

**Minutes
Special Meeting
April 2, 2020**

The City Council of the City of Devine, Texas, conducted a Special Meeting scheduled for April 2, 2020, 6:00 p.m., at 303 S. Teel Drive, Texas 78016, Live Stream, and the following members being present:

Mayor Cory Thompson – (In Person)
Alderman Steve A. Lopez – (In Person)
Alderman David Espinosa – (In Person)
Alderwoman Debbie Randall – (In Person)
Alderman Rufino Vega – (In Person)

Vacant Seat for District #4; thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary (In Person); and Tom Cate, City Attorney (In Person).

Others present: William Cole (In Person) of Devine, Texas.

Mayor Thompson, presiding, called the meeting to order.

The first order of business was to discuss and consider and act upon Declaration of Public Health Emergency issued by Mayor on March 25, 2020 including Possible Changes and Extensions.

Council reviewed new Exhibit A. Alderwoman Randall commented that the Exhibit has changed a lot. She inquired if everybody knows of these changes. City Attorney Tom Cate stated that these are just recommendations coming before the Council.

Mayor Thompson stated that the only changes last time were with the City parks and with the curfew. He said that with the parks, all playground equipment, picnic tables, pavilion and benches and the restrooms shall not be used; however the walking track would remain open provided social distancing guidelines are followed. Regarding the curfew, there's a daytime curfew between the hours of 8:30 a.m. and 3:30 p.m. to coincide with the hours that kids should be at home doing schoolwork; thus, supporting the schools. This is also what Hondo is doing with their Declaration.

Alderwoman Randall inquired about the Golf Course being a new change and asked if they (SG Golf Management) are aware of the changes; if anyone's talked to them. Emergency Management Coordinator Rob Flores stated that he (Scott) doesn't have to do anything; it's only a recommendation because it is in the city. Some discussion was held on the golf course. If Council moves forward with this, Mr. Flores stated that he will be informing the golf course of these changes and handing out packets to them.

Council held discussion on other businesses.

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Alderman Espinosa suggested that we move forward with these recommendations to the Declaration. Alderwoman Randall inquired that, if we move forward with this, if we would be posting signs at the parks. Emergency Management Coordinator Rob Flores stated that he is working on the signage right now. He also stated that all equipment will be wrapped with police caution tape. If people don't follow the majority of these recommendations, they will be issued a ticket for a Class C Misdemeanor, according to Emergency Management Coordinator Rob Flores.

Motion by Alderman Lopez, seconded by Alderwoman Randall to approve the new Exhibit to the Declaration of Public Health Emergency issued by Mayor on March 25, 2020, and extending the date to April 22, 2020.

Exhibit attached as Exhibit A.

Ayes	--	Four – Aldermen Lopez, Espinosa, Vega Alderwoman Randall
Nays	--	None

Motion carried.

The second order of business was to discuss and consider and act upon Postponing May 2, 2020 General Election until the November Uniform Election Date as per the Proclamation by Texas Governor Greg Abbott that authorized Local Political Subdivisions to Postpone their Elections.

Mayor Thompson reviewed a letter handout given to Council by Interim City Administrator/City Secretary Dora V. Rodriguez, and inquired if this would be a letter we would be sending to the Governor's office asking that we move the election to the July 14th date.

Interim City Administrator/City Secretary Dora V. Rodriguez explained that cities are getting together and talking about doing this instead of waiting all the way to the November election date. She stated that, of course, we don't know what's going to happen.

Mayor Thompson commented that we don't know what November holds.

City Attorney Tom Cate stated that they're only asking that all entities move the May 2nd election, and right now our only option is to move it to November. He explained that the letter Interim City Administrator/City Secretary Dora V. Rodriguez handed them before the meeting is giving cities the option to have the election on July 14, 2020, but that's not the way the law is mapped, so our only option is to move it to the November 3, 2020 date.

According to City Attorney Tom Cate, if this request is granted to move the date to July 14th, the governor would have to issue a proclamation or declaration stating this and it would give cities the option, but we don't know if he's going to do that, so right now Council has to decide on either a May or November date.

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City Attorney Tom Cate informed Council that he had just gotten an email from the Secretary of State Elections Division which stated that if we don't move our May 2nd election, we are subjecting voters to health risks and potential criminal violations. It further stated that failure to postpone our election would put our election at severe risk for an election contest.

Motion by Alderman Espinosa, seconded by Alderman Lopez to Postpone the May 2, 2020 General Election until the November Uniform Election Date as per the Proclamation by Texas Governor Greg Abbott that authorized Local Political Subdivisions to Postpone their Elections.

Ayes	--	Two – Aldermen Lopez, Espinosa,
Nays	--	Two – Alderwoman Randall, Alderman Alderman Vega
Abstain	--	One – Mayor Thompson

Motion failed.

Mayor Thompson stated that he personally really prefers to see what this document amounts to and what the governor is going to do about the letter on moving the date to July 14, 2020. He said he was abstaining to let the motion die entirely because this is what he wants to see; he feels this is the best option.

The third order of business was to discuss and consider the Appointment to Council to fill District 4.

Council discussed reading the bios.

Alderman Espinosa said he was ready to nominate Chuck Guzman to Council to fill District 4 for the remaining of this term until the next election.

Alderwoman Randall expressed her opinion in that she doesn't feel it is proper for Council to fill this vacancy being we're only one month away from election and the appearance will be that Council is endorsing a candidate, and there are four. Alderman Vega agreed with Alderwoman Randall. She stated that if we're going to push the election to November that would be different because that will be a lot of months without representation.

Motion by Alderman Espinosa, seconded by Alderman Lopez to appoint Chuck Guzman to Council to fill District 4.

Ayes	--	Two – Aldermen Lopez, Espinosa,
Nays	--	Two – Alderwoman Randall, Alderman Alderman Vega
Abstain	--	One – Mayor Thompson

Motion failed.

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The fourth order of business was to administer the Oath of Office.

No action was taken.

The fifth order of business was to discuss and consider authorizing the Mayor to sign the Regional Mutual Aid Agreement with Alamo Area Council of Governments (AACOG).

Council reviewed the agreement.

Interim City Administrator/City Secretary briefed Council briefly on these agreements. City Attorney Tom Cate stated that he reviewed the agreement, and it allows us a lot of flexibility to get help if we need it, but it also allows us to deny sending out our people and equipment if we don't think it's in our best interest. According to City Attorney Tom Cate, there is no downside to this. He told Council that he did find a couple of typos, and we can correct those with just a pen. Other than that, he had no problem with Council passing this agreement.

Council held discussion on AACOG.

Motion by Alderman Espinosa, seconded by Alderwoman Randall to authorize the Mayor to sign the Regional Mutual Aid Agreement with Alamo Area Council of Governments (AACOG).

Agreement attached as Exhibit B.

Ayes	--	Four – Aldermen Espinosa, Lopez, Vega Alderwoman Randall
Nays	--	None

Motion carried.

The sixth order of business was to discuss and consider for Council to appoint a Local Health Authority.

Discussion was held on Interim City Administrator/City Secretary Dora V. Rodriguez having reached out to Dr. Richard L. Neel, who happens to be willing to take this position. City Attorney Tom Cate explained that this position would be a two-year appointment and it has to be a medical doctor. He would be able to request medical equipment and supplies that we might need in time of an emergency. It would be somebody who has the specialized knowledge to help Council make decisions. Mayor Thompson added that basically he would be a consultant to Council and he would also be available to our Emergency Management Coordinator Rob Flores if he needed him.

Motion by Alderwoman Randall, seconded by Alderman Espinosa to appoint Dr. Richard L. Neel as our Local Health Authority for a period of two years.

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Ayes	--	Four -- Aldermen Espinosa, Lopez, Vega Alderwoman Randall
Nays	--	None

Motion carried.

The seventh order of business was Information Items.

Council discussed the following:

- Updates – Emergency Management Coordinator Rob Flores told Council that we are currently good with everything. He is currently working on signage. He informed Council that currently we are also meeting with the County at least three times a week to keep up-to-date, and he also communicates with Keith Lutz, the County Management Coordinator, on a daily basis.
- City Hall – Is working out great with what we have.
- Library – Is working out great.
- Brown Chevrolet Incident – It is under investigation according to Emergency Management Coordinator Rob Flores; the County is taking care of that.
- Food Pantry – We are still working with them according the Emergency Management Coordinator Rob Flores, and they are currently still open. They are still allowing their customers in two-at-a-time; nothing has changed, to date.

There being no further business to come before the governing body, motion made by Alderman Espinosa, seconded by Alderman Lopez to adjourn the meeting.

Ayes	--	Four -- Aldermen Espinosa, Lopez, Vega Alderwoman Randall
Nays	--	None

Motion carried.

Mayor

City Secretary