

ORDINANCE _____

AN ORDINANCE ORDERING THE HOLDING OF AN ELECTION IN THE CITY OF KILLEEN, TEXAS, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY PROPOSED AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY; SPECIFYING THAT THE PROVISIONS OF THE GENERAL ELECTION LAWS SHALL CONTROL ALL QUESTIONS PERTAINING TO SUCH ELECTION; PRESCRIBING THE CONTENTS OF THE OFFICIAL BALLOT; PROVIDING FOR COMPENSATION; DESIGNATING THE 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 an election be held in the City of Killeen, Texas, on May 7, 2022, for the purpose of submitting to the qualified voters of the City, certain propositions on whether the Charter of the City of Killeen should be amended. Any reference in this ordinance hereinafter to “Election Day” shall mean May 7, 2022.

SECTION 2. That the proposed amendments to the existing Charter of the City of Killeen are set forth in Exhibit A, attached hereto and incorporated by reference for all intents and purposes. Text of the existing Charter proposed to remain the same is shown in normal type. Text proposed to be deleted from the existing Charter is shown as a [~~strikeout~~]. New or additional text in the Charter is shown underlined.

SECTION 3. That the vote shall be upon an official ballot prepared in such manner as will permit the voters to vote “FOR” or “AGAINST” the propositions submitted, with the propositions to be set forth on the official ballots in substantially the following form:

Proposition 1

Extension of City Limits

Amend the Charter of the City of Killeen to replace annexation provisions inconsistent with state law with provisions that provide for annexation in accordance with state law; and to make certain other grammatical and technical changes related thereto.

Proposition 2

Change of District Boundaries

Amend the Charter of the City of Killeen to repeal the requirement to obtain preclearance approval under the Voting Rights Act that is no longer required under federal law prior to amendments of existing district boundaries becoming effective; and to make certain other grammatical and technical changes related thereto.

Proposition 3

Council Compensation

Amend the Charter of the City of Killeen to change monthly compensation from \$100 to \$250 for each Councilmember and \$200 to \$350 for the Mayor; and to make certain other grammatical and technical changes related thereto.

Proposition 4

Appointment and Removal of City Manager

Amend the Charter of the City of Killeen to remove the provision that allows the City Manager, if removed at any time after six months from appointment, to demand written charges and a public hearing prior to the date on which final removal shall take effect; and to make certain other grammatical and technical changes related thereto.

Proposition 5

Induction of Newly Elected Councilmembers

Amend the Charter of the City of Killeen to provide for a special meeting following an election for the purpose of qualifying newly elected Councilmembers; and to make certain other grammatical and technical changes related thereto.

Proposition 6

Procedure for Passage of Ordinances

Amend the Charter of the City of Killeen to require a public hearing for any ordinance imposing or increasing a fine or fee; and to make certain other grammatical and technical changes related thereto.

Proposition 7

Investigation by Council

Amend the Charter of the City of Killeen to allow individual councilmembers to inquire into the conduct of any office, department, agency or officer of the city; and to make certain other grammatical and technical changes related thereto.

Proposition 8

Copies of the Budget

Amend the Charter of the City of Killeen to delete the requirement to send a copy of the budget to the State Comptroller; and to make certain other grammatical and technical changes related thereto.

Proposition 9

Power to Borrow

Amend the Charter of the City of Killeen to remove the authority to secure revenue bonds by a mortgage or deed of trust on the physical properties of public utilities; and to make certain other grammatical and technical changes related thereto.

Proposition 10

Names on Council Ballots

Amend the Charter of the City of Killeen to remove the requirement for full names to be printed on official ballots; and to make certain other grammatical and technical changes related thereto.

Proposition 11

Power of Initiative

Amend the Charter of the City of Killeen to except from the power of initiative an ordinance subject to state or federal law requirements that cannot be met through the initiative ordinance process; and to make certain other grammatical and technical changes related thereto.

Proposition 12

Definitions

Amend the Charter of the City of Killeen to define the term “Officer”; and to make certain other grammatical and technical changes related thereto.

SECTION 4. 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 5. 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 April 25, 2022, and continuing through May 3, 2022. The Bell County Elections Administrator 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 conducted in person, April 25, 2022 thru April 29, 2022 (Monday – Friday) from 8:00 a.m. – 5:00 p.m.; and May 2, 2022 thru May 3, 2022 (Monday – Tuesday) from 7:00 a.m. – 7:00 p.m. The main early voting polling place is identified as the Bell County Courthouse Annex located at 550 East 2nd Avenue, Belton 76513. In addition to the main early voting polling place, branch early voting locations are as follows:

Killeen – Bell County Annex, 304 Priest Drive

Killeen – Jackson Professional Learning Center, Main Conference Room, 902 Rev R A Abercrombie Drive

Killeen – Senior Center at Lions Club Park, Meeting Room, 1700 E. Stan Schlueter Loop

Harker Heights – Recreation Center, 307 Millers Crossing, Harker Heights, 76548

Temple – Bell County Annex, 205 East Central Avenue, Temple, 76501

Salado – Salado Church of Christ, 217 North Stagecoach, Salado 76571

SECTION 6. All resident qualified electors of the City shall be permitted to vote at the election.

SECTION 7. 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 8. 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 time in a newspaper of general circulation in the City, the date of publication to be not less than fourteen (14) days prior to the date set for the election.

SECTION 9. 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 10. 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 8th day of February, 2022, at which meeting a quorum was present, held in accordance with the provisions of the Texas Government Code, Sec. 551.001, *et seq.*

APPROVED

Jose L. Segarra, MAYOR

ATTEST:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Traci S. Briggs, CITY ATTORNEY