



City of Killeen

Legislation Text

File #: OR-22-011, Version: 1

Consider an ordinance ordering a Special Election to be held on November 8, 2022.

DATE: August 2, 2022
TO: Kent Cagle, City Manager
FROM: Holli Clements, Interim City Attorney
SUBJECT: Ordering a Special Election (November 8, 2022)

BACKGROUND AND FINDINGS:

The Texas Election Code, Chapter 3, provides for the ordering of an election not later than the 78th day before the election date.

On May 25, 2022, an initiative petition supporting an ordinance that would eliminate low-level marijuana enforcement in the City of Killeen was filed with the City Secretary's office. The City of Killeen Charter states that any initiative ordinance may be submitted to the City Council by a petition signed by qualified electors of the city equal in number to at least 25% of the number of voters in the last municipal election of the mayor and at-large councilmembers. The May 7, 2022 general election had a voter turnout of 4,072 resulting in the required number of registered City of Killeen voters signing the petition needing to be at least 1,018. On May 14, 2022 at a regular meeting of the City Council, the City Secretary certified that following her review, the initiative petition has a sufficient number of signatures and was filed and completed as required by the Charter.

The City Council held a public hearing on the submitted initiative ordinance on July 26, 2022. Pursuant to the City's Charter, if the City Council fails to pass the ordinance or it is passed in a different form than set forth in the petition, the ordinance shall be submitted to the electors on the first authorized uniform election date prescribed by the Election Code which will be November 8, 2022. The City Council did not pass the initiative ordinance on July 26, 2022 resulting in the ordinance being required to be submitted to the electors.

The attached ordinance has been prepared calling the election and giving notice of a November 8, 2022 special election to consider Proposition A, eliminating low-level marijuana enforcement in the City of Killeen.

THE ALTERNATIVES CONSIDERED:

There are no alternatives to consider. Holding an election is required if the initiative ordinance is not adopted by City Council.

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

Yes, calling an election conforms to city policy.

FINANCIAL IMPACT:

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

The cost of the election in FY 2023 is estimated to be \$10,000.

Is this a one-time or recurring expenditure?

One-time expenditure.

Is this expenditure budgeted?

Yes, funds will be included in the FY 2023 Proposed Budget in the General Fund Legal Department account 010-1010-416.50-45.

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

Yes, upon approval of the FY 2023 Proposed Budget.

RECOMMENDATION:

Staff recommends City Council approve the ordinance calling for a November 8, 2022 special election to consider Proposition A, eliminating low-level marijuana enforcement in the City of Killeen.

DEPARTMENTAL CLEARANCES:

Finance
Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance