



City of Killeen

Agenda

City Council

Monday, May 23, 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

[OR-22-009](#) Consider an ordinance canvassing the results of the May 22, 2022 election recount of the At-Large Councilmember office from the May 7, 2022 General Election.

Attachments: [Ordinance](#)

Special Recognitions

Oath of Office & Certificate of Election

Standards of Conduct

Call to Order and Roll Call

Resolutions

[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 20, 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.

Notice of Meetings

The Mayor and/or City Council have been invited to attend and/or participate in the following meetings/conferences/events. Although a quorum of the members of the City Council may or may not be available to attend this meeting, this notice is being posted to meet the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. No official action will be taken by Council.

- 75th Killeen Rodeo, May 19-21, 2022, 7:30 p.m., Killeen Rodeo Grounds*
- Harge's Commanders of the Rite for Scottish Rite Masonry Banquet, May 21, 2022, 6:00 p.m., Phantom Warrior Center*
- Phantom Honors Welcome Ceremony, May 26, 2022, 9:30 a.m., III Corps Headquarters, Fort Hood*
- Chaparral High School Dedication Ceremony, August 4, 2022, 6:00 p.m., Chaparral High School*
- Chaparral High School First Day of School, August 15, 2022, 8:45 a.m., Chaparral High School*

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City of Killeen

Staff Report

File Number: OR-22-009

DATE: May 23, 2022

TO: Kent Cagle, City Manager

FROM: Traci Briggs, City Attorney

SUBJECT: Canvassing Results of the May 22, 2022 election recount of the At-Large Councilmember's office on the May 7, 2022 General Election

BACKGROUND AND FINDINGS:

On May 7, 2022, the City of Killeen conducted a general election to elect a mayor and three at-large councilmembers. Prior to canvassing the election results, a recount petition was filed by a candidate. The grounds for the petition is the difference between the number of votes received by the petitioner and the number of votes received by the person who was elected is less than 10%. The mayor approved the petition requesting a recount of the office of at-large councilmember ballots, and the recount took place on May 22, 2022.

THE ALTERNATIVES CONSIDERED:

There are no alternatives.

Which alternative is recommended? Why?

N/A

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 fiscal 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 ordinance declaring the results of the May 22, 2022 election recount of the At-Large Councilmember office on the May 7, 2022 General Election.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance

ORDINANCE _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, CANVASSING THE RESULTS OF THE MAY 22, 2022 ELECTION RECOUNT OF THE AT-LARGE COUNCILMEMBER OFFICE FROM THE MAY 7, 2022 GENERAL ELECTION.

WHEREAS, on this 23th day of May 2022, Councilmember _____, Councilmember _____ and Councilmember _____ verified the May 22, 2022, recount results 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 the returns and declaring the results of the recount held on May 22, 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 results of a recount held on the 22nd day of May 2022, for the purpose of electing the hereinafter named, and it appearing from the results, duly and legally made, that 4,072 voters cast ballots at the election; that each of the candidates in the at-large councilmember office received the following votes:

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

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 _____, _____, and _____ were duly elected Councilmembers-at-Large; all three elected officials are duly elected subject to taking 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 23th 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

1 City Council 05/17/2022 Tabled City Council 05/24/2022

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