

Minutes of the City of Harker Heights Special Council Meeting that was called to order on Tuesday, August 2, 2022, at 3:00 p.m., in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548, with the following members present:

ROLL CALL: Mayor Spencer H Smith
Mayor Pro Tem Jennifer McCann
Councilmember Michael Blomquist
Councilmember Tony Canterino
Councilmember Lynda Nash
Councilmember Sam Halabi

City Manager David Mitchell
City Secretary Julie Helsham

EXCUSED: None

PRESENTATIONS BY CITIZENS:

Howard Arey, 2027 Sandy Point, Harker Heights, Texas 76548, gave a brief presentation.

ELECTION BUSINESS:

1. Council discussed and considered approving an ordinance of the City of Harker Heights, Texas, ordering a Special Election to be held on November 8, 2022, to submit to the electors a proposed citizen-initiative ordinance to eliminate enforcement of misdemeanor laws relating to marijuana possession within the City of Harker Heights except where such charges are a part of an investigation of a felony level narcotics case that has been designated as a high priority investigation by a Harker Heights Police Commander, Assistant Chief of Police or Chief of Police or of a violent felony case; to require a Harker Heights Police Officer to write a detailed report in the event marijuana is seized and to release the individual in possession of the marijuana if possession of marijuana is the sole charge; to prohibit Harker Heights Police Officers from issuing any charge for possession of marijuana except where such charges are a part of an investigation of a felony level narcotics case that has been designated as a high priority investigation by a Harker Heights Police Commander, Assistant Chief of Police or Chief of Police or of a violent felony case; to prohibit the filing of charges for possession of marijuana except where such charges are a part of an investigation of a felony level narcotics case that has been designated as a high priority investigation by a Harker Heights Police Commander, Assistant Chief of Police or Chief of Police or of a violent felony case; to prohibit the filing of charges for possession of drug residue or drug paraphernalia in lieu of a possession of marijuana charge; to prohibit use of city funds or personnel to request, conduct or obtain Tetrahydrocannabinol (THC) testing of any suspected cannabis related substance, except in connection with a felony level narcotics case that has been designated as a high priority investigation by a Harker Heights Police Commander, Assistant Chief of Police or Chief of Police or of a violent felony case; to prohibit Harker Heights Police from using the odor of marijuana or hemp as probable cause for search or seizure, except in connection with a felony level narcotics case that has been designated as a high priority investigation by a Harker Heights Police Commander, Assistant Chief of Police or Chief of Police or of a violent felony case; to require the City Manager and Chief of Police to ensure that Police Officers receive adequate training regarding the provisions of this ordinance; to require modification of city policies to comply with this ordinance; to require regular public meetings to discuss development of policies, procedures and practices relating to this ordinance; to require discipline for any Harker Heights Police Officer who violates any provisions of this ordinance; and to require the City Manager, or his or her designee, to report to the City Council annually regarding the implementation of this ordinance; authorizing a joint election contract with the Office of Election Administration of Bell County, Texas,

for the manner and orderly conduct of the Election and authorizing the City Manager to sign the contract on behalf of the city. Julie Helsham, City Secretary, made the presentation.

Councilmember Nash made a motion to approve an ordinance to Order a Special Election to be held on November 8, 2022, and authorize a joint election with the Office of Election Administration of Bell County for the manner and orderly conduct of the Election and authorize the City Manager to sign the contract on behalf of the City. Councilmember Blomquist seconded the motion. Carried 4-1 (opposed: Councilmember Halabi).

ADJOURNMENT:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 3:14 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

City Council
August 2, 2022