



City of Killeen

Agenda City Council

Tuesday, May 16, 2017

5:00 PM

Killeen City Hall
City Council Chambers
101 North College Street
Killeen, Texas 76541

SPECIAL CITY COUNCIL MEETING

Call to Order and Roll Call

___ Jose Segarra, Mayor	___ Brockley Moore
___ Shirley Fleming	___ Jonathan Okray
___ Gregory Johnson	___ Juan Rivera
___ Jim Kilpatrick	___ Dick Young

Approval of Agenda

Ordinances

1. [OR-17-007](#) Consider an ordinance canvassing the returns and declaring results of the May 6, 2017 General Election.
Attachments: [Staff Report](#)
[Official Tabulation Form](#)
[Ordinance](#)

Special Recognitions

Oath of Office & Certification of Election

Standards of Conduct

Call to Order and Roll Call

Resolutions

2. [RS-17-050](#) Consider a memorandum/resolution to elect a Mayor Pro-Tem.
Attachments: [Staff Report](#)

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 12, 2017.

Dianna Barker, 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 254-501-7700, City Manager's Office, or TDD 1-800-734-2989.

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City of Killeen

Legislation Details

File #: OR-17-007 **Version:** 1 **Name:** Canvass May 6, 2017 General Election
Type: Ordinance **Status:** Ordinances
File created: 5/1/2017 **In control:** City Council
On agenda: 5/16/2017 **Final action:**
Title: Consider an ordinance canvassing the returns and declaring results of the May 6, 2017 General Election.
Sponsors: City Secretary
Indexes:
Code sections:

Attachments: [Staff Report](#)
[Official Tabulation Form](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: May 16, 2017
TO: Ronald L. Olson, City Manager
FROM: Kathy Davis, Legal Department
SUBJECT: Canvassing returns from May 6, 2017 General Election

BACKGROUND AND FINDINGS:

On May 6, 2017, the City of Killeen conducted a general election to elect a District Councilmember for District 1, District 2, District 3, and District 4. State and local law requires the City Council to canvass the election returns and declare the results.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended? Why?

An alternative is not to canvass the election results, however, that is not recommended since canvassing is required by law.

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 attached ordinance declaring the results of the May 6, 2017 General Election.

DEPARTMENTAL CLEARANCES:

Legal Department

ATTACHED SUPPORTING DOCUMENTS:

Ordinance

OFFICIAL TABULATION FORM

CITY OF KILLEEN
5/6/2017

	Early Voting	106 Fire Station #1	109 St. Josephs	201/204 Fire Station #3	410 Fire Support Facility		Election Day Provisionals	TOTAL
DISTRICT 1						-----		
Holly Teel	34	6	4	2	3	-----	0	49
Shirley Fleming	232	56	22	10	4	-----	0	324
Kenny Wells	231	16	23	21	11	-----	0	302

	Early Voting	203/208/210 Cedar Valley	205 Jackson Prof Lrng Ctr	207 Copper Mtn Library			Election Day Provisionals	
DISTRICT 2					-----	-----		
Debbie Nash-King	412	156	51	41	-----	-----	0	660
Larry Smith	197	57	29	21	-----	-----	0	304

	Early Voting	206/402/409 Lions Prk Senior Ctr	404 Fire Station #7	406 Central Fire Station	408 Fire Station #5	From Prec 412	Election Day Provisionals	
DISTRICT 3								
Hal Butchart	214	17	26	17	19	0	0	293
Jim Kilpatrick	255	26	15	22	36	0	0	354
Patsy Bracey	219	16	18	23	27	1	0	304
Vantonio Fraley	6	2	1	0	1	0	0	10

	Early Voting	405 Shoemaker High	401/412/413 Fowler Elem	From Prec 404			Election Day Provisionals	
DISTRICT 4					-----	-----		
Brockley Moore	113	21	18	1	-----	-----	0	153
Ralph Cossey Jr.	46	5	6	0	-----	-----	0	57
Steve Harris	105	22	38	5	-----	-----	0	170
Stanley Abrahams	18	2	6	0	-----	-----	0	26

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, 2017 FOR THE ELECTION OF A DISTRICT COUNCIL MEMBER FOR DISTRICT 1, DISTRICT 2, DISTRICT 3 AND DISTRICT 4.

WHEREAS, on this the 16th day of May 2017, the City Council of the City of Killeen, Texas, convened in a special session open to the public at the regular City Council meeting place with a quorum present, 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, 2017, 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 2017, 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 COUNCIL MEMBER, DISTRICT 1:

Holly Teel	_____	Total Received
Shirley A. Fleming	_____	Total Received
Kenny Wells	_____	Total Received

FOR DISTRICT COUNCIL MEMBER, DISTRICT 2:

Debbie Nash-King	_____	Total Received
Larry S. Smith	_____	Total Received

FOR DISTRICT COUNCIL MEMBER, DISTRICT 3:

Hal Butchart	_____	Total Received
Jimmy (Jim) Kilpatrick	_____	Total Received
Patsy Bracey	_____	Total Received
Vantonio Fraley	_____	Total Received

FOR DISTRICT COUNCIL MEMBER, DISTRICT 4:

Brockley King Moore	_____	Total Received
Ralph E. Cossey, Jr.	_____	Total Received
Steve Harris	_____	Total Received
Stanley J. Abrahams	_____	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 Council Member District 1, _____ was duly elected Council Member District 2, _____ was duly elected Council Member District 3, and that _____ was duly elected Council Member, District 4. All four 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 special called meeting of the City Council of the City of Killeen, Texas, this 16th day of May 2017, 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:

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM:

Kathryn H. Davis, CITY ATTORNEY



City of Killeen

Legislation Details

File #: RS-17-050 **Version:** 1 **Name:** Elect a Mayor Pro-Tem
Type: Resolution **Status:** Resolutions
File created: 5/1/2017 **In control:** City Council
On agenda: 5/16/2017 **Final action:**
Title: Consider a memorandum/resolution to elect a Mayor Pro-Tem.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Staff Report](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: May 16, 2017
TO: Ronald L. Olson, City Manager
FROM: Kathy Davis, Legal Department
SUBJECT: Elect Mayor Pro-Tem

BACKGROUND AND FINDINGS:

The City Charter provides for the position of Mayor Pro-Tem. The Mayor Pro-Tem acts as the Mayor during the absence or disability of the Mayor, and, if a vacancy shall occur, becomes the Mayor until the next regular general election. The Charter provides for the Council to "elect a mayor pro-tem from their number..." Historically, the City Council has elected the Mayor Pro-Tem after each general election.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended? Why?

An alternative is for the City Council not to elect a Mayor Pro-Tem; however, that alternative is not recommended as the City Charter requires such election.

CONFORMITY TO CITY POLICY:

Election of a Mayor Pro-Tem is in compliance with the City Charter.

FINANCIAL IMPACT:

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

No expenditure is required.

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 Pro-Tem for the City of Killeen.

DEPARTMENTAL CLEARANCES:

Legal Department

ATTACHED SUPPORTING DOCUMENTS:

N/A