

ORDINANCE NO. 5336

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, CALLING A JOINT GENERAL ELECTION, WITH GRAYSON COUNTY ON SATURDAY, MAY 4, 2024 FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER, PLACE 1, SINGLE MEMBER DISTRICT 1, A COUNCIL MEMBER, PLACE 2, SINGLE MEMBER DISTRICT 2, AND PLACE 7 (MAYOR), AT LARGE, EACH FOR THREE (3) YEAR TERMS FOR SAID CITY; AND A SPECIAL ELECTION FOR THE PURPOSE OF ELECTING A CITY COUNCIL MEMBER, PLACE 6, AT LARGE, AND A COUNCIL MEMBER, PLACE 4, SINGLE MEMBER DISTRICT 4, EACH TO SERVE THE REMAINDER OF AN UNEXPIRED TERM UNTIL THE GENERAL ELECTION IN MAY 2025, ; PROVIDING RESIDENCY REQUIREMENTS FOR CANDIDATES; DESIGNATING THE POLLING PLACES, DATE, AND TIME OF SAID ELECTIONS AND VOTING PERIODS; PROVIDING FOR BALLOT APPLICATION PROCEDURES; DESIGNATING FILING DEADLINES; PROVIDING INFORMATION FOR EARLY VOTING; PROVIDING THAT SUCH ELECTION SHALL BE ADMINISTERED BY THE GRAYSON COUNTY ELECTIONS ADMINISTRATOR, PURSUANT TO A CONTRACT WITH THE CITY, THE TEXAS ELECTION CODE, AND THE TEXAS CONSTITUTION; PROVIDING INFORMATION FOR CANVASSING; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; PROVIDING A SAVINGS/REPEALING CLAUSE AND SEVERABILITY CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. Section 41.001 of the Texas Election Code, as amended (the “Code”) specifies that the second Saturday in May shall be a “uniform election date” and that a general or special election of a city may be held on such day.

SECTION 2. That a joint general election (the “General Election”) in conjunction with a special election (the “Special Election”) (collectively the “Election”) shall be held in and throughout the City of Denison, Texas (the “City”), on Saturday, the 4th day of May, 2024 between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing the following officers of said city:

COUNCIL MEMBER, PLACE 1 (Single Member District 1, Place 1)
COUNCIL MEMBER, PLACE 2 (Single Member District 2, Place 2)
COUNCIL MEMBER, PLACE 7 (At Large, Place 7 - Mayor)
COUNCIL MEMBER, PLACE 4 (Single Member District 4, Place 4)
COUNCIL MEMBER, PLACE 6 (At Large, Place 6)

SECTION 3. That, as provided in Section 2.01 of the Denison City Charter, as amended on January 19, 1985, the term of office for the Council Members to be elected to Places 1, 2 and 7

shall be for three (3) years. The Council Member to be elected to Place 6 and Place 4 each shall serve the remainder of an unexpired term until the general election in May 2025.

SECTION 4. The candidates for Places 1, 2 and 4 shall be residents of Single Member Districts One, Two, and Four, respectively, and shall be elected by majority vote of voters residing in their respective district. The candidates for Place 6 and Place 7 shall be residents of the City of Denison and shall be elected by a majority vote of the City at large.

SECTION 5. That this Election will be conducted jointly with Grayson County (the “County”) and will be administered for the City by the Grayson County Elections Administrator (the “Elections Administrator”). The Election shall be held in the Grayson County Sub-Courthouse, 101 West Woodard, Denison, TX, as designated by the Elections Administrator, on the date of May 4, 2024. Election voting locations may be added or removed as determined by the Elections Administrator and shall be incorporated herein without further need to amend this Ordinance. All resident qualified voters of the City shall be eligible to vote at the Election.

SECTION 6. In accordance with Section 143.007 of the Code, an eligible and qualified person may have his/her name printed upon the official ballot as a candidate for Places 1, 2 and 7 by filing his/her sworn application with the City Clerk not earlier than 8:00 a.m. January 17, 2024 and not later than 5:00 p.m. February 16, 2024.

In accordance with Section 201.054 of the Code, an eligible and qualified person may have his/her name printed upon the official ballot as a candidate for Places 4 and 6 by filing his/her sworn application with the City Clerk not earlier than 8:00 a.m. February 6, 2024 and not later than 5:00 p.m. March 4, 2024. Each such application for Places 1, 2, 4, 6 and 7 shall be on a form as prescribed by Section 141.031 of the Code.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Clerk as provided by Section 52.094 of the Code. Notice of the time and place for such drawing shall be given in accordance with the Code.

SECTION 7. That it is hereby ordered that early voting shall begin on April 22, 2024 and continue through April 30, 2024, at Grayson County Sub-Courthouse, 101 West Woodard Street, Denison, Texas. The dates and times for early voting shall be as follows:

April 22-26	Monday – Friday	8:00 a.m. – 5:00 p.m.
April 29–30	Monday – Tuesday	7:00 a.m. - 7:00 p.m.

The Elections Administrator shall be the Early Voting Clerk. Early voting locations may be added or removed as determined by the Elections Administrator and shall be incorporated herein without further need to amend this Ordinance.

Requests for ballot by mail applications may be submitted by mail or hand delivery to:

Grayson County Early Voting Clerk
115 W. Houston St.
Sherman, TX 75090

Applications for ballot by mail may also be requested from and emailed to the Early Voting Clerk at votegrayson@co.grayson.tx.us. Applications for ballot by mail must be received no later than Tuesday, April 23, 2024. Mail in ballots shall be received and processed in accordance with the dates and procedures provided in the Code.

SECTION 8. That voting at said Election shall be by use of an electronic voting machine. Ballots requested by mail shall be paper ballots that will be tabulated by hand in the manner required by the Code.

The Election shall be conducted in accordance with the Code and the Texas Constitution under the jurisdiction of the Elections Administrator pursuant to an election services contract between the City and the County, and other participating entities, if any, as described therein (the "Contract"), a copy of which shall be incorporated herein upon its final approval and execution by the City.

The Mayor, the City Manager, or a designee, is authorized to amend or supplement any and all contracts for the administration of the Election, including without limitation the Contract, to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Elections Administrator and in accordance with the Code. In the event that no election is necessary, the City Secretary shall notify the County and shall present the City Council a resolution or ordinance cancelling the Election.

Pursuant to Section 67.003 of the Code, the City Council will canvass the election no later than May 15, 2024, but not earlier than the later of: (1) the third day after Election Day; (2) the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or (3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States. Notice of the time and place for canvass shall be posted on the official bulletin board of the City in the same manner as required by the Open Meetings Act for City Council meetings in accordance with Chapter 551 of the Texas Local Government Code.

SECTION 9. House Bill 357 of the 88th Regular Session of the Texas Legislature amended Section 2.025 of the Code requiring the Texas Secretary of State to set the runoff date for all runoff elections resulting from elections held by local political subdivisions on the May 4, 2024 Uniform Election Date. The Secretary of State has designated Saturday, June 15, 2024 as the election date for all such runoff elections. Therefore, should there be a runoff election required, the date of such runoff election shall be June 5, 2024, which will be called by order of the City Council.

SECTION 10. The City Clerk is hereby authorized and directed to give notice of the Election hereby authorized and called in the manner and time as required by the Code.

SECTION 11. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 12. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal, or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 13. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

SECTION 14. This Ordinance shall take effect immediately upon and after its passage and publication as provided by law.

AND IT IS SO ORDERED.

On motion by Mayor Pro Tem Crawley, seconded by Council Member Courtright, the above and foregoing Ordinance was passed and approved on this the 5th day of February, 2024, by the following vote:

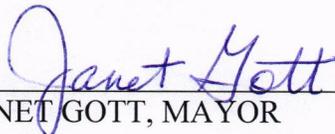
Ayes: Hander, Courtright, Thorne, Gott, Crawley and Thomas

Nays:

Abstentions:

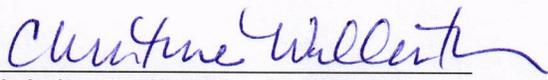
Absent: Massey

At regular meeting this 5th day of February, 2024.



JANET GOTT, MAYOR

ATTEST:



Christine Wallentine, City Clerk

