

ORDINANCE NUMBER O2026-4

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2026, FOR THE PURPOSE OF ELECTING A MAYOR AND ONE (1) COUNCIL PERSON FOR POSITION THREE (3); AUTHORIZING AN 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 2nd day of May, 2026, at which election the qualified voters of the City will elect a mayor and one (1) Councilperson for position three (3). The Mayor and Councilmember elected in this election year shall, upon taking the oath of office, serve a three (3)-year term.

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 2026 Elections Services Contract. The City Council authorizes the City Manager to negotiate and execute the 2026 Election Services Contract with the Liberty County Clerk.

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, Saturday, May 2, 2026, from 7:00 a.m. until 7:00 p.m. at the following polling places:

1. Romayor First Baptist Church, Romayor, Texas
2. Moss Hill United Pentecostal Church, 127 Hwy. 105 E., Liberty, Texas
3. Hardin City Hall, 142 C.R. 2010, Hardin, Texas (Curbside voting available)
4. Devers Elementary School, 201 Chism St., Devers, Texas
5. Calvary Baptist Church, 15 C.R. 129, Liberty, Texas
6. Dolen Baptist Church Gym, 10078 F.M. 787, Cleveland, Texas
7. Hi-Way Tabernacle, 108 C.R. 2250, Cleveland, Texas
8. St. Anne's Catholic Church Hall, C.R. 622 & F.M. 686, Eastgate (Dayton), Texas
9. Sacred Heart Catholic Church, 3730 F.M. 160, Raywood, Texas
10. Hull-Daisetta High School, 117 N. Main St., Daisetta, Texas

11. Mother of Mercy Catholic Church, 101 Donatto Drive, Liberty, Texas
12. Jack Hartel Admin. Building, 318 San Jacinto St., Liberty, Texas (Curbside available)
13. Cleveland Civic Center, 210 Pach Ave., Cleveland, Texas (Curbside available)
14. Kenefick Southern Baptist Church, 3536 F.M. 1008, Kenefick, Texas
15. Dayton Community Center, 801 S. Cleveland St., Dayton, Texas (Curbside available)
16. Santa Fe Administration Building, Cleveland, Texas (Curbside available)
17. Westlake Fire Department, 8704 F.M. 1409, Dayton, Texas
18. Tarkington Prairie Baptist Church, 25 C.R. 306, Cleveland, Texas
19. American Legion Post 512, 2315 Highway 146, Dayton, Texas
20. Plum Grove City Hall, 155 C.R. 345, Plum Grove, Texas

Section 4.

The Liberty County Clerk shall have the authority to add and/or remove polling locations and times for both early voting and election day voting as deemed appropriate. 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

Santa Fe Administration Building
1680 C.R. 3549
Cleveland, Texas

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

- Monday through Friday, April 20th – April 24th from 9:00 a.m. to 6:00 p.m.
- Saturday, April 25th – 7:00 a.m. to 7:00 p.m.
- Sunday, April 26th – 1:00 p.m. to 7:00 p.m.
- Monday through Tuesday, April 27th – April 28th, 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 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 Dayton's City Council Meetings not later than the 21st 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 2026 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 9 day of February 2026.



Mayor, Martin Mudd

ATTEST:



City Secretary



**2026 ELECTION SERVICES CONTRACT
WITH THE COUNTY ELECTIONS OFFICER
STATE OF TEXAS, COUNTY OF LIBERTY**

THIS CONTRACT is made and entered into this the ____ day of February, 2026, by and between Lee Haidusek Chambers, Liberty County Clerk, hereinafter referred to as the “Contracting Officer,” and _____, the Local Political Subdivision, hereinafter referred to as “the LPS,” pursuant to the authority under Section 31.092(a), Texas Election Code.

THIS CONTRACT is entered into for and in consideration of the mutual covenants and promises hereinafter set out, and for the purpose of ensuring that the Contracting Officer and the LPS understand the tasks each is to perform in connection with the election for the May 2, 2026, election.

Duties and Services of the Contracting Officer.

Election services, equipment, and materials described in this contract provided by the Contracting Officer. The election shall be conducted utilizing countywide polling places as normally ordered by the Commissioners Court. The Contracting Officer shall be responsible for performing the following duties and furnishing the following services and equipment in connection with the elections:

- 1.1 Determine the polling places for the joint general LPS elections and contact the owners or custodians of the designated polling places and arrange for their use in the elections. The Contracting Officer may, after consultation with the LPS, determine whether to consolidate voting precincts.
- 1.2 Conduct one or more election schools, and notify the election judges of the dates, times, and places of such schools. Election judges or clerks will not be paid for attending such schools (See 1 T.A.C. §§ 81.120(a) & 81.121(c).)
- 1.3 Program, or arrange to have programmed, the ballots for the LPS.
- 1.4 Post on the County’s internet website and arrange to have published the legal notice of the first test of the electronic tabulating equipment as provided in Section 127.096, Texas Election Code, and/or the legal notice of

the logic and accuracy test of the direct recording electronic ("DRE") voting machines as provided in Section 129.023(b), Texas Election Code, as applicable, and conduct all required tests of the electronic tabulating equipment under Sections 127.096-127.098, Texas Election Code, or the voting system that uses other electronic voting systems in accordance with advisories issued by the Secretary of State, respectively.

1.5 In accordance with Section 172.1112, Texas Election Code, post a notice of the election (and of any runoff election) and a notice of any consolidated precincts, if applicable, on the county's Internet website. If the LPS does not maintain a website, the notice must be posted on the electronic kiosk used for posting notices of meetings of Commissioner's Court. The notice must contain the information set forth in Section 4.004, Texas Election Code and be posted within the time frame set forth in Section 4.003(b), Texas Election Code.

1.6 Procure and distribute all necessary election supplies, including, without limitation, ballot paper, printer ink, election kits, office supplies such as paperclips, pens, etc., ballot boxes, and voting booths.

1.7 Procure all necessary voting machines and equipment, prepare them for use at the early voting locations and at the election day polling places, and transport them (or arrange to have them transported) to and from the early voting locations and at the election day polling places.

1.8 Arrange for the use of a central counting/central accumulation station and for the central counting station manager and tabulating personnel and equipment needed at the counting/accumulation station and assist in the preparation of programs and the test materials for the tabulation of ballots to be used with electronic voting equipment.

1.9 Obtain voter registration lists from the voter registrar to be used during early voting and on election day.

1.10 Assist in the general overall supervision of the election and the runoff election and provide advisory services in connection with the decisions to be made and the actions to be taken by the officers of the LPS who are responsible for holding the election and the runoff election.

1.11 Prepare the unofficial tabulation of precinct results on election night in accordance with Section 172.113, Texas Election Code.

1.12 Submit Election Night Returns ("ENR") electronically to the LPS.

2. Duties and Services of the LPS.

The LPS shall be responsible for performing the following duties in connection with the election and the runoff election:

2.1 As soon as possible after the final candidate filing deadline (or in the case of a runoff election, after the canvass of the election), certify in writing to the Contracting Officer: (i) the candidates' names (as they are to appear on the ballot) and offices; and (ii) any referenda under Section 1251, Texas Government Code (in English

and Spanish) that are to appear on the ballot, to allow sufficient time to prepare the ballot and to conduct any necessary logic and accuracy testing.

2.2 Date stamp and then deliver immediately to the Contracting Officer all applications for mail ballots that it receives.

2.3 Prepare the election order and resolutions. The LPS shall be responsible for having the required election notice under Section 4.003, Texas Election Code timely published in the newspaper. The LPS shall also be responsible for timely posting the notice required under Section 4.0093(b), Texas Election Code, in the proper locations. The LPS is responsible for ensuring that all necessary documents are in both English and Spanish. The LPS shall conduct its canvass using materials provided by the Contracting Officer.

2.4 Work with the Contracting Officer to determine whether there will be a consolidation of county voting precincts for the election and run-off election, if necessary, and designate the polling place for each voting precinct for the election and run-off election, if necessary.

3. Compensation, Billing, and Payment

3.1 For the performance of duties and services and the providing of equipment and supplies under Paragraph 1 above, the LPS shall pay the Contracting Officer for the actual expenses she incurs in accordance with Section 31.100, Texas Election Code, and the leasing fees allowed under Section 123.032, Texas Election Code, including without limitation, the costs and expenses of election supplies; newspaper publication of the testing notice only; use of voting machines and equipment, wages and salaries of the early voting clerks, precinct election judges, alternate judges and election clerks, members of the early voting ballot board, and central counting station personnel; programming the ballot; logic and accuracy testing, and voting machines and equipment transportation. Provided, that nothing herein shall be construed as permitting the Contracting Officer to be paid for costs or expenses for which reimbursement is not allowed under Section 31.100 or other sections of the Texas Election Code.

3.2 For the performance of duties and services and the providing of equipment and supplies under Paragraph 1 above, the LPS shall pay the Contracting Officer a fee of 10% of the total amount of the Contract (but not less than \$75) in accordance with Section 31.100(d), Texas Election Code.

3.3 A cost estimate for the services, equipment, and supplies provided by the Contracting Officer for the election and the runoff election is attached to and made a part of this Contract as Exhibit A. This estimate presumes there will be nine local political subdivisions sharing election expenses. The estimate will change based on the actual number of contracting local political subdivisions for this election.

3.4 Only the actual expenses directly attributable to the Contract may be charged to the LPS by the Contracting Officer, including administrative fees, Section 31.100, Texas Election Code.

3.5 As soon as reasonably possible after the election or the runoff election, the Contracting Officer will submit an itemized invoice to the LPS (i) for the actual expenses he/she incurred as described in Paragraph 3.1 above and (ii) for the Contracting Officer's fee as described in Paragraph 3.2 above. The Contracting Officer will use his/her best efforts to submit the invoice within 30 days after the election or within 10 days after the runoff election.

3.6 The Contracting Officer's invoice shall be due and payable by the LPS to the address set forth in the invoice within 30 days after its receipt by the LPS. If the LPS disputes any portion of the invoice, the LPS shall notify the Contracting Officer within such 30-day period or the invoice will be deemed to be a true and accurate rendering of the amount that is due.

4. Voting.

4.1 The Contracting Officer shall serve as Early Voting Clerk for the election, and by signing this contract, the LPS does hereby appoint her as such. The Contracting Officer shall hire at least 5 temporary clerks to work each day at each Early Voting location. Early Voting by personal appearance for the election shall be conducted during the hours and time period and at the location listed in Exhibit B. These locations are subject to change before the election.

4.2 The Contracting Officer may receive mail ballot applications on behalf of the LPS. All applications for mail ballots shall be processed in accordance with Title 7, Texas Election Code, by the Contracting Officer or her deputies at the Liberty County Courthouse located at 1923 Sam Houston St., Room 209, Liberty, TX 77575.

4.3 If a presiding judge, alternate judge or clerk does not speak both English and Spanish, and the election precinct is one subject to Sections 272.002 and 272.009, Texas Election Code, the Contracting Officer shall ensure that a bilingual election clerk is available by telephone while the polls are open.

4.4 The Contracting Officer will obtain voter registration lists from the voter registrar to be used during early voting as well as the election day and runoff election day.

4.5 In accordance with Section 127, Texas Election Code, the Contracting Officer will supervise the overall conduct of the election. The Contracting Officer and staff shall be available during hours in which the polls are open and from 6:00 a.m. until the completion of vote counting and all tabulation tests on Election Day to render technical support and assistance to voters and election workers.

4.6 The Contracting Officer will forward provisional voting affidavits to the Liberty County Voter Registrar for verification of the provisional voters' status. The Contracting Officer will reconvene the Early Voting Ballot Board (EVBB) within the time set forth in Section 65.051, Texas Election Code, for the purpose of determining the disposition of the provisional votes. At the same time the EVBB will review mail ballots timely received under Section 86.007(d), Texas Election Code, to determine whether such will be counted and to resolve any

issues with such ballots. Promptly after determination of the provisional votes and resolution of any such mail ballots, the Contracting Officer shall tally the accepted provisional votes and resolved mail ballots, amend the unofficial tabulations and submit new unofficial tabulations to the Parties.

4.7 The Contracting Officer will prepare the unofficial tabulation of precinct results on election night in accordance with Section 127, Texas Election Code. The Contracting Officer and staff shall do election Night intake preparation and intake of election equipment and records starting at 5:30 p.m. on Election Day.

5. Voting System.

The Contracting Officer shall use the Verity Voting system which includes Verity Print device for on-demand ballot printing, Verity Touch and Verity Touch Writer with Verity Access interface for electronic ballot marking assistance, the precinct tally system using Verity Scan, and the mail ballot system purchased by Liberty County from Hart InterCivic, Inc. ("Hart") for the election. Each Election Day polling location will have at least one Verity Touch with Verity Access interface that is accessible to disabled voters. The Contracting Officer or designee shall prepare the Verity Voting system for each polling location on Election Day.

6. Acknowledgement of Shared Election.

The LPS acknowledges that the Contracting Officer may enter into a similar Election Services Contract with any other entity in the same county. In such event, the LPS agrees to share common polling places, voting equipment and the common set of election workers with the other entities conducting an election.

7. Special Provisions.

7.1 Compensation for Election Workers will be \$15.00 per hour for the election judge and \$15.00 per hour for the alternate judge and clerk(s). The Early Voting Ballot Board Presiding Judge will be paid \$20.00 per hour. The other members of the Early Voting Ballot Board and the Signature Verification Committee shall be paid \$15.00 per hour each. The Central Counting Station Manager will be paid \$20.00 per hour and the other three Central Counting Station workers will be paid \$15.00 per hour each. County employees utilized in conducting the election by the Contracting Officer, including security, will be paid by Liberty County.

7.2 Delivery Fee shall be \$50.00 for transporting the election equipment to and from the voting location to the central accumulating station.

8. General Provisions.

8.1 Nothing contained in the Contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the election or to the runoff election is to be filed, the place at which any function is to be carried out, the officers who conduct the official canvass of the election returns, the officer

to serve as custodian of the voted ballots or other election records, or any other nontransferable functions specified by Section 31.096, Texas Election Code or other provisions of Texas law.

8.2 The Contracting Officer is the agent of the LPS for purposes of contracting with third parties with respect to the election expenses within the scope of the Contracting Officer's duties, and the Contracting Officer is not liable for the LPS failure to pay a claim.

8.3 The Contracting Officer shall file copies of this Contract with the County Treasurer and the County Auditor of Liberty County, Texas.

8.4 For purposes of implementing this Contract, the Contracting Officer and the LPS designate the following individuals, and whenever the Contract requires submission of information or notice to the Contracting Officer or the LPS, submission or notice shall be made to these individuals:

For the Contracting Officer:

Name: Lee Haidusek Chambers

Liberty County Clerk

Mailing Address: P.O. Box 369
Liberty, TX 77575

Tel.: (936) 336-4670

Fax: (936) 334-3236

Email: lee.chambers@co.liberty.tx.us

Local Political Subdivision:

Name: _____

Mailing Address: _____

Tel.: _____

Fax: _____

Email: _____

WITNESS THE FOLLOWING SIGNATURES AND SEALS ON THE RESPECTIVE DATES SHOWN BELOW:

The Contracting Officer:

Lee Haidusek Chambers (Seal)
Liberty County Clerk
Date _____

By _____ (Seal)
Title _____
Date _____

Early Voting Locations and Election Day Voting Location (subject to change)

Early Voting by personal appearance, with curbside voting available, each weekday at:

Cleveland Civic Center, 210 Peach Avenue, Cleveland, Texas;
Santa Fe Administration Building, 1680 C.R. 3549, 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;

beginning on April 21, 2026, and ending on April 28, 2026.

Hours of early voting will be:

Monday through Friday, April 21st to 24th—9:00 A.M. to 6:00 P.M.

Saturday, April 25th—7:00 A.M. to 7:00 P.M.; Sunday, April 26th—1:00 P.M. to 7:00 P.M.

Monday through Tuesday, April 27th to 28th—7:00 A.M. to 7:00 P.M.

Election Day voting will be conducted on Saturday, May 2, 2026, between the hours of 7:00 A.M. and 7:00 P.M. at the following locations:

- Pct. 1 Romayor First Baptist Church, Romayor, Texas
- 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 Consolidated with Precinct 20
- 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 Santa Fe Administration Building, Cleveland, Texas (Curbside voting available)
- Pct. 24 Westlake Fire Department, 8704 F.M. 1409, Dayton, Texas
- Pct. 25 Tarkington Prairie Baptist Church, 25 C.R. 306, Cleveland, Texas
- Pct. 26 Cleveland (consolidated with Precinct 23)
- Pct. 30 American Legion Post 512, 2315 Highway 146, 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 Liberty County Clerk Elections Office, 1915 Trinity St., Liberty, Texas

ESTIMATED ELECTION EXPENSES, MAY 2, 2026, ELECTION*

Judge and Clerks**	\$5000.00
Pickup and delivery of equipment:	\$ 75.00
Election Equipment Rental: ***	\$ 600.00
Subtotal for Sharable Costs:	\$5675.00
Early Voting Ballot Board (for provisional and mail votes)	\$ 100.00
Central Counting Station Judges/Clerks	\$ 100.00
Programming of ballots and voting system	\$2500.00
Election paper and supplies	\$ 100.00
Subtotal:	\$2800.00
10% Administrative Fee Payable to Liberty County Clerk	\$ 847.50
<u>Grand Total Estimated Election Expenses:</u>	\$9322.50

*Assumes cost sharing with a minimum of nine other local political subdivisions (LPS)

** Assumes judge @ \$15.00/hr and alternate judge/clerks @ \$15.00/hr

*** User fee as established by commissioner's court is \$165.00/unit per day.