

**AN ORDINANCE ORDERING THE HOLDING OF AN ELECTION IN THE CITY OF KILLEEN, TEXAS, FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCILMEMBERS-AT-LARGE; PROVIDING FOR THE FILING OF WRITTEN APPLICATION TO HAVE THEIR NAMES PRINTED ON THE OFFICIAL BALLOT; FIXING THE TIME WITHIN SUCH APPLICATION MAY BE FILED; SPECIFYING THAT THE PROVISIONS OF THE GENERAL ELECTION LAWS SHALL CONTROL ALL QUESTIONS PERTAINING TO SUCH ELECTION; PRESCRIBING THE CONTENTS OF THE OFFICIAL BALLOT; NAMING THE EARLY VOTING CLERK; DESIGNATING EARLY VOTING POLLING PLACES, AND PROVIDING FOR POSTING AND PUBLICATION OF NOTICE OF ELECTION AND CONTAINING MISCELLANEOUS PROVISIONS.**

**WHEREAS**, on November 19, 2021, the Texas Secretary of State's office notified Texas governmental entities that the Texas Legislature adopted two joint resolutions in the Second and Third Special Sessions which requires a statewide constitutional amendment election on May 7, 2022; and,

**WHEREAS**, Bell County has adopted the countywide polling place system which allows registered Bell County voters the ability to vote at any of the Bell County polling sites during early voting and on election day; and,

**WHEREAS**, although it is not required for the City of Killeen to enter into a joint election contract with Bell County, it is recommended by the Secretary of State's office for that to occur; and,

**WHEREAS**, by entering into a joint election contract with Bell County, the voter will go to one location and vote for all applicable races and measures on one ballot.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:**

**SECTION 1.** That, pursuant to the laws of the State of Texas and the Charter of the City of Killeen, it is ordered by the City Council that a general election be held in Bell County, Texas, on May 7, 2022, for the purpose of electing from the City of Killeen a Mayor and three Councilmembers-at-Large. Any reference in this ordinance hereinafter to "Election Day" shall mean May 7, 2022.

**SECTION 2.** The manner of holding the election and all questions pertaining to such election shall be governed by the V.T.C.A. Election Code, and the returns shall be made and canvassed and the results declared as in other legal elections of the City of Killeen.

**SECTION 3.** Any eligible and qualified person may have his or her name printed on the official ballot as an independent candidate for the office of councilmember by filing a written application with the City Secretary beginning January 19, 2022 through 5:00 p.m. February 18, 2022. Any person

wishing to file a declaration of write-in candidacy must do so not later than 5:00 p.m. on February 22, 2022.

**SECTION 4.** The names of all those who have filed their written applications to have their names printed on the official ballot as candidates shall be posted by the City Secretary in a conspicuous place at her office for the inspection of the public for at least ten days before she orders the ballot to be printed. The City Secretary shall preserve in her office for a period established by the Texas State Library and Archives Commission and adopted by the City all applications, statements, notice of objections, and other related papers.

**SECTION 5.** Any person eligible for the office of councilmember or other office who has filed his or her written application in accordance with the provisions of this ordinance shall have his or her name printed on the official ballot. Any such person may cause his or her name to be withdrawn at any time prior to 5:00 p.m. on February 25, 2022, by filing in writing with the City Secretary, a request to that effect over his signature, duly attested to by a Notary Public. No name so withdrawn shall be printed on the ballots.

**SECTION 6.** Each qualified voter who desires to cast an early vote or who expects to be absent on the date of the election shall be entitled to an official ballot and to cast such ballot in accordance with the applicable provisions of Title 7, V.T.C.A., Election Code, beginning April 25, 2022, and continuing through May 3, 2022. The Bell County Elections Administrator will be the early voting clerk. Early voting will be conducted in person, April 25, 2022 thru April 29, 2022 (Monday – Friday) from 8:00 a.m. – 5:00 p.m.; and May 2, 2022 thru May 3, 2022 (Monday – Tuesday) from 7:00 a.m. – 7:00 p.m. The main early voting polling place is identified as the Bell County Courthouse Annex located at 550 East 2nd Avenue, Belton 76513. In addition to the main early voting polling place, branch early voting locations are as follows:

Killeen – Bell County Annex, 304 Priest Drive

Killeen – Jackson Professional Learning Center, Main Conference Room, 902 Rev R A  
Abercrombie Drive

Killeen – Senior Center at Lions Club Park, Meeting Room, 1700 E. Stan Schlueter Loop

Harker Heights – Recreation Center, 307 Millers Crossing, Harker Heights, 76548

Temple – Bell County Annex, 205 East Central Avenue, Temple, 76501

Salado – Salado Church of Christ, 217 North Stagecoach, Salado 76571

Applications for ballot by mail may be mailed by common or contract carrier to:

Bell County Elections Department  
P. O. Box 1629  
Belton, Texas 76513

The deadline to submit an application for ballot by mail (ABBM) is April 26, 2022.

**SECTION 7.** The following positions shall be set forth on ballots hereinafter provided, in substantially the following form:

**CITY OF KILLEEN GENERAL ELECTION  
MAY 7, 2022  
OFFICIAL BALLOT**

FOR MAYOR

Vote for One

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

FOR COUNCILMEMBER-AT-LARGE

Vote for One, Two, or Three

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SECTION 8.** All resident qualified electors of the City of Killeen shall be permitted to vote at the election.

**SECTION 9.** The election materials enumerated in Sec. 272.001, et seq., V.T.C.A. Election Code, shall be printed and furnished in both English and Spanish for use at each polling place on Election Day and for early voting.

**SECTION 10.** Notice of election shall be given by posting substantial copies of the Notice of Election as prescribed by the Secretary of State's office in both English and Spanish at the Killeen City Hall, the official city website and at three (3) other public places in the City at least thirty (30) days prior to the date set for the election; and substantial copies of the Notice of Election in both English and

Spanish shall be one time in a newspaper of general circulation in the City, the date of publication to be not less than fourteen (14) days prior to the date set for the election.

**SECTION 11.** Returns of election shall be made by the election officers to the City Council at a meeting following the election; the returns will be canvassed and the results of the election declared as prescribed by the Election Code, V.T.C.A., of the State of Texas and the City Charter.

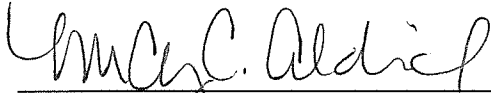
**SECTION 12.** It is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered and acted upon at the meeting, including this Ordinance, was given, all as required by the applicable provisions of the Texas Government Code, Sec. 551.001, *et seq.*

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 11th day of January 2022, at which meeting a quorum was present, held in accordance with the provisions of the Texas Government Code, Sec. 551.001, *et seq.*


**APPROVED**

  
\_\_\_\_\_  
Jose L. Segarra, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
Lucy C. Aldrich, CITY SECRETARY

**APPROVED AS TO FORM**

  
\_\_\_\_\_  
Traci S. Briggs, CITY ATTORNEY



**CITY COUNCIL MEMORANDUM FOR ORDINANCE**

**DATE:** January 4, 2022  
**TO:** Kent Cagle, City Manager  
**FROM:** Traci Briggs, City Attorney  
**SUBJECT:** Calling for the May 7, 2022 General Election to Elect a Mayor and Three Councilmembers-at-Large

**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. In addition to any other elements required, each order must state the date of the election and the offices or measures to be voted on at the election.

The attached ordinance has been prepared calling the election and giving notice of an election for the purpose of electing a mayor and three councilmembers-at-large and designating the polling places and times.

On November 19, 2021, the City Secretary received a notice from the Texas Secretary of State's office that the Texas Legislature adopted two joint resolutions in the Second and Third Special Sessions. As a result, there will be a statewide constitutional amendment election held on May 7, 2022. This constitutional amendment election will be administered by Bell County. To prevent voter confusion with multiple ballots and possibly multiple polling sites, city staff and representatives from the Bell County elections administration office are recommending that the City enter into a joint election with Bell County.

**THE ALTERNATIVES CONSIDERED:**

There are no legal alternatives. The mayor and three member-at-large council seats expire May 2022.

**Which alternative is recommended? Why?**

Staff recommends holding a May 7, 2022 general election for the purpose of electing a mayor and three councilmembers-at-large.

**CONFORMITY TO CITY POLICY:**

This ordinance conforms to Article IX of the City Charter authorizing the calling of an election to be held on a uniform election date provided for in the Texas Election Code.

**FINANCIAL IMPACT:**

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

The estimated cost to conduct this election is \$2,600.

**Is this a one-time or recurring expenditure?**

Holding an election is a recurring expenditure.

**Is this expenditure budgeted?**

Yes, funds are available in General Fund City Secretary 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.

**RECOMMENDATION:**

Staff recommends City Council approve the ordinance calling for a May 7, 2022 general election to elect a mayor and three councilmembers-at-large.

**DEPARTMENTAL CLEARANCES:**

City Attorney

**ATTACHED SUPPORTING DOCUMENTS:**

Ordinance