistent with this Charter.

- (b) The City Council, at its first meeting after a general election of its Council members, shall elect one of its Council members Mayor Pro-Tem, and that Council member shall perform all duties of the mayor in the absence or disability of the Mayor.”

“Section 3.07(p)

- (p) Define all nuisances and prohibit the same within the City and outside the city limits for a distance of five thousand feet; to police all parks or grounds, speedways, or boulevards owned by the City and laying outside of the City, to prohibit the pollution of any stream, drain or tributaries thereof, which may constitute the source of water supply of the City and to provide for policing the same as well as to provide for the protection of any water sheds and the policing of same; ~~to inspect dairies, slaughter pens and slaughter houses inside or outside of city limits, from which meat or milk is furnished to the inhabitants of the City.~~”

Section 2. In accordance with the general laws and Constitution of the State of Texas, a special election shall be held concurrently with the city general municipal election on Saturday, May 3, 2025, at which special election there shall be submitted to the qualified voters of the City, for their action thereon, proposed amendments to the Cleveland City Charter as set forth in this ordinance.

Section 3. In accordance with Section 52.072(d) of the Texas Election Code Tex. Elec. Code Ann. § the aforementioned propositions for proposed amendments to the City Charter of the City of Cleveland shall appear on the ballot before the following listing of offices for the General Election be held jointly at which election the qualified voters of the City will elect the following public officials:

- a. Mayor
- b. Council Position 1
- c. Council Position 2

Section 4. Joint Election – Liberty County. That the election be held jointly between the City of Cleveland, Liberty County, Texas by its County Election(s) Officer, hereinafter sometimes called “Liberty County Contracting Officer” or “Liberty County Clerk” and other contracting political subdivisions. The election shall be conducted by the County Elections Officer as stated per the terms of the 2025 Election Services Contract with the County Elections Officer state of Texas, County of Liberty, which agreement was duly approved by the City acting through its City Council at a meeting held on or about January 28, 2025.

All election equipment, election supplies, and election services used to coordinate, supervise, and

administer the Liberty County Joint Election shall be in accordance with the provisions of the Texas Election Code and the agreement(s) referenced above. Each polling location for both early voting and election day voting shall be accessible to disabled voters. The Liberty County 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.

The voting system used shall be as set forth in the City's Election Services Contract with the Liberty County Contracting Officer referenced above. It is currently anticipated that the Verity Voting system will be used, including Verity Print, Verity Touch and Verity Touch Writer with Verity Access interface using the Verity Scan; and the mail ballot system from Hart InterCivic.

Section 5. Polling Information - Liberty County. Polls in Liberty County, Texas, shall be open for voting on Election Day, May 3, 2025, from 7:00 a.m. until 7:00 p.m. at the following polling places. The Liberty County shall have the authority to add and/or remove polling locations as deemed appropriate.

- Pct. 1 Rye/Romayor (consolidated with Precinct 2)
- Pct. 2 Moss Hill United Pentecostal Church, 127 Hwy. 105 E, Liberty, Texas
- Pct. 3 Hardin City Hall, 142 C.R. 2010, Hardin, Texas (Curbside voting available)
- Pct. 4 Devers Elementary School, 201 Chism St., Devers, Texas
- Pct. 6 Calvary Baptist Church, 15 C. R. 129, Liberty, Texas
- Pct. 7 The Sanctuary Pentecostal Church, 100 E. Hanson St., Cleveland, Texas
- Pct. 8 Dolen Baptist Church Gym, 10078 F.M. 787, Cleveland, Texas
- Pct. 9 Hi-Way Tabernacle, 108 C.R. 2250, Cleveland, Texas
- Pct. 10 St. Anne's Catholic Church Hall, C.R. 622 & F.M. 686, Eastgate (Dayton), Texas
- Pct. 11 Sacred Heart Catholic Church, 3730 F.M. 160, Raywood, Texas
- Pct. 13 Hull-Daisetta High School, 117 N. Main St., Daisetta, Texas
- Pct. 18 Mother of Mercy Catholic Church, 101 Donatto Drive, Liberty, Texas
- Pct. 19 Jack Hartel Admin. Building, 318 San Jacinto St., Liberty, Texas (Curbside voting available)
- Pct. 20 Cleveland Civic Center, 210 Peach Ave., Cleveland, Texas (Curbside voting available)
- Pct. 21 Kenefick Southern Baptist Church, 3536 F.M. 1008, Kenefick, Texas
- Pct. 22 Dayton Community Center, 801 S. Cleveland St., Dayton, Texas (Curbside voting available)
- Pct. 23 Sante Fe Administration Building, 1680 C.R. 3549, Cleveland, Texas
- Pct. 24 Pathways Church, 9160 F.M. 1409, Dayton, Texas
- Pct. 25 Tarkington Prairie Baptist Church, 25 C.R. 306, Cleveland, Texas
- Pct. 26 Cleveland (consolidated with Precinct 7)
- Pct. 30 Pleasant Hill Baptist Church, 803 S. Colbert St., Dayton, Texas
- Pct. 31 Plum Grove City Hall, 155 C.R. 345, Plum Grove, Texas

Curbside voting is available at the locations designated by calling 936-253-8050.

Limited voting is available only at Jack Hartel Administration Building, 318 San Jacinto St., Liberty,

Section 6. Early Voting Information - Liberty County. The Liberty County Clerk shall act as Contracting Officer and Early Voting Clerk. The location for Early Voting for such election is hereby designated as:

EARLY VOTING POLLING PLACES:

Cleveland Civic Center, 210 Peach Avenue, Cleveland, Texas;
The Sanctuary Pentecostal Church, 100 E. Hanson St., Cleveland, Texas;
Hardin City Hall, 142 C.R. 2010, Hardin, Texas;
Dayton Community Center, 801 S. Cleveland St., Dayton, Texas; and
Jack Hartel Community Building, 318 San Jacinto St., Liberty, Texas;

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

- Tuesday through Friday, April 22nd – April 25th from 9:00 a.m. to 6:00 p.m.
- Saturday, April 26th - 7:00 a.m. to 7:00 p.m.
- Sunday, April 27th – 1:00 p.m. to 7:00 p.m.
- Monday through Tuesday, April 28th – April 29th from 7:00 a.m. to 7:00 p.m.

The Liberty County Election Administrator'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
P.O. Box 369
Liberty, Texas 77575

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

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

Section 5. Joint Election: Montgomery County. That the election be held jointly between the City of Cleveland, Montgomery County, Texas by its County Election Officer, hereinafter sometimes called "Montgomery County Contracting Officer" or "Montgomery County Election Officer" and other contracting political subdivisions. The election shall be conducted by the Montgomery County Elections Officer stated per the terms of the 2025 Elections Services Agreement with Montgomery County which agreement was duly approved by the City acting through its City Council at a meeting held on or about January 21, 2025. The election shall also be conducted by the Montgomery County Contracting Officer along with other political subdivisions within Montgomery County in accordance with a 2025 Joint Election Agreement with Montgomery County which agreement was duly approved by the City acting through its City Council at a meeting held on or about January 21, 2025.

All election equipment, election supplies, and election services used to coordinate, supervise, and administer the Montgomery County Joint Election shall be in accordance with the provisions of the Texas Election Code and the agreements referenced above. Each polling location for both early voting and election day voting shall be accessible to disabled voters. The Montgomery

County 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.

The voting system used shall be as set forth in the agreements referenced above in this section.

Section 6. Polling Information – Montgomery County. Polls in Montgomery County, Texas, shall be open for voting on Election Day, May 3, 2025, from 7:00 a.m. until 7:00 p.m. at the following polling places. The Montgomery County Contracting Officer shall have the authority to add and/or remove polling locations as deemed appropriate.

See Exhibit “A” attached hereto and made a part hereof.

Section 7. Early Voting Information – Montgomery County. The Montgomery County Contracting Officer shall act as Contracting Officer and Early Voting Clerk for the City. The location for Early Voting for such election is hereby designated as:

EARLY VOTING POLLING PLACES:

Central Library
[Main Early Voting Polling Place]
104 I-45 North
Conroe, Texas 77301

North Montgomery County Community Center
600 Gerald Street
Willis, Texas 77378

Lone Star Community College
2500 Lone Star Parkway
Montgomery, Texas 77356

West Montgomery County Comm. Dev. Ctr.
1355 Friendship Drive
Magnolia, Texas 77355

Magnolia Event Center
11659 FM 1488
Magnolia, Texas 77354

Shenandoah Municipal Complex
29955 I-45 North
Shenandoah, TX 77381

Spring Creek Greenway Nature Center

1300 Riley Fuzzel Road
Spring, Texas 77386

East Montgomery County Fair Association Building
21675A McCleskey Road
New Caney, Texas 77357

East Montgomery County Community Development Center
16401 First Street, Suite 100
Splendora, TX 77372

[Special Forms of Early Voting and Ballot by Mail only]:
Election Central
9159 Airport Road
Conroe, TX 77303

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

- Tuesday through Saturday, April 22nd – April 26th from 8:00 a.m. to 5:00 p.m.
- Monday through Tuesday, April 28th – April 29th from 7:00 a.m. to 7:00 p.m.

The Montgomery County Contracting Officer's address to which ballot applications and ballots voted by mail may be sent is:

Suzie Harvey, Elections Administrator
9159 Airport Road
P.O. Box 2646
Conroe, Texas 77305-2646
election.ballot@mctx.org *
Fax: 936-788-8340*

*If an Application for Ballot By Mail is submitted by email or fax or if a Federal Post Card Application is submitted by fax, to be effective, the original application must also be physically submitted and be received not later than the fourth business day after it is received by email or fax.

All requests for early voting ballots by mail that are received by the City of Cleveland will be transported to the Montgomery County Contracting Officer, on the day of receipt. Original applications that are received by mail and forwarded by email or fax will also be mailed to the Montgomery County Contracting Officer at the above address.

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

Section 8. Publication of Notice. Notice of this election shall be published in the official newspaper of the City not earlier than the 30th day or later than the 10th day before election day, and shall be posted in the place used to post notice of City of Cleveland's City Council Meetings

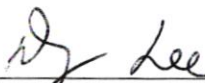
not later than the 21st day before election day, in accordance with the provisions of the Texas Election Code.

Section 9. Authorization to Comply. 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 2025 Election Services Contract with the County Elections Officer State of Texas, County of Liberty; the 2025 Elections Services Agreement with Montgomery County; and the 2025 Joint Election Agreement with Montgomery County.

Section 10. Severability. 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 Cleveland, 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.

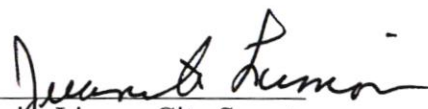
Section 9. Effective Date. This Order shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cleveland, this the 28th day of January 2025.



Danny Lee, Mayor

ATTEST:



Juanita Limon, City Secretary

