



City of Killeen

Agenda

City Council

Tuesday, May 17, 2022

5:00 PM

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

SPECIAL CITY COUNCIL MEETING

Call to Order and Roll Call

___ Debbie Nash-King, Mayor	___ Mellisa Brown
___ Rick Williams	___ Nina Cobb
___ Riakos Adams	___ Jessica Gonzalez
___ Michael Boyd	___ Ken Wilkerson

Approval of Agenda

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. The Presiding Officer may allow a one (1) minute extension, if requested at the end of the original three (3) minute period. A majority vote of the City Council is required for any other time extensions.

Ordinances

1. [OR-22-008](#) Consider an ordinance canvassing returns from May 7, 2022 General and Special Elections.
Attachments: [Ordinance](#)

Special Recognitions

Oath of Office & Certificate of Election

Standards of Conduct

Call to Order and Roll Call

Resolutions

2. [RS-22-062](#) 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 11, 2022.

Lucy C. Aldrich, 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

Staff Report

File Number: OR-22-008

DATE: May 17, 2022

TO: Kent Cagle, City Manager

FROM: Traci Briggs, City Attorney

SUBJECT: Canvassing Returns from May 7, 2022 General and Special Elections

BACKGROUND AND FINDINGS:

On May 7, 2022, the City of Killeen participated in a joint election with Bell County to elect a Mayor and three Councilmembers-at-Large, and to consider thirteen (13) charter amendments.

THE ALTERNATIVES CONSIDERED:

There are no alternatives to consider. 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:

Adopting the ordinance confirms 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:

Staff recommends adoption of the ordinance declaring the results of the May 7, 2022 General and Special Elections.

DEPARTMENTAL CLEARANCES:

N/A

ATTACHED SUPPORTING DOCUMENTS:

Ordinance
Election Register

ORDINANCE _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, CANVASSING RETURNS AND DECLARING THE RESULTS OF A GENERAL AND SPECIAL ELECTION HELD MAY 7, 2022 FOR THE ELECTION OF A MAYOR AND THREE COUNCILMEMBERS-AT-LARGE AND THIRTEEN (13) CHARTER AMENDMENTS.

WHEREAS, on this 17th day of May 2022, Councilmember _____, Councilmember _____ and Councilmember _____ verified the May 7, 2022, election results provided by Bell County Election Administrator prior to the City Council of the City of Killeen, Texas, convening in a special 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 the general and special elections held on May 7, 2022. Councilmember _____ 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 7th day of May 2022, for the purpose of electing the hereinafter named officials and consideration of thirteen (13) charter amendment propositions, 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 and the propositions received the following votes:

FOR MAYOR:

Patsy Bracey	_____	Total Received
Holly A. Teel	_____	Total Received
James Everard	_____	Total Received
Debbie Nash-King	_____	Total Received

FOR COUNCIL MEMBERS-AT-LARGE:

Mellisa Brown	_____	Total Received
Jose Segarra	_____	Total Received
Ken Wilkerson	_____	Total Received
Leo J. Gukeisen	_____	Total Received
Rick Williams	_____	Total Received
Ramon Alvarez	_____	Total Received

PROPOSITIONS:

Proposition A – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition B – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition C – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition D – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition E – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition F – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition G – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition H – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition I – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition J – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition K – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition L – 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.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ Total Received

Proposition M – Resignation from Office

Amend the Charter of the City of Killeen to require a member of the City Council to resign from their present office immediately upon filing for either the office of the Mayor or the office of Councilmember that they do not currently hold; and to make certain other grammatical and technical changes related thereto.

FOR THE PROPOSITION _____ Total Received
AGAINST THE PROPOSITION _____ 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 Mayor, and that _____, _____, and _____ were duly elected Councilmembers-at-Large; all four elected officials are duly elected subject to taking their oaths.

Section IV. That Charter Amendment Proposition A was APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition B was

APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition C was APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition D was APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition E was APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition F was APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition G was APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition H was DISAPPROVED by the voters of the City of Killeen. That Charter Amendment Proposition I was APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition J was DISAPPROVED by the voters of the City of Killeen. That Charter Amendment Proposition K was APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition L was APPROVED by the voters of the City of Killeen and is hereby adopted. That Charter Amendment Proposition M was APPROVED by the voters of the City of Killeen and is hereby adopted.

Section V. 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 17th day of May 2022, 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:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM:

Traci S. Briggs, CITY ATTORNEY



City of Killeen

Staff Report

File Number: RS-22-062

DATE: May 17, 2022
TO: Kent Cagle, City Manager
FROM: Traci Briggs, City Attorney
SUBJECT: Elect Mayor Protem

BACKGROUND AND FINDINGS:

The City Charter provides for the position of mayor protem. The mayor protem 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 City Council to "elect a mayor protem from their number..." 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:

N/A

ATTACHED SUPPORTING DOCUMENTS:

N/A