



City of Killeen

Legislation Details (With Text)

File #:	OR-23-006	Version:	1	Name:	Declare Unopposed Candidate/Cancel District 4 Election
Type:	Ordinance	Status:		Status:	Passed
File created:	2/27/2023	In control:		In control:	City Council
On agenda:	3/28/2023	Final action:		Final action:	3/28/2023
Title:	Consider an ordinance declaring unopposed candidate, cancelling the May 6, 2023 General Election in District 4.				
Sponsors:	City Secretary				
Indexes:					
Code sections:					
Attachments:	1. Ordinance, 2. Presentation				

Date	Ver.	Action By	Action	Result
3/28/2023	1	City Council	Approved	Pass
3/21/2023	1	City Council Workshop		

Consider an ordinance declaring unopposed candidate, cancelling the May 6, 2023 General Election in District 4.

DATE: **March 21, 2023**

TO: **Kent Cagle, City Manager**

FROM: **Laura Calcote, City Secretary**

SUBJECT: **Declaration of Unopposed Candidate, District 4 - May 6, 2023 General Election**

BACKGROUND AND FINDINGS:

The Texas Election Code, Chapter 2, Section 2.053 provides that an election in a single-member district shall be cancelled if the candidate is unopposed, there are no write-in candidates and no proposition is to appear on the ballot.

On February 24, 2023, the City Secretary certified that Michael Boyd is unopposed for election to the office of Council Member District 4, that no candidate's name is to be placed on a list of write-in candidates for the position of Council Member District 4 and that there are no propositions to appear on the ballot in the May 6, 2023 General Election.

An ordinance has been prepared cancelling the election in District 4 and declaring that Michael Boyd - District 4 is elected to office and shall be issued a certificate of election following the time the election would have been canvassed. It also directs the City Secretary to cause an Order of Cancellation to be posted on Election Day at each polling place that would have been used in the election. With KISD and CTC having contested

racess, polling locations will remain operational on Election Day in District 4.

THE ALTERNATIVES CONSIDERED:

There are no alternatives as the Texas Election Code requires the declaration of an unopposed candidate elected to office and cancellation of the election in District 4 under the circumstances.

Which alternative is recommended? Why?

It is recommended to cancel the Council Member District 4 General Election.

CONFORMITY TO CITY POLICY:

Cancelling a district election is allowed by state law and is, therefore, in conformity with city policy.

FINANCIAL IMPACT:

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

There is no expenditure for canceling the election.

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 City Council approve the attached ordinance cancelling the May 6, 2023 General Election in District 4 and declaring Michael Boyd - District 4 elected to office effective at the time of canvassing the results of the May 6, 2023 District 1, 2 and 3 General Election.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance
Presentation

