



City of Killeen

Agenda

City Council

Tuesday, May 16, 2023

5:00 PM

City Hall
Council Chambers
101 N. College Street
Killeen, Texas 76541

SPECIAL CITY COUNCIL MEETING

Call to Order

Citizen Comments

This section allows members of the public to address the Council regarding any item(s), other than a public hearing item, on the agenda for Council's consideration. Each person shall sign up in advance, may speak only one time, and such address shall be limited to four (4) minutes. A majority of the City Council is required for any time extensions. The Mayor and Councilmembers shall have one (1) minute to respond to citizen comments with a statement or explanation without engaging in dialogue.

Ordinances

1. [OR-23-011](#) Consider an ordinance canvassing the returns and declaring results of the May 6, 2023 General Election.

Attachments: [Ordinance](#)

Special Recognitions

Oath of Office and Certificate of Election

Standards of Conduct

Resolutions

2. [RS-23-083](#) Consider a memorandum/resolution electing a Mayor Protem.

Adjournment

I certify that the above notice of meeting was posted on the Internet and on the bulletin boards at Killeen City Hall and at the Killeen Police Department on or before 5:00 p.m. on May 10, 2023.

Laura J. Calcote, City Secretary

The public is hereby informed that notices for City of Killeen meetings will no longer distinguish between matters to be discussed in open or closed session of a meeting. This practice is in accordance with rulings by the Texas Attorney General that, under the Texas Open Meetings Act, the City Council may convene a closed session to discuss any matter listed on the agenda, without prior or further notice, if the matter is one that the Open Meetings Act allows to be discussed in a closed session.

This meeting is being conducted in accordance with the Texas Open Meetings Law [V.T.C.A., Government Code, § 551.001 et seq.]. This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for those services, please call 254-501-7717, City Secretary's Office, or TDD 1-800-734-2989.

Notice of Meetings

The Mayor and/or City Council have been invited to attend and/or participate in the following meetings/conferences/events. Although a quorum of the members of the City Council may or may not be available to attend this meeting, this notice is being posted to meet the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. No official action will be taken by Council.

- *Killeen Fire Department Spring 2023 Badge Pinning Ceremony, May 10, 2023, 3:00 p.m., Killeen Fire Academy*
- *Restoration Celebration/Ribbon Cutting for the Killeen Chamber Building, May 18, 2023, 5:30 p.m., 1 Santa Fe Plaza*
- *76th Annual Rodeo Killeen, May 18-20, 2023, 7:30 p.m., Killeen Rodeo Grounds*
- *Killeen Chamber Luncheon with Operational Test Command, May 25, 2023, 11:30 a.m., Warrior Hall at TAMC-CT*

Dedicated Service -- Every Day, for Everyone!



City of Killeen

Staff Report

File Number: OR-23-011

Consider an ordinance canvassing the returns and declaring results of the May 6, 2023 General Election.

DATE: May 16, 2023
TO: Kent Cagle, City Manager
FROM: Laura Calcote, City Secretary
SUBJECT: Canvassing Returns from May 6, 2023 General Election

BACKGROUND AND FINDINGS:

On May 6, 2023, the City of Killeen conducted a general election to elect a district Councilmember for District 1, District 2, and District 3. Election Code, Chapter 67, and the City's Charter, Article IX, requires the City Council (governing body) to canvass the election returns and declare the results.

THE ALTERNATIVES CONSIDERED:

There are no alternatives, as state and local law requires the City Council to canvass the election returns and declare the results.

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

Ordinance conforms to state law and city charter requirements.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

There is no financial impact.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

Recommend adoption of the ordinance declaring the results of the May 6, 2023 General Election.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance

ORDINANCE _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, CANVASSING RETURNS AND DECLARING THE RESULTS OF A GENERAL ELECTION HELD MAY 6, 2023 FOR THE ELECTION OF A DISTRICT COUNCILMEMBER FOR DISTRICT 1, DISTRICT 2, AND DISTRICT 3.

WHEREAS, on this the 16th day of May 2023, _____, _____ and _____ verified the May 6, 2023 election results provided by the City Secretary prior to the City Council of the City of Killeen, Texas, convening in a regular session open to the public at the regular meeting place with a quorum, and among other proceedings were the following:

Councilmember _____ introduced an ordinance canvassing returns and declaring the results of a general election held on May 6, 2023 and moved its adoption. The motion was seconded by Councilmember _____, and the motion prevailed by the following vote: Aye: ____; Nay: ____; Abstain: ____.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

Section I. There came on to be considered the returns of an election held on the 6th day of May 2023, for the purpose of electing the hereinafter named officials, and it appearing from the returns, duly and legally made, that _____ voters cast ballots at the election; that each of the candidates in the election received the following votes:

FOR DISTRICT COUNCILMEMBER, DISTRICT 1:

Jessica Gonzalez _____ Total Received

Gabriel A. Montalvo _____ Total Received

FOR DISTRICT COUNCILMEMBER, DISTRICT 2:

Riakos "Rock" Adams _____ Total Received

Joseph Solomon _____ Total Received

FOR DISTRICT COUNCILMEMBER, DISTRICT 3:

Nina Cobb _____ Total Received

Patsy Bracey _____ Total Received

Section II. That the election was duly called; that notice of election was given in accordance with law; and that the election was held in accordance with law.

Section III. That _____ was duly elected Councilmember District 1, _____ was duly elected Councilmember District 2, and _____ was duly elected Councilmember District 3; all three elected officials are duly elected subject to the taking of their oaths.

Section IV. That this ordinance shall be effective upon its passage and approval according to law.

PASSED AND APPROVED at a regular called meeting of the City Council of the City of Killeen, Texas, this 16th day of May 2023, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code §551.001 et seq.

APPROVED:

Debbie Nash-King, MAYOR

ATTEST:

Laura J. Calcote, CITY SECRETARY

APPROVED AS TO FORM:

Holli C. Clements, CITY ATTORNEY



City of Killeen

Staff Report

File Number: RS-23-083

Consider a memorandum/resolution electing a Mayor Protem.

DATE: May 16, 2023
TO: Kent Cagle, City Manager
FROM: Laura Calcote, City Secretary
SUBJECT: Elect Mayor Protem

BACKGROUND AND FINDINGS:

The City Charter, Article III, provides for the position of mayor protem. The Charter directs the council to elect a mayor protem from their number, who shall act as mayor during the absence or disability of the mayor, and, if a vacancy should occur, shall become mayor until the next regular election. Historically, the City Council has elected the mayor protem after each general election.

THE ALTERNATIVES CONSIDERED:

Elect a mayor protem this day or elect a mayor protem at a future date.

Which alternative is recommended? Why?

Elect a mayor protem this day.

CONFORMITY TO CITY POLICY:

Election of a mayor protem is in compliance with the City Charter.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

That _____ is hereby elected to serve as Mayor Protem for the City of Killeen.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

N/A