

# *City of Uvalde*

## **CITY COUNCIL AGENDA**

**REGULAR MEETING**  
***Tuesday May 28, 2024***  
***6:00 P.M.***



### **COUNCILMEMBERS:**

*Vacant - Mayor*

*Everardo "Lalo" Zamora - Mayor Pro Tem*

*Hector R. Luevano – District 2*

*Eloisa R. Medina – District 3*

*Stephen E. Balke – District 4*

*Ernest W. "Chip" King, III – District 5*

**CITY OF UVALDE, TEXAS  
REGULAR CITY COUNCIL MEETING  
6:00P.M., TUESDAY MAY 28, 2024  
CITY HALL COUNCIL CHAMBERS**

**AGENDA**

Page

**1. CALL MEETING TO ORDER**

**2. INVOCATION**

**3. PLEDGE OF ALLEGIANCE**

**4. CITIZENS INPUT**

Citizens are requested to sign up prior to council meeting if requesting time to address council. Presentations will be limited to no more than three (3) minutes.

**5. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**

5.A. Recognition of Jimmy Joe Howard for years of service to the City of Uvalde.

**6. REPORT**

5 - 11

6.A. Report by David Smith on the City of Uvalde Municipal Golf Course.  
[D. Smith Report](#)

**7. DISCUSSION**

12 - 13

7.A. Discuss formation of a grant committee.  
[SW Neighborhood Uvalde Resolution Packet](#)

**8. CONSENT AGENDA**

*(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests an item be removed and considered separately).*

14 - 16

8.A. Consider the minutes of the May 14, 2024 Regular City Council meeting.  
[Regular Council - May 14 2024 - Minutes - Pdf](#)

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8.B. Consider payment of bills over \$5,000.00 from May 10, 2024, through May 24, 2024.  
[AP in Excess of 5000 ending May 24th](#)

**9. NEW BUSINESS**

18 - 19

9.A. Consider a resolution for the Rotary Club regarding the city's commitment to its splash pad project.  
[SPLASH PAD RESOLUTION 2024](#)

9.B. Consider applying for EPA Community Change Grant up to \$10,000,000 for sustainable development of park facilities and access.

20 - 22

9.C. Consider approval of pay request #12 in the amount of \$131,398.98 and pay request #13 in the amount of \$298,357.91 to LEM Construction Co.

for work performed through March 31, 2024 on the Waste Water Treatment Plant Repairs and Upgrades Project.

[Business of the Council Report - Business of the Council Report-24-020 - Pdf](#)

[LEM Pay Request #12](#)

[LEM Pay Request #13](#)

- 23 9.D. Consider approval of pay request #1 in the amount of \$148,500.00 to LEM Construction Co. for work performed through April 30, 2024 on Phase 2 of the Waste Water Treatment Plant Repairs and Upgrades Project.  
[Pay Request #1](#)
- 24 - 33 9.E. Consider the election calendar for office of mayor.  
a) Resolution calling a Special Election to fill vacancy in the office of mayor.  
b) Ordinance clarifying the process for filling a vacancy in the office of mayor.  
[Special Election](#)  
[Ord- Mayor vacancy](#)

#### 10. EXECUTIVE SESSION

- 10.A. Convene into executive session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, to discuss pending or contemplated litigation or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, related to the Robb Elementary School incident on May 24, 2022.
- 10.B. Convene into executive session pursuant to Texas Government Code Section 551.072, deliberations regarding real property.

#### 11. ADJOURNMENT

Certificate: I certify that the above and foregoing notice was posted in compliance with 551.043, Texas Government Code at 4:00 P.M. on May 24, 2024.



Vince DiPiazza, City Manager

In this Notice of Open Meeting, the posting of an agenda item as a matter to be discussed in open session is not intended to limit or require discussion of that matter in open session if it is otherwise appropriate to discuss the matter in executive session. If, during the discussion of any agenda item, a matter is raised that is appropriate for discussion in executive session the council may, as permitted by law, convene into executive session to deliberate on the matter. The posting of an agenda item as a matter to be discussed in executive session is not intended to limit or require discussion of that matter in executive session. The council may discuss in open session any matter for which notice has been given in this notice of open meeting including an agenda item posted for executive session. In no event, however, will the council take action on any agenda item in executive session, whether it is posted for open or executive session discussion.

City Hall Municipal Building is wheelchair accessible with accessed and special parking available on the West Side of the Building. The Council Chamber is accessible by elevator to the second floor. Requests for special services must be received forty-eight (48) hours prior to meeting time by calling City Hall (830) 278-3315.

#### CERTIFICATION

I, the undersigned authority, do hereby certify that the attached agenda of meeting of the City of Uvalde City Council is a true and correct copy and that I posted a true and correct copy of said notice on two glass public notice cases at City Hall, readily accessible to the general public at all times, and said Notice was posted on the 24 day of May 2024 and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.



\_\_\_\_\_  
Sorayda A. Sanchez, City Secretary

I certify that the attached agenda of items to be considered by the City Council was removed by me from the City of Uvalde City Hall glass public notice cases on the \_\_\_\_ of \_\_\_\_\_, 2024.

\_\_\_\_\_ Title: \_\_\_\_\_

# P&D Consulting

## ASSOCIATIONS:

Members of USGA  
Members of Central Tx Superintendent Association  
Members of PGA Professional Golf Association  
Members of JHIN Handicap WorldWide  
Members of Chamber of Commerce, Uvalde Texas  
West Texas HUB for First Tee, Kids 9-13

## TOURNAMENTS:

Local spring tournament-2 man low ball (50 players)  
April 27th UGA (108 players)  
May 25th FireFighters (expect 60-80 players)  
June 1st St. Henry's (expect 60-80 players)  
TBD Walmart Tournament  
4th of July -5,6,7 (expect 100 players)  
Texas A&M Mothers (60-80 players)  
TBD Knights of Columbus  
10/26 Renfro  
TBD Club Championships (40-50 players)  
Thursday Scrambles (20-30 players)

## ROUNDS:

10/1/2021 to 09/30/2022	11,633
10/1/2022 to 09/30/2023	13,077
10/1/2023 to 03/31/2024	3,320

## LESSONS:

Regular	11
Seniors	6
Children	5

## Total Yearly Revenue Comparison:

10/1/2021 to 09/30/2022	\$474,901.30
10/1/2022 to 09/30/2023	\$546,877.81

**FINANCIALS: 10/1/2023 to 03/31/24**

Revenues	\$260,525.00
Expenses	\$230,562.00
Profit	\$29,963.00

**FUTURE PROJECTS:**

- Tree Removal
- Bunker Renovations
- Continue with irrigation repairs



# COLEMAN, HORTON & COMPANY, LLP

Certified Public Accountants

400 E. NOPAL STREET • UVALDE, TEXAS 78801-5305  
www.colemanhortoncpa.com

DEBORAH V. McDONALD, CPA  
DEREK L. WALKER, CPA  
DUSTY R. ROUTH, CPA  
MELINDA D. KORCZYNSKI, CPA

TEL (830) 278-6276  
FAX (830) 278-6868  
chc@colemanhortoncpa.com

## Accountant's Compilation Report

To The Member  
P & D Consulting, LLC  
2016 Farias  
Laredo, Texas 78041

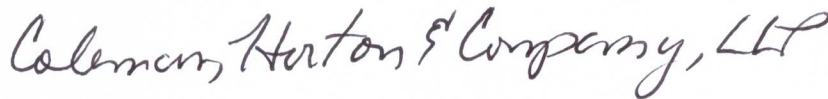
Management is responsible for the accompanying financial statements of P & D Consulting, LLC, which comprise the statement of assets, liabilities, and member's deficit –tax basis as of March 31, 2024, and the related statement of revenue, expenses, and member's deficit –tax basis, and the related statement of cash flows–tax basis for the six months then ended, and for determining that the tax basis of accounting is an acceptable financial reporting framework. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

The financial statements are prepared in accordance with the tax basis of accounting, which is a basis of accounting other than the accounting principles generally accepted in the United States of America.

Management has elected to omit substantially all the disclosures ordinarily included in financial statements prepared in accordance with the tax basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Company's assets, liabilities, equity, revenue and expenses. Accordingly, the financial statements are not designed for those who are not informed about such matters.

The accompanying financial statements have been prepared solely from the accounts of P & D Consulting, LLC, and they do not include the personal accounts of the member or those of any other operations in which the member is engaged. The member's federal income taxes are computed on his total income from all sources. Accordingly, no provision for such taxes is included in these statements.

We are not independent with respect to P & D Consulting, LLC.



Certified Public Accountants  
May 22, 2024

**P & D Consulting, LLC**  
**Statement of Assets, Liabilities, and Member's Deficit - Tax Basis**  
**For the Six Months Ended March 31, 2024**

**Assets**

**Current Assets**

Cash in bank	\$	10,500
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<b>Total Current Assets</b>		<b>10,500</b>
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**Fixed Assets**

Vehicles		85,951
Equipment		6,670
Less: accumulated depreciation		(79,972)

<b>Total Fixed Assets</b>		<b>12,649</b>
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<b>Total Assets</b>	<b>\$</b>	<b>23,149</b>
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**Liabilities and Member's Deficit**

**Current Liabilities**

Credit Card Liability	\$	12,156
Short term portion of long term debt		14,263

<b>Total Current Liabilities</b>		<b>26,419</b>
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**Long Term Liabilities**

Long term portion of debt		27,426
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<b>Total Long Term Liabilities</b>		<b>27,426</b>
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<b>Total Liabilities</b>		<b>53,845</b>
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<b>Total Member's Deficit</b>		<b>(30,696)</b>
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<b>Total Liabilities and Member's Deficit</b>	<b>\$</b>	<b>23,149</b>
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**P & D Consulting, LLC**  
**Statement of Revenue and Expenses - Tax Basis**  
**For the Six Months Ended March 31, 2024**

<b>Revenue</b>	
Consulting income	\$ 260,153
Other Income - Refund	\$ 372
<b>Total Revenue</b>	<b>260,525</b>
<b>Cost of Goods Sold</b>	
Purchases	32,515
<b>Total COGS</b>	<b>32,515</b>
<b>Total Revenue</b>	<b>228,010</b>
<b>Operating Expenses</b>	
Advertising and promotion	1,151
Bank service charges	2,065
Consulting Expense	2,001
Contract labor	90,936
Credit card processing fees	5,802
Depreciation Expense	5,675
Dues and subscriptions	1,031
Equipment Rental	1,456
Gas	6,171
Insurance Expense	8,511
Interest expense	2,255
Lease Expense	8,599
Licenses and permits	581
Meals	2,914
Office supplies	265
Penalties and Fees	128
Pest control	160
Postage	238
Professional fees	2,912
Rent Expense	6,141
Repairs and Maintenance	11,146
Security	1,612
Supplies	9,883
Taxes	19,891
Telephone expense	3,369
Uniforms	1,794
Utilities	1,363
<b>Total Operating Expenses</b>	<b>198,047</b>
<b>Revenue in Excess of Expenses</b>	<b>29,963</b>

**P & D Consulting, LLC**  
**Statement of Revenue and Expenses - Tax Basis**  
**For the Six Months Ended March 31, 2024**

Member's Deficit at October 1, 2023	(29,911)
Contributions	500
Distributions	<u>(31,249)</u>
Member's Deficit at March 31, 2024	<u>\$ (30,696)</u>

**P & D Consulting, LLC**  
**Statement of Cash Flows**  
**For the Six Month Ended March 31, 2024**

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**Cash Flows from Operating Activities**

Net Income \$ 29,963

**Adjustments to Net Income**

Adjustments to reconcile Net Income (Loss) to net Cash:

Depreciation Expense 5,675

Increase (Decrease) in:

Liability to Ford Motor Credit (7,502)

Liability Discover Credit Card 2,607

**Total Adjustments** 781

**Net Cash Provided By (Used In) Operating Activities** **30,744**

**Cash Flows from Investing Activities**

**Cash Flows from Financing Activities**

Owner Contributions 500

Owner Draws (31,249)

**Net Cash Provided By (Used In) Financing Activities** **(30,749)**

**Net Increase (Decrease) in Cash** **(5)**

Cash at Beginning of Period 10,505

Cash at End of Period \$ 10,500

## Resolution No. \_\_\_\_\_

### **A resolution of the City of Uvalde, Texas in support of creating a Grant Search, Procurement, and Implementation Committee.**

WHEREAS, the City of Uvalde recognizes the serious need for street and neighborhood infrastructure upgrades, maintenance and improvements in the city; and

WHEREAS, the present budget constraints prohibits the city from addressing the majority of these needs in a timely manner; and

WHEREAS, completion of these street upgrades and neighborhood capital improvements will noticeably improve the quality of life and health of our community; and

WHEREAS, the Uvalde Southwest Neighborhood Association (USNA) with members from all districts in the city, it's volunteers, and concerned citizens have come forward with proposals and resources for alternative funding for these projects;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS:

1. The City Council of Uvalde hereby creates a Grant Search, Procurement, and Implementation Committee (GSPI Committee).
2. That the GSPI Committee shall consist of the City Manager, three city staff members, three members of the USNA and two at large members from the community, citizen membership shall be 2-year terms.
3. Quorum. A quorum shall consist of five members. A motion to approve any matter before the committee or to recommend approval of any request requiring city council action shall require a majority vote of the quorum members present.
4. That the GSPI Committee shall have its first meeting no later than 10 working days after passage of this resolution.
5. That the GSPI Committee shall produce a Master Grant Strategy Plan for the City of Uvalde with emphasis on capital improvements for review and consideration by the City Council no later than 20 working days after passage of this resolution.
6. That the GSPI Committee's main function shall be to identify grants with reasonable probability of success by gathering and researching the appropriate data and recommending such grants to City Council for consideration.
7. That the GSPI committee's additional function shall be to review and monitor selected grant's progress during the grant writing, application, and execution phases.
8. That the GSPI Committee shall initially focus on the feasibility, application processes and data collection required for decision making on the following grants:

- A. Fixing America's Surface Transportation Act Grant.
- B. Safe Streets for All Planning & Demonstration Grant.
- C. Neighborhood Access and Equity Grant.

- 9. That the City Council shall decide which grants to pursue and who will perform the grant writing and grant administration duties on all grants approved by the City Council.
- 10. Dismissal of Members. The council shall have the authority to dismiss members with or without cause or to abolish the committee with or without cause.
- 11. This resolution shall take effect immediately upon its adoption.

ADOPTED by the City Council of Uvalde, Texas this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary



# MINUTES

## Regular City Council Meeting

6:00PM - Tuesday May 14, 2024

City Hall-Council Chambers

101 E. Main St.

Uvalde, TX 78801

The Regular City Council meeting of the City of Uvalde was called to order on Tuesday May 14, 2024, at 6:00PM, in the City Hall, Council Chambers, with the following members present:

**COUNCIL PRESENT:** Everardo "Lalo" Zamora-Mayor Pro-Tem  
Hector R. Luevano-Council Member District 2  
Eloisa R. Medina-Council Member District 3  
Stephen Balke-Council Member District 4  
Ernest "Chip" King-Council Member District 5

**COUNCIL ABSENT:**

**STAFF PRESENT:** Vince DiPiazza-City Manager  
Joe A. Cardenas-Assistant City Manager  
Paul Tarski-City Attorney  
Alexandra Wegrzyn-City Attorney  
Sorayda A. Sanchez-City Secretary  
Susan Anderson-Director of Planning and Development  
Jovita Maldonado-Code Enforcement Officer  
Felix Castillo-Director of Finance  
Chief Homer Delgado-Uvalde Police Department  
Assistant Chief Michael Davis-Uvalde Police Department  
Officer Fernando Fernandez-Uvalde Police Department

### 1 CALL MEETING TO ORDER

### 2 INVOCATION

### 3 PLEDGE OF ALLEGIANCE

### 4 CITIZENS INPUT

Citizens are requested to sign up prior to council meeting if requesting time to address council. Presentations will be limited to no more than three (3) minutes.

*Denise Feldtman addressed Mayor Pro-Tem and Council and expressed her thoughts on the law enforcement response to the Robb School incident. Mrs. Feldtman examined the law enforcement responses to school shootings throughout the years and shared her findings with the council.*

*Jose Juan Gutierrez addressed Mayor Pro-Tem and Council. Mr. Gutierrez is a resident of 476 FM 481 and stated that he does not have any water at that property. He would like to request water from the City of Uvalde. The council advised Mr. Gutierrez to contact staff for an Outside the City Limits Utility application.*

*Amy Marin addressed Mayor Pro-Tem and Council and expressed her thoughts on the law*



*enforcement response to the Robb School incident.*

## **5 CONSENT AGENDA**

*(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests an item be removed and considered separately).*

- 5A.** Consider the minutes of the April 23, 2024 Regular City Council meeting.
- 5B.** Consider payment of bills over \$5,000.00 from April 19, 2024 through May 10, 2024.
- 5C.** Consider request from Barbara Burell for free use of 2 trash roll-off containers for the annual HOTT Days (Helping Out The Town) youth event. The roll-off containers will be set up at the First United Methodist Church parking lot from June 24-26, 2024.

*Motion to approve consent agenda items 5A-5C made by Council Member Chip King. Motion seconded by Council Member Eloisa R. Medina. Motion carried 5-0.*

## **6 PUBLIC HEARING AND ZONING MATTERS**

### **6A. Case File 17-24PZ**

**Consider the request of Alfred Garza to rezone property from Business 2 to Commercial Residential 1. The property address is 610 & 612 W. Main St., NCB 109, Shook Subdivision, Block 22, Lot D1 & D2, City of Uvalde, Uvalde County Texas.**

- a) Staff comments
- b) Public hearing
- c) Reconvene meeting for discussion and decision application

*Susan Anderson, Director of Planning and Development explained to Mayor Pro-Tem and Council that this address is located in front of Vasquez restaurant. The property owner has moved in structures that he plans to use as apartments. He is requesting a zone change from Business 2 to Commercial Residential 1. This change will allow the property owner to rent the buildings as residential apartments or offices. There were 19 letters mailed, 14 received, 5 unclaimed, and 1 returned. There was 1 letter received that was in favor and 1 letter received against.*

*Public hearing opened at 6:20PM*

*Public hearing closed at 6:20PM*

*Motion to approve Case File 17-27PZ made by Council Member Stephen Balke.*

*Motion seconded by Council Member Eloisa R. Medina. Motion carried 5-0.*

### **6B. Case File 19-24PZ**

**Consider the request of Ricardo Medina, dba El Imperio Homes LLC, to rezone property from Residential 1 to Residential 1b. The property address is 193 West Brazos St., Property ID 16123, 16124, 16125, NCB 259, Vanham Subdivision, Block 18, Lot 1,2,3, City of Uvalde, Uvalde County Texas.**

- a) Staff comments
- b) Public hearing
- c) Reconvene meeting for discussion and decision application

*Susan Anderson, Director of Planning and Development explained to Mayor Pro-Tem and Council that this property is located on Brazos St. The property owner subdivided the property into 4 lots, 3 lots will face Bowie St. and 1 will remain facing Brazos St. The property owner is requesting a zone change from Residential 1 to Residential 1b, to conform with the smaller lot sizes. Of the 27 letters mailed, 2 were returned with no oppositions.*

*Public hearing opened at 6:22PM*

*Ricardo Medina, property owner addressed Mayor Pro-Tem and Council. Mr. Medina stated he was present to answer any questions the council may have.*

*Public hearing closed at 6:23PM*

*Motion to approve Case File 19-24PZ made by Council Member Chip King. Motion seconded by Council Member Stephen Balke. Motion carried 5-0.*

## **7 NEW BUSINESS**

- 7A.** Consider declaring local state of disaster due to immigration crisis.

*Motion to approve agenda item 7A made by Mayor Pro-Tem Lalo Zamora. Motion seconded by Council Member Chip King.*

*Motion carried 5-0.*

## **8 EXECUTIVE SESSION**

- 8A.** Convene into executive session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, to discuss pending or contemplated litigation or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, related to the Robb Elementary School incident on May 24, 2022.

*Council entered executive session at 6:29PM*

*Council reconvened into open session at 7:10PM*

*No action taken.*

- 8B.** Convene into executive session pursuant to Texas Government Code Section 551.072, deliberations regarding real property.

## **9 ADJOURNMENT**

*Motion to adjourn made by Council Member Stephen Balke. Motion seconded by Council Member Chip King.*

*Motion carried 7:11PM.*

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Mayor

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City Secretary



# Accounts Payable in Excess of \$5,000.00

For the period ending May 24th, 2024

Requesting Approval to RELEASE payment

*\*\*\* The following payments are being held and will be released upon approval \*\*\**

NAME	AMOUNT	DESCRIPTION	DEPARTMENT	DEPT. HEAD	APPROVED BY
Vulcan	\$8,404.38	PB4 rock for Camp Street	Street	Juan Zamora	Felix Castillo
Pollution Control Services	\$6,776.00	Coliform, fecal, E. coli testing	Waste Water	Juan Zamora	Sonia Hernandez

## **RESOLUTION 2024-**

### **A RESOLUTION SUPPORTING A SPLASH PAD PROJECT SPONSORED BY THE ROTARY CLUB OF UVALDE, TEXAS**

**WHEREAS**, The Rotary Club of Uvalde, Texas is a service organization chartered on May 1, 1922. Our club follows the principles of Rotary International, a global network of 1.4 million neighbors, friends, leaders, and problem-solvers who see a world where people unite and take action to create lasting change – across the globe, in our communities, and in ourselves. Rotary members believe we share a responsibility to take action to improve our communities.

**WHEREAS**, The Rotary Club of Uvalde, Texas desires to design and build a splash pad at a public park of the City of Uvalde open to the public free of charge.

**WHEREAS**, The Rotary Club of Uvalde has identified the Jardin de los Heroes public park located at West Main Street in Uvalde, Texas as the optimum location for this facility. The diagram attached identifies the approximate location of the splash pad within the property and includes an area for other amenities that would enhance the enjoyment of the citizens using the facility such as tables, benches, and shade to encourage use and enjoyment for all age groups while providing protection from sun damage of ultraviolet rays for the adults supervising children at play.

**WHEREAS**, The timeline currently expected to plan, design, fund, and construct a splash pad is two years.

**WHEREAS**: The Rotary Club of Uvalde has embarked on a public funding campaign by conducting bingo games on July 8, 2023, at the Civic Center while at the same time creating community awareness and engagement in our splash pad journey. A second round of bingo games was held on September 23, 2023, at the Civic Center. The Rotary Club of Uvalde has planned other fund-raising activities that include one or more capital campaigns to solicit contributions from citizens, other charitable organizations, and governments having goals and purposes aligned with that of the Rotary Club of Uvalde and its splash pad project. The goal is to provide children of all abilities and their families access to physical, mental, and social benefits as well as financial benefits for the City of Uvalde as outlined below:

- Increasing economic development for an underutilized and economically disadvantaged area of the City of Uvalde;
- Promote travel and tourism in the City of Uvalde;
- improve the health, safety, and well-being of the citizens of Uvalde, Texas with an emphasis on safe outdoor activities that promote the physical fitness of participants;
- provide a venue for young children and mothers and/or caregivers to play and have fellowship in a safe and healthy environment;
- provide equal access to the facility to children with special needs who may or may not be bound by a wheelchair;
- and foster healing of all children and families in need.

**WHEREAS**, The Uvalde Rotary Club requests naming rights of the splash pad and/or components of such as may be negotiated with major benefactors or contributors by the Uvalde Rotary Club.

**WHEREAS**, The Uvalde Rotary Club seeks a commitment from the City of Uvalde to maintain the facility as follows:

1. Provide water and electricity for the splash pad.
2. Monitor the chemical composition of the water used in the splash pad for the health and safety of the users of the splash pad.
3. Provide exterior fencing to secure the facility when not in use and protect it from vandalism.
4. Provide parking for the users of the facility.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF UVALDE:**

**BASED ON THE IMPACT TO THE COMMUNITY OF UVALDE, THE UVALDE CITY COUNCIL WILL SUPPORT THE SPLASH PAD PROJECT SPONSORED BY THE ROTARY CLUB OF UVADE, TEXAS**

**DULY RESOLVED AND ADOPTED** by the Uvalde City Council this \_\_\_\_\_ day of  
**May, 2024.**

**CITY OF UVALDE**

\_\_\_\_\_  
**Everardo “Lalo” Zamora, Mayor Pro-Tem**

**ATTEST:**

\_\_\_\_\_  
**Sorayda A. Sanchez, City Secretary**



# CITY OF UVALDE

P.O. BOX 799, 78802-0799  
(830) 278-3315  
FAX: (830) 278-2234

## BUSINESS OF THE COUNCIL

SUBJECT: Repairs and upgrades to wastewater treatment plant-Pay out #12 and #13

PREPARED FOR: City council

MEETING DATE: May 28, 2024

STAFF CONTACT: Juan Zamora, Public Works Director

MEETING TYPE: Regular Council

DEPARTMENT/GROUP: Public Works

MEETING: Regular Council - May 28 2024

### BACKGROUND INFORMATION:

Objective: Submit payment for pay out #12 (\$298,357.91) and #13 (\$131,398.98)

Recommended Action: Approve payments

### BUDGET INFORMATION:

Was this a budgeted item? Yes

If not, where will funds be allocated from? 711-83-38-6706

<b><u>Expenditure Amount: \$ 429,756.89</u></b>	<b><u>Budget Amount:</u></b>
<b><u>Annual Cost:</u></b>	<b><u>One Time Cost:</u></b>

### Vendor Quotes

<b><u>Name of Vendor:</u></b>	<b><u>Cost:</u></b>
LEM	

ATTACHMENTS: [LEM-#12 and #13](#)



ESTIMATE AND CERTIFICATE FOR  
PAYMENT, UNIT PRICE WORK

Estimate No.: 12  
Cut off Date: 03/31/24  
Estimate Date: 03/31/24

Project name: CITY OF UVALDE, TEXAS WWTP REPAIRS AND UPGRADES PROJECT  
Contractor: LEM CONSTRUCTION CO.  
Address: 10849 KINGHURST, SUITE 150  
HOUSTON, TEXAS 77099

Contract No. 121358 (City-LEM)  
Project No./File No. 2022-06  
GFS No: N/A  
Ord No: N/A

Contract No.: 121358 (City-LEM)  
Start Date: 11/01/22  
Current Contract Completion Date: 11/26/23  
Substantial Completion Date: 11/26/23  
Percentage: By Time 132.56% In Place 100.05%

**CONTRACT TIME IN CALENDAR DAYS**  
Original Contract Time: 360 Days  
Approved Extensions: 30 Days  
Total Contract Time: 390 Days  
Days Used to Date: 517 Days  
Days Remaining to Date: -127 Days

**CONTRACT AMOUNT TO DATE:**

1 Original Contract Price		\$ 3,686,400.00
2 Approved Change Orders: No / Description	Amount	
1 Top Deck Coating	\$ -	
2 XFRM Pad	\$ 1,000.25	
3 MCC Slab	\$ 25,152.73	
4 VFD Upgrade	\$ 44,349.87	
5 Bypass Credit	\$ (29,202.00)	
Total Change Orders to Date:	+/- \$ 41,300.85	\$ 41,300.85
<b>TOTAL CONTRACT AMOUNT:</b>		<b>\$ 3,727,700.85</b>

**A. EARNINGS TO DATE:**

1 Work Completed to Date: <u>100.05</u> % Complete	\$ 3,729,473.85	
2 Materials Stored on Site:	\$ -	
3 Materials Stored in Place:	\$ -	
4 Balance - 95% Materials Accepted, Not in Work:	\$ - @95%	
<b>TOTAL EARNINGS TO DATE:</b>		<b>\$ 3,729,473.85</b>

**B. DEDUCTIONS:**

1 Retainage: 10% of <u>\$ 3,729,473.85</u>	\$ 372,947.39	
2 Add: Retainage Deduction:	\$ -	
3 Total Retainage:	\$ (372,947.39)	
<b>TOTAL DEDUCTIONS:</b>		<b>\$ (372,947.39)</b>

**C. AMOUNT DUE THIS PERIOD**

1 Total Earnings to Date:	\$ 3,729,473.85	
2 Total Deductions:	\$ (372,947.39)	
3 Total Payment Due:	\$ 3,356,526.47	
4 Less Previous Payments:	\$ 3,225,127.49	
5 Restoration Adjustment:	\$ -	
<b>TOTAL AMOUNT DUE THIS DATE:</b>		<b>\$ 131,398.98</b>

Verified Mike Harris  
LEM Construction Date: \_\_\_\_\_  
Submitted: Mark Roetzal COSM 5/20/24  
Project Engineer/Manager Date: \_\_\_\_\_  
Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

Checked By: Ju Zomer 5-20-24  
Inspector Date: \_\_\_\_\_  
Approved: \_\_\_\_\_  
Date: \_\_\_\_\_  
Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

ESTIMATE AND CERTIFICATE FOR  
PAYMENT, UNIT PRICE WORK

Estimate No.: 13  
Cut off Date: 03/31/24  
Estimate Date: 03/31/24

Project name: CITY OF UVALDE, TEXAS WWTP REPAIRS AND UPGRADES PROJECT  
Contractor: LEM CONSTRUCTION CO.  
Address: 10849 KINGHURST, SUITE 150  
HOUSTON, TEXAS 77099

Contract No. 121358 (City-LEM)  
Project No./File No. 2022-06  
GFS No: N/A  
Ord No: N/A

Contract No.: 121358 (City-LEM)  
Start Date: 11/01/22  
Current Contract Completion Date: 04/24/24  
Substantial Completion Date: 04/24/24  
Percentage: By Time 95.74% In Place 100.05%

CONTRACT TIME IN CALENDAR DAYS

Original Contract Time: 360 Days  
Approved Extensions: 180 Days  
Total Contract Time: 540 Days  
Days Used to Date: 517 Days  
Days Remaining to Date: 23 Days

CONTRACT AMOUNT TO DATE:

1 Original Contract Price		\$ 3,686,400.00
2 Approved Change Orders: No / Description	Amount	
1 Top Deck Coating	\$ -	
2 XFRM Pad	\$ 1,000.25	
3 MCC Slab	\$ 25,152.73	
4 VFD Upgrade	\$ 44,349.87	
5 Bypass Credit	\$ (29,202.00)	
Total Change Orders to Date:	+/- \$ 41,300.85	\$ 41,300.85
TOTAL CONTRACT AMOUNT:		\$ 3,727,700.85

A. EARNINGS TO DATE:

1 Work Completed to Date: <u>100.05</u> % Complete	\$ 3,729,473.85	
2 Materials Stored on Site:	\$ -	
3 Materials Stored in Place:	\$ -	
4 Balance - 95% Materials Accepted, Not in Work:	\$ - @95%	
TOTAL EARNINGS TO DATE:		\$ 3,729,473.85

B. DEDUCTIONS:

1 Retainage: 10% of <u>\$ 3,729,473.85</u>	\$ 74,589.48	
2 Add: Retainage Deduction:	\$ -	
3 Total Retainage:	\$ (74,589.48)	
TOTAL DEDUCTIONS:		\$ (74,589.48)

C. AMOUNT DUE THIS PERIOD

1 Total Earnings to Date:	\$ 3,729,473.85	
2 Total Deductions:	\$ (74,589.48)	
3 Total Payment Due:	\$ 3,654,884.37	
4 Less Previous Payments:	\$ 3,356,526.47	
5 Restoration Adjustment:	\$ -	
TOTAL AMOUNT DUE THIS DATE:		\$ 298,357.91

Verified Mike Harris 3/31/2024  
LEM Construction Date:

Submitted: [Signature] 5/20/24  
Project Engineer/Manager Date:

Approved: \_\_\_\_\_  
Date:

Checked By: [Signature] 5-20-24  
Inspector Date:

Approved: \_\_\_\_\_  
Date:

Approved: \_\_\_\_\_  
Date:

ESTIMATE AND CERTIFICATE FOR  
 PAYMENT, UNIT PRICE WORK

Estimate No.: 1  
 Cut off Date: 04/30/24  
 Estimate Date: 04/30/24

Project name:	<u>CITY OF UVALDE WWTP CLARIFIER REHAB</u>	Contract No.	<u></u>
Contractor:	<u>LEM CONSTRUCTION CO, INC.</u>	Project No./File No.	<u>2024-03</u>
Address:	<u>10849 KINGHURST, SUITE 150</u>	GFS No:	<u>N/A</u>
	<u>HOUSTON, TEXAS 77099</u>	Ord No:	<u>N/A</u>

CONTRACT TIME IN CALENDAR DAYS

Contract No.:	<u>N/A</u>	Original Contract Time:	<u>400 Days</u>
Start Date:	<u>02/19/24</u>	Approved Extensions:	<u>0 Days</u>
Current Contract Substantial Date:	<u>03/25/25</u>	Total Contract Time:	<u>400 Days</u>
Actual Substantial Completion Date:	<u></u>	Days Used to Date:	<u>72 Days</u>
Percentage: By Time <u>18.00%</u>	In Place <u>5.69%</u>	Days Remaining to Date:	<u>328 Days</u>

CONTRACT AMOUNT TO DATE:

1 Original Contract Price		\$	<u>2,900,000.00</u>
2 Approved Change Orders: No / Description	Amount		
1	<u></u>		
2	<u></u>		
3	<u></u>		
4	<u></u>		
Total Change Orders to Date:	<u>+/- \$ -</u>	\$	<u>-</u>
TOTAL CONTRACT AMOUNT:		\$	<u>2,900,000.00</u>

A. EARNINGS TO DATE:

1 Work Completed to Date: <u>5.69</u> % Complete		\$	<u>165,000.00</u>
2 Materials Stored on Site:	<u>\$ -</u>		
3 Materials Stored in Place:	<u>\$ -</u>		
4 Balance - 95% Materials Accepted, Not in Work:	<u>\$ - @95%</u>	\$	<u>-</u>
TOTAL EARNINGS TO DATE:		\$	<u>165,000.00</u>

B. DEDUCTIONS:

1 Retainage: 10% of \$ <u>165,000.00</u>	<u>\$ 16,500.00</u>		
2 Add: Retainage Deduction:	<u></u>		
3 Total Retainage:	<u>\$ 16,500.00</u>	\$	<u>16,500.00</u>
TOTAL DEDUCTIONS:		\$	<u>16,500.00</u>

C. AMOUNT DUE THIS PERIOD

1 Total Earnings to Date:	<u>\$ 165,000.00</u>		
2 Total Deductions:	<u>\$ 16,500.00</u>		
3 Total Payment Due:	<u>\$ 148,500.00</u>		
4 Less Previous Payments:	<u>\$ -</u>		
5 Restoration Adjustment:	<u>\$ -</u>		
TOTAL AMOUNT DUE THIS DATE:		\$	<u>148,500.00</u>

Verified Mike Harris 4/30/24  
 LEM Construction Date:  
 Submitted: [Signature] 5/1/24  
 Engineer Date:

Checked By: [Signature] 5-22-24  
 Inspector Date:  
 Approved: \_\_\_\_\_  
 City of Uvalde Date:

## **RESOLUTION 2024-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UVALDE TEXAS, PROVIDING ELECTION PROCEDURES FOR THE CITY'S SPECIAL ELECTION TO FILL A VACANCY ON AUGUST 6, 2024, FOR THE ELECTION OF MAYOR; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the laws of the State of Texas and the Charter of the City of Uvalde, Texas provide that on August 6, 2024 there shall be elected the following officials for this City:

Mayor, At Large

and;

**WHEREAS**, the laws of the State of Texas and the Charter of Uvalde, Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said code, a resolution should pass establishing the procedure to be followed in said election and designating the voting places for said election.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Uvalde, Texas:

That all independent candidates at the election to be held on the 6<sup>th</sup> day of August, 2024 for the above mentioned office should file their application to become a candidate and designate their campaign treasurer with the City Secretary at City Hall, Intersection of Main and Getty Streets, P.O. Box 799, Uvalde, Texas 78802-0799, on or before 5:00 p.m., **June 20, 2024** and that all applications shall be uniform as prescribed by Section 141.031 of the Election Code of the State of Texas. All independent candidates must reside within the City of Uvalde for at least 180 days prior to August 6, 2024. The special election to fill a vacancy of the city council will be held on the 6<sup>th</sup> day of August 2024, which is within 120 days after the vacancy was created.

A vacancy was created on April 9, 2024, via automatic resignation by Cody Smith, the Mayor of the City of Uvalde. Cody Smith was elected to serve a one-year term as Mayor in November of 2023 via special election. This special election will be for the remainder of this one year term ending after the election in November of 2024.

At the election to be held in 2022 and every fourth year thereafter, council members for Districts 1, 3, and 5 will be elected. At the general election held in 2020 and every fourth year thereafter, The Mayor, council members for District 2, and 4 will be elected. A candidate may file for any office but must file for a specific office on the ballot and may not be a candidate for more than one (1) office in any election.

The Mayor is elected at large by a majority vote of the qualified voters for a term of four (4) years. Each council member is elected to a specific place on the council for a term of four (4) years by a majority vote of the qualified voters of the City voting in the election for that place. The candidate receiving a majority of the votes for an elective office shall be declared the winner. The Mayor and Council members shall take office on the twenty-fourth (24<sup>th</sup>) day after the general election at which they are a candidate for office. The Mayor shall serve the period of his term, or until the person's successor is elected and qualifies for office as prescribed by the Charter. Each council member shall serve the period of his term, or until the person's successor is elected and qualifies for office as prescribed by the Charter.

The order in which the names of the candidates for each place shall be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Election Code.

Said election shall be held in the following voting precincts:

1. Mayor
  - A. SSGT Willie De Leon Civic Center 300 E. Main Street, Uvalde, Texas
  - B. All qualified voters residing in the City of Uvalde and within the boundary lines shown on the attached map shall vote at this location.

The City Secretary is hereby authorized and instructed to provide and furnish all the necessary election supplies to conduct such election. Voting at such election shall be upon paper ballots prepared in conformity with the Texas Election Code.

The polls at each of the above designated polling places shall be opened on said Election Day from 7:00 a.m. to 7:00 p.m.

The governing body of the City shall appoint the Election Judge for early voting. The City Secretary is the Early Voting Clerk for said election. Mrs. Sorayda A. Sanchez is hereby appointed Early voting Clerk for early voting and is hereby authorized to appoint Deputy Early Voting Clerks. The early voting by personal appearance for the designated election shall be in the Cactus Room of the SSGT. Willie De Leon Civic Center, 300 East Main Street, Uvalde, Texas, 78801, and said place for early voting by personal appearance shall remain open for at least eight hours on each day for early voting which is not a Saturday, a Sunday, or an official State holiday beginning on July 22, 2024 and continuing through August 2, 2024. Said place of voting shall remain open between the hours of 9:00 a.m. and 6:00 p.m. on each day for said early voting.

As required under Section 85.005 (d) Election Code, early voting by personal appearance at the main early voting polling place shall be conducted for at least 12 hours on two weekdays, if the early voting period consists of six or more weekdays; therefore, early voting by personal appearance shall be conducted for 12 hours between 7:00a.m. and 7:00p.m. on August 1, 2024 and August 2, 2024. The Early Voting Clerk's address to which ballot applications and ballot voted by mail may be sent to is City Hall, Box 799, Uvalde, Texas 78802-0799.

Early voting by personal appearance and by mail shall be by paper ballots and shall be canvassed by an Early Voting Ballot Board.

All ballots shall be prepared in accordance with Texas Election Code. Optical scan ballots shall be used for early voting by mail, for early voting by personal appearance, and for Election Day. The Hart InterCivic Inc., as required by the Help America Vote Act of 2002, will be available for use during both early voting by personal appearance and on Election Day at each polling place. The City Council hereby adopts for use in early voting and election day voting, the Hart InterCivic Inc. as approved by the Secretary of State.

Said election shall be held in accordance with the Election Code of the State and only resident qualified voters of said City shall be eligible to vote in said election. Returns of the election shall

be made known as soon as possible after the closing of the polls; and the election returns shall be canvassed by the City Council not earlier than August 7, 2024 nor later than August 16, 2024.

The mayor shall give note of this election in accordance with the terms and provisions of Section 4.004, 83.010, 85.004, and 85.007 of the Election Code, and all necessary orders and the proper authority shall issue writs for said election. Returns of said election shall be made to the City Council immediately after the closing of the polls. A notice containing a substantial copy of this Resolution shall be posted on the bulletin board used for posting notice of meetings of the governing body at the City Hall and at the aforesaid polling places not later than the twenty-first (21<sup>st</sup>) day before the election, and by publishing the Notice of Special Election at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper of general circulation in the city.

It is further found and determined that in accordance with the order of this governing body, the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in City Hall, a place convenient and readily accessible to the general public and said notice having been so posted and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

**PASSED, APPROVED, AND ADOPTED THIS 28<sup>TH</sup> DAY OF MAY 2024.**

THE CITY OF UVALDE:

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Everardo "Lalo" Zamora Mayor Pro Tem

ATTEST:

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Sorayda A. Sanchez, City Secretary



## City of Uvalde Election Calendar for Special Election 08/06/2024

Vacancy Effective	Tuesday, April 9, 2024
Election Ordered – candidates can file an application for a place on the ballot as soon as the election is ordered	Tuesday, May 28, 2024
First day to file application for a place on ballot	May 28,2024
Last day to file application for a place on ballot	Friday June 20, 2024
Early Voting Begins	Monday July 22, 2024
Early Voting Ends	Friday, August 2, 2024
Election	Tuesday, August 6, 2024
Constitutional 120-day deadline	Wednesday August 7, 2024

### Election Worker Cost:

Election Judge: 2	Hourly Rate: \$25	Total Cost: \$5,850
Election Workers: 5	Hourly Rate: \$15	Total Cost: \$8,775

Total cost for election judges and workers: \$14,625

Early Voting Ballot Board Cost: \$2,000.00

Election Kits: \$3,417.27

Estimated cost of election: \$72,016.27



Quote Number 00013486  
 Account Name Uvalde, TX  
 Grand Total \$50,069.00

Expiration Date 6/20/2024  
 Payment Terms Net 30

Item	Description	Unit Price	Quantity	Total Price
Verity Touch Writer w/ Access	Ballot marking device with accessibility	\$5,500.00	2	\$11,000.00
Verity Accessible Booth	Wheelchair-accessible voting booth w/ transport bag and privacy screens included with Verity Touch Writer w/ Access		2	
Brother HLL6400DWVS Printer	Laser printer included with Verity Touch Writer for ballot printing		2	
Printer Stand	Small table for printer included with Verity Touch Writer		2	
Verity Scan	Digital ballot scanner	\$6,370.00	2	\$12,740.00
Verity Ballot Box	Ballot box w/ transport bag and privacy screens for use with Verity Scan		2	
Verity Ballot Box Lock Kit	Secondary lock kit for Verity Ballot Box	\$23.00	1	\$23.00
Verity Print	Paper ballot printing unit	\$6,100.00	1	\$6,100.00
Brother HLL6400DWVS Printer	Laser printer included with Verity Print for ballot printing		1	
AutoBallot Kit	Barcode scanner kit for automatic Verity access code/ballot creation from VR/electronic poll book data	\$499.00	1	\$499.00
Battery Charger, 1 Bay	1-bay charger for Verity voting device battery	\$185.00	1	\$185.00
Verity Key	Electronic security token	\$109.00	2	\$218.00
vDrive	Flash memory card/audio card for use with Verity devices	\$66.00	20	\$1,320.00
Ballot Stock, 8.5" x 11"	Unit price per 500 sheets (1 ream)	\$39.50	4	\$158.00
New Implementation Services	Includes training, acceptance testing, project management, and on-site support for the first election on the Verity voting system. Additional services, if required, must be purchased separately.	\$8,000.00	1	\$8,000.00
Professional Services	Includes up to 5 days of service. Additional days of service must be purchased separately.	\$6,790.00	1	\$6,790.00
License and Support	Annual license and support fee	\$836.00	1	\$836.00

Subtotal \$47,869.00  
 Shipping and Handling (Estimated) \$2,200.00  
 Grand Total \$50,069.00

Bill To Attn: Accounts Payable Ship To City of Uvalde



Quote Number	00013486
Account Name	Uvalde, TX
Grand Total	\$50,069.00

City of Uvalde  
P.O. Box 799  
Uvalde, TX 78802

101 E Main St.  
Uvalde, TX 78801

**Customer Contact**

Contact Name	Sorayda Sanchez	Phone	(830) 278-3315 ext.142
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**Terms and Conditions**

Subsequent License and Support will be billed annually per contract terms.  
Please note: Shipping & Handling charges listed are estimates only. Due to global supply chain and delivery issues, actual shipping & handling charges may be significantly higher. Pricing subject to inventory availability at time of quote execution and acceptance.  
Taxes will be calculated in conjunction with the Customer based on the final approved price list.

**Hart Approval**

Prepared By	Simon Saenz	Title	Sales Account Manager
Signature			

**Customer Approval**

Name: _____	Title: _____
Customer Approval: _____	Date: _____

In addition to the equipment our Ballot Production Services will create your Ballot and Media for the Devices as well as Print Ballots. Those costs are not included in this quote as they are services and are outside of the equipment. Costs for Ballot Programming up to 5 races is \$1,500 and cost for ballot printing is \$405 per 1,000 ballots.



DATE	ACTION
June 1, 2024	Sent notice of filing to Uvalde Leader News to be published on Sunday June 2, 2024, Sunday June 9, 2024, and Sunday June 16, 2024.
June 1, 2024	Prepare candidate forms/packets
June 1, 2024	Prepare Election Order & Notice (Election Order & Notice will go on 06/11/24 City Council Agenda)
June 11, 2024	Order Election
June 11, 2024	Get Mayor signature on Election Order and Notice Post Notice of Election & Order on bulletin board
July 20, 2024	First day to file an application for a place on the ballot
August 19, 2024	Last day to file an application for a place on the ballot
August 19, 2024	Last day to order general election or special election on a measure
August 19, 2024	Last day to file a declaration of write-in candidacy
October 7, 2024	Last day to register to vote
October 21, 2024	First day of early voting by personal appearance
October 25, 2024	Last day to apply for ballot by mail
November 1, 2024	Last day of early voting by personal appearance
November 5, 2024	Last day to receive ballot by mail
November 5, 2024	Election day
November 12, 2024	Council meeting to canvass returns
November 12, 2024	Issue Certificate of Election
December 10, 2024	Oath of office for elected officials

**ORDINANCE 2024-**

**AN ORDINANCE OF THE CITY OF UVALDE, TEXAS AMENDING CHAPTER 2.04 OF THE UVALDE MUNICIPAL CODE, CITY COUNCIL; CLARIFYING THE PROCESS FOR FILLING A VACANCY IN THE OFFICE OF MAYOR**

**WHEREAS**, Article XI of the Constitution of the State of Texas provides that vacancies on the city governing body shall be filled by special election, but that the city may, by the city charter, provide for another method of filling such vacancy if the time remaining in the unexpired term is 12 months or less, and;

**WHEREAS**, the City Charter of the City of Uvalde states that a vacancy in the office of mayor shall be filled by special election, as provided by ordinance, and;

**WHEREAS**, the city charter already provides for the mayor pro tem to serve as acting mayor in the absence or disability of the mayor; and

**WHEREAS**, the city council finds it necessary to clarify and specify the procedures for filling a vacancy in the office of mayor, as stipulated in the city charter;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS, THAT:**

**Section 1.** Chapter 2.04 of the Uvalde Municipal Code be amended by adding new section, 2.04.065, to read as follows:

**“2.04.065 – Vacancy in Office of Mayor**

When the office of mayor becomes vacant, the following provisions apply:

- A. If, at the time of the vacancy, more than twelve (12) months remain in the term, the city council shall within one hundred and twenty (120) days of the vacancy call a special election in compliance with Article XI, Section 11 of the Texas Constitution and other applicable State laws.
- B. If, at the time of the vacancy, less than twelve (12) months remain on the term, the mayor pro tem shall fulfill the duties of acting mayor as provided in Article II, Section 8 of the City Charter for the remainder of such term until a new Mayor takes office after the general election.”

**Section 2. Conflicting Ordinances.** All prior ordinances of the city are hereby amended to the extent of any conflict herewith. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.



**Section 3. Severability.** If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance which shall remain in full force and effect.

**Section 4. Effective Date.** This ordinance shall take effect upon its adoption by the city council and following publication of the caption or summary, as provided by the city charter or the Texas Local Government Code.

**PASSED AND APPROVED, this the \_\_\_\_\_ day of, \_\_\_\_\_ 2024.**

**CITY OF UVALDE, TEXAS**

\_\_\_\_\_  
**Everardo Zamora, Mayor Pro Tem**

**ATTEST:**

\_\_\_\_\_  
**Sorayda Sanchez, City Secretary**