

A stylized graphic consisting of a grey five-pointed star at the top right, with a curved grey line extending from its base towards the bottom left. The line is partially obscured by a large, light grey, abstract shape that resembles a stylized letter 'K' or a similar geometric form.

# CHARTER REVIEW COMMITTEE RECOMMENDATIONS

DS-26-043

May 19, 2026

# Background

- On January 20, 2025, the City Council authorized the creation of the Charter Review Committee.
  - ▣ Comprised of one member from each district and three at-large members.
- The purpose of the Committee was to review the City Charter and provide recommendations for amendments.
- The Committee provided 11 recommendations.

# Background

- The next step is for Council to consider each of the amendments recommended by the Charter Review Committee.
  - ▣ The Council may accept, modify and accept, or reject any recommendation.
- Staff will then prepare proposed ballot language for those amendments accepted and present to Council for approval.
- The amendments will then be placed on the ballot at the November regular election for approval by the voters.

# Proposed Timeline

- **May 19** - Brief overview of recommendations made by the Charter Review Committee.
- **June 2, June 16, & July 7** - Discuss proposed amendments and receive motions of direction on requested changes.
- **July 21** - Discuss ballot language for the amendments and receive motions of direction on requested changes
- **August 4** – Consider an ordinance calling the election to approve/disapprove the proposed amendments.
- **Monday, August 17** - The last day to call the Nov. election.

# Recommendations

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- Election Dates
- Term Limits
- Resign-to-Run Provision
- Filling Vacancies on Council
- Council Initiated Investigations
- Candidate Filing Fee
- Initiative & Referendum Requirements
- Recall Procedures
- Judicial Removal of Elected Officials
- Citizen Comment Period
- Change Order Briefings

# Election Dates

- The Charter currently provides that the Mayor and at-large Councilmembers are elected in May during odd-numbered years and all district councilmembers are elected in May during even-numbered years.
- On December 19, 2025, the City Council approved a resolution moving elections for the Mayor and all Councilmembers to the November uniform election date in odd-numbered years beginning in November 2027.

# Election Dates

- The Charter Review Committee recommended that the Charter be amended to reflect the resolution and move all regular elections to the November uniform election date in odd-numbered years.
- Based on the recommendation, amendments would need to be made to Sections 22 & 93 of the Charter.

# Term Limits

- Currently, the Mayor and all Councilmembers may serve no more than three consecutive terms (in whole or in part) in one office.
- There is no maximum term limit or a waiting period between serving in different offices.

# Term Limits

- The Charter Review Committee recommended an amendment to limit members of council to six consecutive terms, in any combination of office.
- Following six consecutive terms, a person must wait one full term before they are deemed eligible to run for any office.
- Based on the recommendation, amendments would need to be made to Section 22 of the Charter.

# Resign-to-Run

- If the Mayor or a Councilmember files to run for a different office with the City, then the Mayor/Councilmember must resign and vacate their office immediately upon filing for the different office.
- The resign to run provision does not apply when a member files to run for an elected position outside the City of Killeen.
  - ▣ Upon accepting a new position outside of the City, a member could be required to resign if the new position is incompatible with his/her current position.

# Resign to Run

- The Charter Review Committee recommended that the City Charter's resign-to-run provision be amended to apply only upon filing to run for elected positions not with the City.
- The resign to run provision would no longer apply in the event a councilmember seeks to run for mayor or vice versa.
- Based on the recommendation, amendments would need to be made to Section 22 of the Charter.

# Filling Vacancies on Council

- The Charter currently provides that if a single vacancy on Council occurs:
  - More than 90 days before a regular municipal election, the vacancy shall be filled by appointment.
  - Within 90 days before a regular municipal election, the vacancy may be filled by appointment.
- If two or more vacancies occur on Council at any time, then the vacancies shall be filled following a special election on the next uniform election date.

# Filling Vacancies on Council

- The Charter Review Committee recommended that any vacancy should be filled by appointment no matter when the vacancy occurred or how many existed.
- A special election would be called if no quorum existed.
- Based on the recommendation, amendments would need to be made to Section 26 of the Charter.

# Council Investigations

- The Charter authorizes investigations by the City Council in order to:
  - ▣ (i) inquire into the conduct of any office, department, agency, or officer; and
  - ▣ (ii) make investigations as to municipal affairs.
- As part of the investigation, Council may subpoena witnesses, administer oaths, and compel the production of books, papers and other evidence.

# Council Investigations

- The Charter Review recommended an amendment to require that the City Council adopt an ordinance specifying the procedures to conduct the investigation.
- Based on the recommendation, amendments would need to be made to Section 39 of the Charter.

# Candidate Filing Fees

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- To have a name placed on the ballot for election in the City of Killeen, a person must:
  - ▣ meet the eligibility requirements, and
  - ▣ file a sworn application with the City Secretary.
- The City of Killeen does not charge a filing fee.

# Candidate Filing Fees

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- The Charter Review Committee recommended an amendment to require:
  - ▣ a \$100 filing fee, or
  - ▣ a petition signed by 50 registered voters.
- Based on the recommendation, amendments would need to be made to Section 95 of the Charter.

# Initiative & Referendum

- The Charter grants the power to an elector to petition the City Council for an initiative or a referendum.
  - ▣ An initiative petition is to propose a new ordinance.
  - ▣ A referendum petition is to repeal an adopted ordinance.
- An initiative or referendum is submitted to Council through a petition that must be signed by 25% of the number of voters in the last election in which the Mayor was elected.
- The City Secretary must certify the petition within 10 days.
- If deficient, the petitioner may amend it within 10 days.

# Initiative & Referendum

- The Charter Review Committee recommended that:
  - The number of required signatures should be equal to at least 25% of the number of voters who voted for the office of mayor in the last election in which the mayor was elected.
  - The City Secretary should have 30 days to certify a petition, and a petitioner should have 30 days to amend a deficient petition.
  - Initiated ordinances inconsistent with state law should not be approved by Council or be submitted to the voters.

# Initiative & Referendum

- Based on the recommendation, amendments would need to be made to Sections 100-107 of the Charter.
- The impact of this amendment is that it will reduce the number of signatures for a petition for an initiative or a referendum.

# Recall Procedures

- The Charter provides that any member of council may be recalled (i.e., removed from office).
- Any voter registered to vote in the City of Killeen, can seek to recall any councilmember or the mayor by filing an affidavit.
- The City Secretary then must issue petition blanks to the petitioner within 1 business day.
- A person may not seek the recall of an officer within (i) the first six months of his/her term or (ii) six-months following a recall election in which the officer was not removed.

# Recall Procedures

- Within 30 days of receiving the petition blanks, the petitioner must collect signatures from registered voters in a number greater than 50% of the total number of voters:
  - in the City in the last election if for mayor or at-large councilmember, or
  - in the particular district if for a single district councilmember.
- The officer may then resign within 5 days. If not, the City Council must call an election.

# Recall Procedures

- The Charter Review Committee recommended that:
  - A petition for the recall of an at-large councilmember should be signed by qualified voters equal to more than 50% of the number of votes actually received by that councilmember in the last election.
  - An elected official should only be subject to a single recall election per term.
  - The City Secretary should have 5 business days to provide the petition blanks upon receipt of the affidavit.

# Recall Procedures

- Based on the recommendation, amendments would need to be made to Sections 112-117 of the Charter.
- The impact of this amendment is that it will reduce the number of signatures required to call an election for the recall of an at-large councilmember.

# Judicial Removal of Elected Officials

- Chapter 21, Subchapter B, of the Texas Local Government Code allows for a citizen of a general law city to petition a district court judge to remove a local elected official.
- The petitioner must allege incompetence, official misconduct, or intoxication on or off duty.
- If accepted by the judge, the petition would initiate a lawsuit between the petitioner and elected official and could result in a hearing and removal of the officer.

# Judicial Removal of Elected Officials

- The Charter Review Committee recommended that the City Charter be amended to adopt the ability for a citizen to seek the judicial removal of an elected official based on the same criteria and procedures outlined in state law.
- Based on the recommendation, amendments would need to be made to Section 35 of the Charter.

# Citizen Comment Period

- The Texas Open Meetings Act requires that a governmental body allow members of the public to address the body “regarding an item on an agenda...during the body's consideration of the item.”
- The *Governing Standards & Expectations* expanded that right to allow the public to speak on non-agenda items.
- The section granting the ability to speak on non-agenda items was removed in January 2024.

# Citizen Comment Period

- The Charter Review Committee recommended that the Charter should adopt procedures to allow citizens the opportunity to speak on City-related non-agenda items at all regular council meetings.
- However, the comments should be addressed to the Council as a whole and not at an individual council member.
- Based on the recommendation, amendments would need to be made to Section 36 of the Charter.

# Change Order Briefings

- A change order is a written agreement that changes the price, scope, and/or schedule of a project. Change orders are typically used in construction related contracts.
- State law allows a city to administratively approve all change orders of \$50,000 or less and restricts the increase in the total cost of a contract, resulting from change orders, to 25%.
- City policy requires that, once cumulative change orders for a contract reach \$500,000, all change order must be approved by Council regardless of the amount of the change order.

# Change Order Briefings

- The Charter Review Committee recommended that the Charter be amended to require the City Manager to brief the City Council, on a quarterly basis and at a regular council meeting, on all monetary change orders approved during the preceding fiscal quarter.
- Based on the recommendation, amendments would need to be made to Section 45 of the Charter.