

AN ORDINANCE ORDERING THE HOLDING OF A SPECIAL ELECTION IN THE CITY OF KILLEEN, TEXAS, FOR THE PURPOSE OF DETERMINING WHETHER DISTRICT 4 COUNCILMEMBER SHALL BE RECALLED; SPECIFYING THAT THE PROVISIONS OF THE GENERAL ELECTION LAWS SHALL CONTROL ALL QUESTIONS PERTAINING TO SUCH ELECTION; DESIGNATING THE POLLING LOCATIONS; PRESCRIBING THE CONTENTS OF THE OFFICIAL BALLOT; PROVIDING FOR COMPENSATION; 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 I. 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 Special Election (Election) be held in the City of Killeen, Texas, on Saturday, May 3, 2025, for the purpose of determining whether District 4 Councilmember, Michael Boyd, shall be recalled. Any reference in this Ordinance hereinafter to "Election Day" shall mean May 3, 2025.

SECTION II. The manner of holding said 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 III. Not later than twenty (20) days before the Election, the City Secretary shall have the official ballots printed.

SECTION IV. 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 Tuesday, April 22, 2025, and continuing through Tuesday, April 29, 2025, with no voting occurring on Saturday, April 26, 2025, or Sunday, April 27, 2025. The City Secretary will serve as the Early Voting Clerk, who may appoint by written order one (1) 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 Street, Killeen, TX 76541 (mailing address: P.O. 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 2025 Election those dates shall be Tuesday, April 22, 2025, and Tuesday, April 29, 2025.

Applications for ballot by mail shall be mailed to:

Laura Calcote

P.O. Box 1329

Killeen, TX 76540

(254) 501-7717

citysec@killeentexas.gov

<https://www.killeentexas.gov/697/2025-Special-Election---Recall>

Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on: Tuesday, April 22, 2025.

Federal Post Card Applications (FPCAs) must be received no later than the close of business on: Tuesday, April 22, 2025.

Exhibit A, "Order of Special Election for Municipalities," to this Ordinance summarizes the aforementioned Election information and will be posted accordingly at Killeen City Hall.

SECTION V. The Election shall be held in the hereafter-designated polling locations between the hours of 7:00 a.m. to 7:00 p.m. on Election Day.

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

Palo Alto Middle School
2301 W. Elms Road

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 VI. The City Council shall appoint presiding election judges and alternate presiding judges for the Election at the precinct polling locations 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 (5) 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 (3) 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 VII. The following positions shall be set forth on digital scan and paper ballots hereinafter provided, in substantially the following form:

**CITY OF KILLEEN SPECIAL ELECTION
PROPOSITION A**

SHALL MICHAEL BOYD BE REMOVED FROM THE OFFICE OF COUNCILMEMBER BY RECALL?

[] FOR THE RECALL OF MICHAEL BOYD
[] AGAINST THE RECALL OF MICHAEL BOYD

SECTION VIII. Digital scan ballots shall be used for Early Voting by personal appearance, curbside voting and Election Day, the DS200 Digital Tabulator and ExpressVote Universal Voting System. Privacy screens shall be used for Early Voting by personal appearance and on Election Day by voters marking ballots. Paper ballots shall be used for voting by mail and the DS200 Digital Tabulator.

SECTION IX. All resident qualified electors of the City of Killeen shall be permitted to vote at the Election.

SECTION X. 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 location for Early Voting and on Election Day.

SECTION XI. A traditional polling location set up will be used at the polls for Early Voting and on Election Day.

SECTION XII. 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 published

on the same day of the week, for two (2) successive weeks, 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 XIII. Returns of the 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 XIV. 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 4th day of February 2025, 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

