



**City Council Agenda
Emergency Meeting via Audio/Video Broadcast
04/01/2020**

Notice is hereby given in accordance with an order of the Office of the Governor issued March 16, 2020, of an Emergency Meeting of the City Council of the City of San Angelo scheduled for April 1, 2020 at 2:00 PM. The Council Chambers at McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas will not be open to the public. Council members and staff will attend virtually in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). There will be no public access to the regular meeting location. A public, free-of-charge audio/video broadcast of the meeting will be available on the City’s YouTube channel at <https://www.youtube.com/user/CityofSanAngeloTx>.

The Meeting Agenda and the Agenda Packet are posted online at <https://www.cosatx.us/government/city-council/agenda-minutes-and-agenda-packets>.

Members of the public who wish to submit written comments on a listed agenda item must submit their comments via email to Julia.Antilley@cosatx.us with a subject in the following format: “Public Comment: [item number, description] – April 1, 2020.” All comments relevant to posted agenda items received by 10:00 a.m. April 1st will be added to the published agenda packet prior to the meeting. Call 325-657-4405 for staff assistance. Comments received after 10:00 a.m. will not be accepted.

A recording of the meeting will be available to the public in accordance with the Open Meetings Act upon written request.

Emergency Provision Notice: In accordance with Texas Government Code Section 551.045, this is an emergency meeting of the City Council, declaring an emergency/urgent public necessity, for the purpose of considering the following emergency agenda items:

1. Call to Order/Roll Call to Establish Quorum

2. Special Instructions

All members of the City Council and staff should begin speaking by stating their full name and SMD position or role within the City.

3. Public Comment

At this time Council Members may ask staff members questions regarding Public Comments submitted via email.

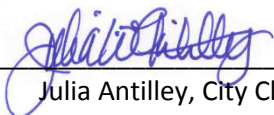
4. Emergency Agenda

- a. Consider declaring an extension to the declaration of a local disaster with amendments
(Presentation made by City Attorney Theresa James)

5. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was published on the City of San Angelo's website on the 31st day of March 2020, at 5:50 p.m.



Julia Antilley, City Clerk

All agenda items are subject to action. The City Council reserves the right to consider business out of posted order and/or meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

In compliance with the Americans with Disabilities Act, the City of San Angelo will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Clerk's Office at 325-657-4405.

Citizen requests to display materials on the city's monitors must submit the request 96 hours prior to the meeting by email to Julia.Antilley@cosatx.us. Time limits for discussion are as stated above and materials cannot exceed 10-pages. Citizens bringing materials for distribution to City Council members during the meeting must bring a minimum of 12 copies.

City Council regular meetings are broadcast on SATV Channel 17-Government Access at 10:30 a.m. and 7:00 p.m. every day, beginning the evening of the meeting until the evening of the next meeting.

**Texas Government Code Section 551.045 requires notice is posted
a minimum of one hour before an Emergency Meeting is convened.**

From: [Serina Torres](#)
To: [Antilley, Julia](#)
Subject: Public comment re covid 19
Date: Wednesday, April 1, 2020 9:14:44 AM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Please consider a stay home order. For the safety of our community! A lot of the community is asking for this. We want this before Covid-19 is uncontrollable in San Angelo. Thank you.

From: [Raymond Hernandez](#)
To: [Antilley, Julia](#)
Subject: Public Comment: [item number, description] – April 1, 2020."
Date: Tuesday, March 31, 2020 9:05:43 PM

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What about families that live in hotels and job temporarily closed due to corona. Member of family has heart problems. May die if gets virus. 2 days late as of today. Has been current. Manager not concerned.

From: [Elvia Villeda](#)
To: [Antilley, Julia](#)
Subject: Public comment
Date: Tuesday, March 31, 2020 7:06:43 PM

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What about all construction work?

Sent from my iPhone

From: [Wade Hoak](#)
To: [Antilley, Julia](#)
Subject: Public comment: closing boat ramps April 1, 2020
Date: Tuesday, March 31, 2020 11:10:37 PM

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To whom it may concern,

My name is Wade Hoak and I have lived at Lake Nasworthy for 18 years and am part owner of a local boat/powersports dealership. I vehemently disagree with the decision yesterday to close the public boat ramps. People need access to the lake to keep their sanity in times like these be it through fishing, Water sports or just enjoying the water. What is the reasoning behind the closures? Most boats don't have more than 4 passengers and watercraft can only carry 3 at the most. Usually these are family or close friends that people are socializing with already. The city does not have any dock facilities nice or big enough on the lake for groups of people to congregate at. People put their boats in the water, hop in and go. I ask that you reconsider the closing of these ramps. Thank you.

Wade Hoak
Family PowerSports
www.familypowersports.com

From: [sunsetchiro1](#)
To: [Antilley, Julia](#)
Subject: PublicComment: [item number 4a, golf close closure] – April 1, 2020.
Date: Wednesday, April 1, 2020 10:00:19 AM

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Council members and Mayor Gunter, My name is Dr. Steven Brooks D.C. and I am president of the San Angelo Country Club board of directors. I urge you to reconsider the stance of the Tom Green County Public health authority's resolution yesterday declaring golf courses private and public be closed. We have taken every measure at San Angelo Country club to reduce common contact points, insure social distancing by either walking or single rider carts etc. We believe the outdoors is a safe environment and a healthy environment for our members to go in these stressful times. With the governors urging for physical activity outdoors we believe this coincides with our mission at San Angelo Country club. If there is anything else we can do to add to the safety of our members please let us know, but i urge you to reconsider closing golf courses.

respectfully,

Dr. Steven Brooks D.C.

From: [Jerry Shelton](#)
To: [Antilley, Julia](#)
Subject: Public Comment 4A Emergency April 1, 2020
Date: Wednesday, April 1, 2020 8:51:46 AM

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Can you please provide explanation as to why the public boat ramps were closed by Dr. Vretis' Executive Order, which goes beyond Governor Abbot's Executive where he states Hunting/ Fishing are not prohibited. Dr. Vretis did not close the walking/hiking trails, where the public has the opportunity to come in contact with each other much more than with people on the lakes in a boat.

Jerry Shelton
Christoval, Tx


Sent from my iPad

From: [Gail Weiland](#)
To: [Antilley, Julia](#)
Subject: Public Comment - Coronavirus meeting April 1, 2020
Date: Tuesday, March 31, 2020 7:29:06 PM

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Although my employer is not considered an essential business and neither is my husband's place of work, they are not going to close until we have a local shelter in place order. I am concerned that the City of San Angelo is going to wait until it's too late to issue a mandatory shelter in place order. It is my understanding that we've already seen an increase of 30% in just 24 hours and another 30% in the previous 24 hours. Other cities such as Abilene, Odessa and Amarillo are already issuing shelter in place orders. Are we behind in taking this issue seriously? I'm afraid we are doing too little too late.

I have a seriously suppressed immune system and have been concerned for weeks now. Our FedEx delivery driver brought packages in the first week of March saying he had tested positive for flu the day before. He said he couldn't afford to take off work and they were short-handed so his supervisor was making him work while sick. Our mail carrier goes inside multiple offices daily and could easily be a carrier. I do not think we can depend on our employers to do the right thing and protect us. Even though the President and our Governor is recommending sheltering in place, there are many businesses that will not follow those guidelines unless ordered to do so by local officials.

I will not sign my name as I don't want to risk losing my job in this economy, however, I can assure you that I will be watching closely to see what is decided at this meeting.

Thank you very much for taking my comments into consideration.

From: [CoCo Simpson](#)
To: [Antilley, Julia](#)
Subject: Public Comment: item number 3, declaration of emergency – April 1, 2020
Date: Tuesday, March 31, 2020 9:49:02 PM

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San Angelo City Council members,
I'd love nothing more than for this city council to lift the public health emergency.
Until testing becomes more readily available, and reliable, this is an overreaction that will have lasting consequences.
Half the world still needs to keep spinning, the other half can decide to stop if they want, but it should be a choice.
I am a tax preparer. Doesn't seem like a super important job, but I still have clients buying houses now, I have clients who need their taxes done to get the stimulus payments, I have clients who are still getting letters from the IRS... None of these things can just stop because of a virus. A virus that is shown to be of little consequence to the VAST majority of people who come into contact with it.
I'm frustrated with my rights being infringed upon without proof of just cause. There's nothing behind your decision except fear. I'm not afraid & those who are can go hide while the rest of us live our lives.
Please lift this ban and let us get back to living.
Thank you,
CoCo Simpson

From: [Jon Honea](#)
To: [Antilley, Julia](#)
Subject: Public Comment April 1, 2020 for todays meeting
Date: Wednesday, April 1, 2020 9:48:54 AM
Attachments: [NS Essential Bus Doc.docx](#)
[Screen Shot 2019-11-12 at 8.02.14 AM.png](#)

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Julia, here is our letter for the Councils review. Thank you so much for your help.

Jon Honea
Owner
Northstar Construction



Northstar Construction

3920 S. Jackson
San Angelo, Texas 76903
325-374-2433 – Office



April 1, 2020

On behalf of the local construction industry Northstar Construction would like to thank the City of San Angelo for the manner in which they have managed the impact of the Corona Virus locally. We believe you have taken a very careful yet practical approach to limiting the risks to our citizens and we support and appreciate your efforts. We realize your responsibilities create a huge burden on you both professionally and personally and we thank you for your leadership.

The construction business is a multi-layered industry ranging between new home construction, repairs and renovations, and recovery of homes that have been ravaged by fire, flooding, etc. Families routinely get displaced from their homes while construction companies such as Northstar work to make their homes functional and safe again.

Presently, displaced families living with friends, extended family, or in hotels are at a greater health risk because of numbers and spacing. Families may also be living in their home because they have no where else to go and are in a substandard environment because of non-functional baths and kitchens.

Northstar Construction would like to ensure the City is aware that the construction industry as a whole is routinely engaged in rendering essential services to the citizens of San Angelo. The Department of Homeland Security has recognized the construction industry as providers “necessary to maintain the safety sanitation, and essential operation of residences, businesses, and buildings”. We perform services not available from any other source.

We are sensitive to the need to observe all city requirements to avoid contamination of environments and others and are taking all necessary steps to be part of the solution – not part of the problem. We are ready to partner with the City to ensure all safety and health requirements are met while restoring families to their homes and businesses to their buildings.

We respectfully request the City of San Angelo confirm they are in alignment with the Federal and State governments that the local construction industry, including new construction, remodeling, and restoration is an essential service to this community.

Northstar Construction

Owner Signature

Date

**ORDER CONTINUING DECLARATION of DISASTER DUE TO
PUBLIC HEALTH EMERGENCY
FOR
THE CITY OF SAN ANGELO, TEXAS**

WHEREAS, on March 16, 2020 the Mayor of the City of San Angelo, Texas declared a local disaster under Section 418.108 of the Texas Government Code (the Declaration) and enacted the municipal powers to protect health of the community under §122.006 of the Texas Health and Safety Code due to a public health emergency due to the COVID-19 coronavirus; and

WHEREAS, in accordance with Texas Government Code Section 418.108(b), the Declaration of disaster may not be continued or renewed for a period of more than seven (7) days except with the consent of the San Angelo City Council; and

WHEREAS, the requirements adopted in the Declaration related to Chapter 122.006 of the Texas Health and Safety Code shall remain in place; and

WHEREAS, since the Declaration was issued the Center for Disease Control has issued more restrictive requirements than were recommended at the time of the Declaration; and

WHEREAS, since March 16, 2020 it has become clear that there is community spread of the COVID-19 virus within the State of Texas; and

WHEREAS, on March 19, 2020 the Governor of the State of Texas made a statewide Declaration that has more restrictive requirements than the Declaration; and

WHEREAS, on March 19, 2020, the City Council extended the emergency declaration of March 16, 2020 until April 3, 2020 and placed additional requirements on the citizens of San Angelo, and

WHEREAS, since the March 19, 2020 declaration, the situation in San Angelo has received test results showing positive cases of COVID-19 related to travel as well as community spread; and

WHEREAS, the Mayor and Council of the City of San Angelo have determined that further measures must be taken to protect the health, safety and welfare of the citizens of the City of San Angelo and the health systems which serve those citizens; and

WHEREAS, the City Council of the City of San Angelo, Texas, pursuant to Texas Government Code Section 418.108(b), has consented to continue the declaration of local state of medical emergency for the City of San Angelo.

NOW THEREFORE, BE IT DECLARED BY THE MAYOR OF THE CITY OF SAN ANGELO, that:

- 1.) The Declaration of state of public health emergency for the City of San Angelo resulting from the COVID-19 coronavirus is hereby continued and amended as follows. All provisions of the March 19, 2020 declaration, not otherwise amended by this declaration shall remain in place.
- 2.) Pursuant to the authority granted to the City under §122.006 of the Health and Safety Code the following additional prohibitions on public or private Community Gatherings is hereby enacted:

Section 1. Stay at Home or Place of Residence.

All individuals living within the City of San Angelo shall remain in their place of residence except as allowed by this Declaration. To the extent that individuals are using shared or outdoor spaces, they shall, to the greatest extent feasible, maintain social distancing of at least six feet from any other person. All persons may only leave their residences to perform Essential Activities or to report to work or engage in personal business with Essential Business or in Critical Infrastructure.

Section 2. All Non-Essential Businesses/Recreational Facilities Must Close. This includes all gyms, massage services, nail services and salons, hair services and salons, tattoo services, piercing services, and face or body waxing services and all businesses in which person to person contact is required in the performance of the service and not included in the Critical Infrastructure and Essential Businesses as listed in Sections 6 and 7. All malls shall also close.

The following private or public recreational or entertainment facilities must be closed, this includes but is not limited to all theatres, sexually oriented businesses, skating rinks, bowling alleys, swimming pools, dance studios, playgrounds, basketball courts, tennis courts, beaches, and camping areas.

Congregating at parks, docks or boat ramps is strictly prohibited.

Section 3. Prohibited Gatherings. All public and private gatherings of any number of people occurring outside of a single household or dwelling unit are prohibited. Nothing prohibits members of a household or dwelling unit from gathering inside the dwelling unit or in an enclosed space or defined yard outside.

Household means any persons living together in the same house as a family unit or under a shared lease.

Section 4. Travel. To the largest extent possible, people on public transit shall comply with Social Distancing Requirements and sit at least six feet apart.

Section 5. Essential Activities. Persons may leave their residences to perform any of the following "Essential Activities".

- a. **For Health and Safety.** Individuals may engage in activities or perform tasks essential to their health and safety, or to the health and safety of their household members including pets, to work for or obtain services at any Healthcare Facility.
- b. **For Necessary Supplies and Services.** Individuals may obtain necessary services or supplies for themselves and their family or household members, or to deliver those supplies to others, such as groceries and food, pet supplies and food, supplies needed to work from home, household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
- c. **For Outdoor Activity.** Individuals may engage in limited outdoor activity such as walking, hiking, bicycling, or running provided individuals comply with Social Distancing requirements and remain at least six feet from persons that are not part of their household.
- d. **Types of Work.** Individuals may perform work providing essential products and services listed as Critical Infrastructure or Essential Businesses.
- e. **To Take Care of Others.** Individuals may care for a family member or pet in another household or church staff/clergy may travel for the purpose of remote delivery of religious services or other ministerial duties requiring travel.

Section 6. Critical Infrastructure. Critical Infrastructure shall be defined as the following:

- a. Banking and financial institutions
- b. Transit and transit facilities, transportation and logistics
- c. Power, water, telecommunication, natural gas, and public utilities
- d. Critical manufacturing including components for primary metals, machinery, electoral equipment and components, health and safety products and equipment, and transportation equipment including the sales and service of automobiles.
- e. Information and communication including the press
- f. Emergency services
- g. Fire and law enforcement
- h. Public health and medical services and suppliers
- i. Public works
- j. Agriculture and food
- k. Airport facilities and operations
- l. Sanitation services
- m. Government services as designated by the City Manager
- n. Construction including construction of public works, housing, social services, and commercial facilities
- o. Personnel and industries not otherwise listed but identified in the US. Department of Homeland Security Cyber and Infrastructure Security Agency's memorandum found at https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_Version_2.0_Updated.pdf and businesses allowed under Texas Executive Order GA-14 found at <http://tdem.texas.gov/essentialservices/>.

Critical Infrastructure should to the largest extent possible maintain social distancing guidelines and perform services remotely whenever possible.

Section 7. Essential Business shall include:

- a. **Healthcare Operations.** Includes caregivers, hospital and laboratory personnel, pharmacy employees, hospitals, clinics, dentist, pharmacies, healthcare suppliers, home healthcare service providers, mental health providers, and related retail sales and/or ancillary healthcare services. This also includes veterinary services. This **does not include** fitness and exercise gyms or other similar facilities and does not include retail outlets that sell electronic cigarette products or cannabidiol products.
- b. **Stores that Sell Groceries or Other Essentials.** This includes grocery stores, supermarkets, farmers markets, food banks, convenience stores, liquor stores, and other establishments in the retail sale of canned food, dry goods, fresh fruits and vegetables, fresh meat, fish and poultry, and any other household consumer products such as cleaning and personal care products. This includes stores that sell other non-grocery items and items necessary to maintaining the safety, sanitation, and essential operations of residences.

These stores shall not allow more than 100 people or half of the approved occupancy to be present in the store at any one time and must maintain at least six feet between customers, including those waiting to get in. All common surfaces must be cleaned frequently and any sick employees must be sent home.

There shall be one controlled entrance manned by someone who is limiting access to no more than 100 at a time and who is ensuring social distancing outside.

- c. **Food Cultivation** including farming and livestock.
- d. **Social Services and Charitable Organizations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

These services shall operate remotely to the largest extent possible and maintain social distancing requirements as feasible.

- e. **News Media.**

- f. **Gas Station, Auto Dealerships, and Auto Repair or Supply Stores.**

These facilities may not allow more than ten persons in a room at a time while maintaining proper social distancing. All common surfaces must be cleaned frequently.

- g. **Financial Institutions** including banks, consumer lenders, sales and finance lenders, credit unions, appraisers, title companies, pawnshops, entities that issue bonds, insurance companies, underwriters, agents, brokers and related insurance claims and agents.

These services shall be performed remotely or without direct contact with the customer to the amount that is feasible. All common surfaces must be cleaned frequently and no more than 10 people shall be in a room allowing six feet of space between each person.

- h. **Hardware/Building Supply Stores.** Stores that sell electrical, plumbing, and other building repair items.

These stores shall not allow more than 100 people or half of the approved occupancy to be present in the store at any one time and must maintain at least six feet between customers, including those waiting to get in. All common surfaces must be cleaned frequently and any sick employees must be sent home.

There shall be one controlled entrance manned by someone who is limiting access to no more than 100 at a time and who is ensuring social distancing outside.

- i. **Critical Trades** including plumbers, electricians, exterminators, and pool cleaners must to the fullest extent keep six feet from others and workers should limit as much as possible, access to interior areas of private residences in the performance of this work.

- j. **Mail and Package Delivery Services.**

These businesses shall be operated in such a way to minimize in person interaction with customers. Sorting facilities shall make all attempts to allow for proper social distancing of employees.

k. **Laundry Services and Facilities.**

These facilities shall not allow more than 10 people in a room with six feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

l. **Restaurants/Bars for Consumption off Premises (Carryout and Delivery Only).**

These facilities shall close no later than 10 PM and shall require enhanced cleaning of surfaces and handwashing of all employees. Direct contact with customers shall be limited as much as is feasible.

m. **Businesses that Supply Items Necessary to Work from Home.**

These facilities shall not allow more than 10 people in a room with six feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

This includes businesses that sell primarily arts and crafts supplies and recreational equipment.

n. **Business that Supply Computers, Audio and Visual Electronics, Microelectronics, Semiconductors, or Components.**

These facilities shall not allow more than 10 people in a room with six feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

o. **Food Delivery Services.**

These businesses shall be operated in such a way to minimize in person interaction with customers.

p. **Transportation** including taxis, Uber, and Lyft drivers.

Vehicles must be sanitized after every customer. Drivers shall not perform services if they are demonstrating symptoms of illness.

q. **Home Based Care** services for seniors, adults or children.

r. **Residential Facilities and Shelters.**

Shall be operated in compliance with CDC guidelines for these types of facilities. Sick employees shall be sent home immediately.

s. **Professional Services** including legal, accounting, insurance, real estate if necessary to meet an essential business or government need.

These services shall be performed remotely or without direct contact with the customer to the amount that is feasible. These facilities shall not allow more than 10 people in a room with six feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

t. **Information Technology Services and Essential Service Vendors** including telecommunications services, internet services, and broadband services.

These services shall be performed remotely or without direct contact with the customer to the amount that is feasible. These facilities shall not allow more than 10 people in a room with six

feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

u. **Hotels and Motels.**

These facilities shall use enhanced cleaning measures and to the extent possible avoid direct contact with customers. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

v. **Funeral Services.**

All efforts shall be made to limit the number of persons gathered to less than 10 with proper social distancing.

w. **Educational Institutions.**

x. **Childcare Facilities.**

These facilities shall operate in compliance with State of Texas rules.

3.) In addition to the above, the following actions are hereby enacted:

- a. No itinerant or temporary health permits shall be issued by the City of San Angelo.
- b. All fee increases to take place in Fiscal Year 2020/2021 under the adopted San Angelo Budget Policy are hereby postponed and will be re-evaluated in accordance with the policy in preparation for the Fiscal Year 2021/2022 annual Budget.
- c. The City Manager is authorized to enter into any agreements necessary to provide shelter or basic needs related to this declaration.
- d. Hillside Drive and Gun Club Trail, otherwise known as the KOA trail, shall be closed to pedestrian traffic.
- e. Late fees assessed by the water utility from April 1, 2020 through April 30, 2020 shall be waived.

4.) This Declaration continues to activate the City's Emergency Management Plan;

5.) This Declaration continues to activate all applicable local or inter-jurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the Declaration.

6.) This Declaration continuing a local disaster and public health emergency shall be effective 12:01 a.m. April 2, 2020 through 11:59 p.m. April 30, 2020, provided however that this declaration may be continued or renewed beyond that date only with the consent of the City Council of the City of San Angelo, Texas. In the event of a conflict between this Declaration and Texas Governor Executive Order GA-14 with regards to restriction of essential services, then the Executive Order of the Governor shall control.

7.) The sections, paragraphs, sentences, clauses and phrases of this Declaration are severable and if any phrase, clause, sentence, paragraph or section of this Declaration should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Declaration that can be given effect without the invalid provision, and to this

end the provisions of this Order are severable. Any provision of the Declaration issued on March 19, 2020, not herein amended shall remain in full force and effect.

- 8.) This Declaration shall be given prompt and general publicity and shall be filed promptly with the City of San Angelo City Clerk; and

It is hereby ORDERED, this 1st day of April, 2020.

Brenda Gunter, Mayor

Approved as to Form:

Attest:

Theresa James, City Attorney

Julia Antilley, City Clerk