



City Council Agenda 11/22/2022

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held November 22, 2022 at 10:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order

2. Public Comment

Issues or concerns not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, address all comments to the dais, begin by stating their name and address or Single Member District number, and limit their remarks to less than three minutes.

3. Consent Agenda

- a. Consider a resolution canvassing the returns and declaring the results of the Special Election held November 8, 2022 (Presentation made by City Clerk Julia Antilley)

4. Follow Up and Administrative Issues

5. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of San Angelo, Texas, on the 18th day of November 2022, at 1:22 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.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Julia Antilley, City Clerk, City Clerk, 325-657-4405

Meeting Date: November 22, 2022

Item type: Consent Item

Caption:

Consider a resolution canvassing the returns and declaring the results of the Special Election held November 8, 2022 (Presentation made by City Clerk Julia Antilley)

Staff Recommendation:

Adopt

Summary/History:

The canvassing of elections is required by the Election Code to take place between 3 and 14 days following a November election, after the Early Voting Ballot Board has verified and counted all provisional ballots.

While the final numbers from the EVBB will not be finalized until next week, the attached draft resolution shows the Unofficial Results as published election night, November 8, 2022.

The resolution will be updated with official numbers and Exhibit A will be added when available.

Funding Source(s):

Financial Impact:

Election expenses will be invoiced at the rates outlined in the existing election contract with Tom Green County. The estimated election expenses from publications, notices, and the county contract are estimated to exceed \$51,000.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|--|
| 1. | 2022-11-22 (xx) Resolution 2022-xxx Canvassing
Petition Election | 2022-11-22 (xx) Resolution 2022-xxx Canvassing
Petition Election.docx |
| 2. | Exhibit A Resolution | Exhibit A Resolution.pdf |

Presentation:

Julia Antilley

Approvals/Reviews:

Julia Antilley
Theresa James
Julia Antilley

Created/Initiated
Approved
Final Approval

RESOLUTION 2022-010

A RESOLUTION OF THE CITY OF SAN ANGELO, TEXAS, CANVASSING RETURNS OF THE SPECIAL ELECTION HELD ON THE 8TH DAY OF NOVEMBER 2022, FOR THE PURPOSE OF PROPOSING TO THE VOTERS A PROPOSITION TO MAKE SAN ANGELO A SANCTUARY CITY FOR THE UNBORN AND OUTLAWING ALL ABORTION; DECLARING RESULTS OF THE SPECIAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Resolution No. 2022-069 of the City of San Angelo, Texas, adopted on the 16th day of August 2022, a Special Election was duly held on November 8, 2022, for the purpose of submitting a proposition pertaining to the adoption or rejection of a proposed city ordinance pursuant to the initiating provisions of the San Angelo City Charter; and

WHEREAS, the said Special Election was posted in the manner and for the length of time required by law; and

WHEREAS, only duly qualified resident voters in the City of San Angelo, Texas, voted at the Special Election held November 8, 2022; and

WHEREAS, section 67.003 of the Texas Election Code, as amended, generally provides that each local canvassing authority shall not convene for the purpose of canvassing the election results earlier than the later of the third day after the election day, or the date on which the early voting ballot board has verified and counted all provisional ballots, if any, or the date on which all timely received ballots cast from addresses outside of the United States are counted, if any; and, not later than the fourteenth day after a November election day in an even number year; and

WHEREAS, section 67.004(a) of the Texas Election Code, as amended, establishes the quorum level required to canvass election results to be two members of the canvassing authority; and

WHEREAS, a quorum of the City Council met on Tuesday, November 22, 2022, and duly canvassed the election returns of the above described Special Election, attached hereto as **Exhibit "A"**.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN ANGELO, TEXAS THAT:

Section 1: The City Council officially finds and determines that the said election was duly ordered to be held in the City of San Angelo, Texas on the 16th day of August 2022, for the purpose proposing to the voters to make San Angelo a Sanctuary City for the Unborn and outlawing all abortion; that proper notices of said election were duly given; that proper election officers were duly appointed prior to said elections; that said election has been duly made and election returns delivered; and that the City Council has duly canvassed said returns all in accordance with law.

Section 2: The City Council officially finds and determines that only qualified resident voters in the City of San Angelo were allowed to vote; the following votes were cast; the canvass of the votes cast in the November 8, 2022 election and returns, which is attached hereto as **Exhibit "A"**, were made in accordance with the law either for or against the proposed proposition.

Proposition A: The Code of Ordinances for the City of San Angelo shall be amended by enacting an ordinance outlawing abortion, declaring San Angelo a Sanctuary City for the Unborn, making various provisions and findings, providing for severability, and establishing an effective date.

Unofficial Results to be amended 11/21/2022	Early/Absentee	Election Day	Total	
Proposition A				
For the Ordinance	8,899	4,281	13,180	56.02 %
Against the Ordinance	6,853	3,496	10,349	43.98 %

Section 3: Pursuant to the applicable provisions of the Texas Local Government Code, Texas Election Code, and the City of San Angelo, Texas Home-Rule Charter, the City Council officially finds, determines, and declares the results of said Special Election to be that Proposition A amending the City Code of Ordinances to enact an ordinance outlawing abortion, declaring San Angelo a Sanctuary City for the Unborn, passed by majority vote of the votes cast in the City of San Angelo and the City Code of Ordinances will be amended to include the text provided by the Initiating Committee.

Section 4: This Resolution shall be effective immediately upon its adoption.

The above Resolution was, upon motion made by _____ Council Member _____ and seconded by _____ Council Member _____, duly passed and adopted by the City Council of the City of San Angelo, Texas on the 22nd day of November 2022.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

TBD, Presiding Officer

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT A – ELECTION RETURNS

EXHIBIT A - UNOFFICIAL RESULTS**Cumulative Results Report**

110822 General Special Election ED

Run Time 11:31 PM

Run Date 11/08/2022

Tom Green County

110822 General/Special

11/8/2022

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Unofficial Results**Registered Voters**

31891 of 71207 = 44.79%

Precincts Reporting

0 of 38 = 0.00%

Judge, Court of Criminal Appeals, Place 6

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jesse F. McClure, III	REP	995	57.82%	14,458	77.74%	8,386	77.02%	23,839	76.39%
Robert Johnson	DEM	726	42.18%	4,140	22.26%	2,502	22.98%	7,368	23.61%
Cast Votes:		1,721	100.00%	18,598	100.00%	10,888	100.00%	31,207	100.00%
Undervotes:		45		396		243		684	
Overvotes:		0		0		0		0	

Justice, 3rd Court of Appeals District, Place 4

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Lesli R. Fitzpatrick	REP	1,003	58.38%	14,446	77.86%	8,373	76.98%	23,822	76.48%
Rosa Lopez Theofanis	DEM	715	41.62%	4,107	22.14%	2,504	23.02%	7,326	23.52%
Cast Votes:		1,718	100.00%	18,553	100.00%	10,877	100.00%	31,148	100.00%
Undervotes:		48		441		254		743	
Overvotes:		0		0		0		0	

County Judge

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Lane Carter	REP	1,143	84.60%	15,503	97.25%	9,316	97.66%	25,962	96.76%
Gary Jenkins (W)		208	15.40%	439	2.75%	223	2.34%	870	3.24%
Cast Votes:		1,351	100.00%	15,942	100.00%	9,539	100.00%	26,832	100.00%
Undervotes:		415		3,052		1,592		5,059	
Overvotes:		0		0		0		0	

Proposition A

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR THE ORDINANCE		732	51.48%	8,167	56.99%	4,281	55.05%	13,180	56.02%
AGAINST THE ORDINANCE		690	48.52%	6,163	43.01%	3,496	44.95%	10,349	43.98%
Cast Votes:		1,422	100.00%	14,330	100.00%	7,777	100.00%	23,529	100.00%
Undervotes:		70		407		172		649	
Overvotes:		3		0		0		3	