



# City of Killeen

## Legislation Text

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File #: OR-23-006, Version: 1

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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 races, 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