

ORDINANCE _____

AN ORDINANCE ORDERING THE HOLDING OF AN ELECTION IN THE CITY OF KILLEEN, TEXAS, FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCILMEMBERS-AT-LARGE; PROVIDING FOR THE FILING OF WRITTEN APPLICATION TO HAVE THEIR NAMES PRINTED ON THE OFFICIAL BALLOT; FIXING THE TIME WITHIN SUCH APPLICATION MAY BE FILED; SPECIFYING THAT THE PROVISIONS OF THE GENERAL ELECTION LAWS SHALL CONTROL ALL QUESTIONS PERTAINING TO SUCH ELECTION; PRESCRIBING THE CONTENTS OF THE OFFICIAL BALLOT; NAMING THE EARLY VOTING CLERK; DESIGNATING EARLY VOTING POLLING PLACES, AND PROVIDING FOR POSTING AND PUBLICATION OF NOTICE OF ELECTION AND CONTAINING MISCELLANEOUS PROVISIONS.

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

SECTION 1. That, pursuant to the laws of the State of Texas and the Charter of the City of Killeen, it is ordered by the City Council that a general election be held in the City of Killeen, Texas, on May 4, 2024, for the purpose of electing a Mayor and three (3) Councilmembers-at-Large. Any reference in this ordinance hereinafter to "Election Day" shall mean May 4, 2024.

SECTION 2. The manner of holding the election and all questions pertaining to such election shall be governed by the V.T.C.A. Election Code, and the returns shall be made and canvassed and the results declared as in other legal elections of the City of Killeen.

SECTION 3. Any eligible and qualified person may have his or her name printed upon the official ballot as an independent candidate for the office of mayor or councilmember by filing a written application with the City Secretary beginning Wednesday, January 17, 2024, through 5:00 p.m. Friday, February 16, 2024. Any person wishing to file a declaration of write-in candidacy must do so not later than 5:00 p.m. on Tuesday, February 20, 2024.

SECTION 4. The names of all those who have filed their written applications to have their names printed on the official ballot as candidates shall be posted by the City Secretary in a conspicuous place at his/her office for the inspection of the public for at least ten (10) days before he/she orders the ballot to be printed. The City Secretary shall preserve in his/her office for a period established by the Texas State Library and Archives Commission and adopted by the City all applications, statements, notice of objections, and other related papers.

SECTION 5. Any person eligible for the office of mayor or councilmember who has filed his or her written application in accordance with the provisions of this ordinance shall have his or her name printed on the official ballot. Any such person may cause his or her name to be withdrawn at any time prior to 5:00 p.m. on Friday, February 23, 2024, by filing in writing with the City Secretary, a request to that effect over his/her signature, duly attested to by a Notary Public. No name so withdrawn shall be printed on the ballots. Not later than twenty (20) days before the election, the City Secretary shall have the official ballots printed.

SECTION 6. Each qualified voter who desires to cast an early vote or who expects to be absent on the date of the election shall be entitled to an official ballot and to cast such ballot in accordance with the applicable provisions of Title 7, V.T.C.A., Election Code, beginning Monday, April 22, 2024, and continuing through Tuesday, April 30, 2024. The City Secretary will be the early voting clerk, who may appoint by written order one or more temporary deputies to serve as deputy early voting clerks in accordance with the applicable law. Early voting will be held in the first floor foyer/lobby of the Killeen City Hall (Main Early Voting Location), 101 North College St., Killeen, TX 76541 (mailing address: PO Box 1329, Killeen, TX 76540, Attention: Early Voting Clerk), the Jackson Professional Learning Center (Branch Early Voting Location), 902 Rev R A Abercrombie Drive, Killeen, TX 76543 and at the Killeen Lions Park Senior Center (Branch Early Voting Location), 1700-B E. Stan Schlueter Loop, Killeen, TX 76542 between the hours of 8:00 a.m. and 5:00 p.m. on each day of early voting except Saturdays, Sundays, and official State or City holidays. Provided, however, that on the first and last day of early voting, the hours shall be 7:00 a.m. to 7:00 p.m. For the 2024 election those dates shall be Monday, April 22, 2024, and Tuesday, April 30, 2024.

Applications for ballot by mail shall be mailed to:

Laura Calcote

PO Box 1329

Killeen, TX 76540

(254) 501-7717

citysec@killeentexas.gov

<https://www.killeentexas.gov/651/2024-General-Election>

Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on: Tuesday, April 23, 2024.

Federal Post Card Applications (FPCAs) must be received no later than the close of business on: Tuesday, April 23, 2024.

SECTION 7. The election shall be held in the hereafter-designated polling places between the hours of 7:00 a.m. to 7:00 p.m. on the date of the election.

PRECINCTS #106/116/201/211

Rancier Middle School
3301 Hilliard Avenue

PRECINCTS #109/110/204/406/410

Utility Collections
210 W. Avenue C

PRECINCTS #203/208/210/214/215

Cedar Valley Elementary School
4801 Chantz Drive

PRECINCTS #205/207

Jackson Professional Learning Center
902 Rev R A Abercrombie Drive

PRECINCTS #206/408/409/419

Killeen Lions Park Senior Center
1700-B E. Stan Schlueter Loop

PRECINCTS #404/412/415

Sugar Loaf Elementary School
1517 Barbara Lane

PRECINCTS #401/405/414

Robert M. Shoemaker High School
3302 Clear Creek Road

PRECINCTS #402/413

Roy J. Smith Middle School
6000 Brushy Creek Drive

SECTION 8. The City Council shall appoint presiding election judges and alternate presiding judges for the election at the precinct polling places and as the Early Voting Ballot Board to process the early voting results, provided that if neither the presiding judge nor the alternate presiding judge can serve and their inability to serve is discovered so late that it is impracticable to fill the vacancy in the normal manner, the Mayor shall have the authority and is hereby directed to appoint a replacement judge to preside at the election. The presiding

election judge for each precinct shall appoint no more than two (2) election clerks in addition to the alternate presiding judge named herein to assist the judge in the conduct of the election. The presiding election judges, alternate presiding judges, and clerks shall be paid \$20.00 per hour for serving in such capacities, and the election judges and/or alternate judges shall be paid an additional \$25.00 for delivering the returns of such election to the City Secretary for proper tabulation. No presiding election judge, alternate presiding judge, or clerk shall be compensated for a period in excess of the time extending from one (1) hour before the polls open until two (2) hours after the polls close. The Early Voting Ballot Board/Central Counting Station Presiding Judge is entitled to a minimum compensation of five hours' pay regardless of the amount of time worked, for a total of \$100.00, for serving in such capacity that will include proper tabulation. The Early Voting Ballot Board/Central Counting Station Alternate Judge and additional Member is entitled to a minimum compensation of three hours' pay regardless of the amount of time worked, for a total of \$60.00, for serving in such capacity that will include proper tabulation. Provided, however, that should the Early Voting Ballot Board need to reconvene to tabulate provisional ballots or any mail ballots, they shall be paid an additional \$20.00 per hour for such services.

SECTION 9. The following positions shall be set forth on electronic ballots hereinafter provided, in substantially the following form:

**CITY OF KILLEEN GENERAL ELECTION
MAY 4, 2024
OFFICIAL BALLOT**

FOR MAYOR

Vote for One

☐ _____
☐ _____
☐ _____

FOR COUNCILMEMBER-AT-LARGE

Vote for One, Two, or Three

☐ _____
☐ _____
☐ _____
☐ _____

SECTION 10. Digital scan ballots shall be used for early voting by mail, curbside voting, and Election Day and the Model DS200 Digital Image Scanner and ExpressVote BMD (ballot marking device). Terminals shall be used for early voting by personal appearance and on Election Day.

SECTION 11. All resident qualified electors of the City shall be permitted to vote at the election.

SECTION 12. The election materials enumerated in Sec. 272.001, et seq., V.T.C.A. Election Code, shall be printed and furnished in both English and Spanish for use at each polling place on Election Day and for early voting.

SECTION 13. A traditional polling place set up will be used at the close of the polls on Election Day.

SECTION 14. Notice of election shall be given by posting substantial copies of the Notice of Election as prescribed by the Secretary of State's office in both English and Spanish at the Killeen City Hall, the official city website and at three (3) other public places in the City at least thirty (30) days prior to the date set for the election; and substantial copies of the Notice of Election in both English and Spanish shall be one two (2) times in a newspaper of general circulation in the City, the date of first publication to be not less than fourteen (14) days prior to the date set for the election.

SECTION 15. Returns of election shall be made by the election officers to the City Council at a meeting following the election; the returns will be canvassed and the results of the election declared as prescribed by the Election Code, V.T.C.A., of the State of Texas and the City Charter.

SECTION 16. It is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered and acted upon at the meeting, including this Ordinance, was given, all as required by the applicable provisions of the Texas Government Code, Sec. 551.001, *et seq.*

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 30th day of January 2024, at which meeting a quorum was present, held in accordance with the provisions of the Texas Government Code, Sec. 551.001, *et seq.*

APPROVED

Debbie Nash-King, MAYOR

ATTEST:

Laura J. Calcote, CITY SECRETARY

APPROVED AS TO FORM

Holli C. Clements, CITY ATTORNEY