

Minutes
Emergency Meeting
March 27, 2020

The City Council of the City of Devine, Texas, conducted an Emergency Meeting on March 27, 2020, 3:00 p.m., at 303 S. Teel Drive, Devine, 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 David Valdez – (Via Telephone)

Vacant Seats for District #1 and District #4; thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary (In Person); Tom Cate, City Attorney (In Person); and Rob Flores, Superintendent of Public Works (In Person).

Others present: None.

Mayor Thompson, presiding, called the meeting to order.

The first order of business was to discuss and consider the Appointment to Council to fill District 1.

Mayor Thompson explained the reason why we are filling this seat before the election is because it is uncontested; no one signed up against Mr. Vega for the District 1 vacancy. He explained that we are currently having issues in having meetings because we need to have four people to make a quorum, by state law. It was deemed necessary to fill that vacancy so we can continue with normal city council business and not have any problems with state regulations and codes.

Motion by Alderman Espinosa, seconded by Alderman Lopez to appoint Mr. Rufino Vega to City Council District 1.

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

Motion carried.

Discussion was held after the motion by City Attorney Tom Cate who explained that since Mr. Vega has been appointed to District 1, this meant that he's replaced Holdover Alderman David Valdez, and he could sign off at this point.

Alderman David Valdez signed off from via telephone.

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

City Attorney Tom Cate administered the Oath of Office.

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The third 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 extension.

Mayor Thompson explained that this declaration was originally taken almost word for word from the City of San Antonio but was edited to meet our needs. He explained that Exhibit A is the actual rules and regulations on what pertains to us as a City. He explained that because of this, we've been able to re-open the Library.

Interim City Administrator/City Secretary Dora V. Rodriguez referred Council to the Exhibit A, #8, and explained what the Library is doing to allow patrons to check out books. The staff has arranged for a pick-up and a drop-off. She said we've also allowed for WIFI services in the parking lot.

Discussion was held on extending the declaration until April 3rd for the time being. Emergency Management Coordinator Rob Flores commented that we can address the extension date next week as we get closer. City Attorney Tom Cate added that if this is extended, it will need to be done by Council. Alderman Espinosa recommended that we renew it every seven days.

Regarding City Gatherings (less than 10), under Exhibit A, Interim City Administrator/City Secretary Dora V. Rodriguez inquired if Council wanted to cancel all advisory board meetings until all of this is under control. Discussion was held on cancelling all advisory board meetings except for the Planning & Zoning Commission since they are an adjustment board and we do have pending business to take care of.

Motion by Alderwoman Randall, seconded by Alderman Espinosa to cancel all advisory board meetings except for the Planning & Zoning Commission, extend the Declaration to April 3rd, and to meet for the extension before the seventh day, if needed, and to accept this Declaration with these changes.

Declaration and Exhibit A attached as Exhibit A.

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

Motion carried.

The fourth order of business was an Update on measures by the City of Devine on the COVID-19 (Corona virus) Pandemic.

Emergency Management Coordinator Rob Flores addressed Council. He stated that in addition to the Presidential Order and the Governor's Executive Order, we are, of course, doing our own Declaration, so we are following all of that. He told Council that we've been updating our city website with current CDC information so that everyone has access to it. He said that currently we are handling Corona Virus calls through the Administration Office and the Police Department. He commented that they are answering calls as best as they can, not that they are experts on this, but they can at least direct them in the right direction to get their answers. We are also working with Keith Lutz, Emergency Management Coordinator of Medina County and also with Patricia Mechler who is the Medina County Health Unit Director, on a daily basis. Emergency Management Coordinator Rob Flores stated that regular conference calls are also

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being held with County Judge Schuchart, and a conference call was held yesterday with the Department of State Health Services (DSHS). He said we are trying to keep up-to-date with everything as much as possible. Mr. Flores reported that yesterday, a letter and poster was distributed to all businesses throughout the city to help with enforcing regulations. He explained that we don't govern the grocery stores, like Walmart, but from his understanding, they are following their company policy, and they are trying to work with us. He explained that the 10-people rule was expressed in the letter, and we suggested that they have a separate time for customers over the age of 60.

Emergency Management Coordinator Rob Flores also informed Council that a meeting was held yesterday with Shirley Crouse of the Food Pantry, and he and Investigator Clinton Schmelzer are working on solutions to help the Food Pantry with some of the issues they are having, especially with elderly personnel. They had discussed curbside service but there are issues with some customers having food allergies and they actually need to pick out what they can have. Only two customers at a time are being allowed inside. They are following precautions but Mr. Flores stated that his concern is the age of some of the volunteers, so he is planning a couple more meetings with them to try to work out those details.

Mayor Thompson inquired about rumors on several number of cases in Devine which he said is not correct. Discussion was held on that. Emergency Management Coordinator Rob Flores discussed social media, and stated that if we don't have confirmation that they tested positive, there is not much we can do. Once they have a positive test, they are doing investigations on those to follow up on the origin, but we have no control over rumors. Mayor Thompson stated that a lot of this is also classified information because they won't tell us where these cases are located. All we know is that we have three confirmed cases in Medina County.

Council thanked Emergency Management Coordinator Rob Flores for all of the work he is doing.

Interim City Administrator/City Secretary Dora V. Rodriguez added that everything is going well at City Hall with the situation on the lobby being closed and using the drive-thru window to conduct business. She stated that one employee has been set up to work from home for right now. It was pointed out that this is not due to self-quarantining themselves but because of health concerns for family members.

The fifth order of business was to discuss and consider and act upon Postponing 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.

Council reviewed the proclamation and held discussion. Mayor Thompson stated that since the City of Devine has its own voting equipment, we are not reliant on the County to run our election. He stated that one of his biggest concerns with moving it to the County is that nobody is used to doing it that way or using only the electronic voting machines (no paper ballots), and we would need employees in every central location in Medina County; so there would be a lot of work on the City's end to move to the November date.

Alderman Espinosa suggested that we just move forward with the May election, unless we get told otherwise from higher authorities. Alderwoman Randall agreed.

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Motion by Alderman Espinosa, seconded by Alderman Lopez to proceed forward with the May election unless the State forces us to do something else.

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

Motion carried.

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

Mayor Thompson stated that the reason this item was on the agenda is because if we would've moved to a November election, we would possibly want to appoint someone to fill the District 4 vacancy so we could make sure that we have a quorum for the next seven months. Since that is not the plan at the moment, he stated that we can always revisit this item if we get to May and realize we can't have the election. Mayor Thompson stated he would like to table this item until we have more information.

Alderman Espinosa commented that he respected that but stated that we are lucky right now that we have four council members; however, he's concerned should one of the council members get ill, we would be back in the same boat with only three council members; and we would be back to square one. He recommended that we get someone in from District 4 so that we can continue having meetings. Alderwoman Randall held discussion on the appointment being for one month only. Alderman Espinosa said he's really concerned about this and was ready to make a recommendation. Mayor Thompson stated that he had only wanted discussion related to COVID-19 on this agenda and not on any politics right now. Alderman Espinosa said he understood but his only concern is that for the citizens of the community, we need to continue to have meetings with quorums; it's nothing political.

Alderwoman Randall commented that we could always do teleconferencing for one month, if needed, until someone gets voted in to District 4 in May, and inquired if we could put this on the agenda for next week, since we know that we have to meet again for the declaration. This way, she said, they can all look at the candidates to see who is running. According to Alderman Espinosa, we've had bios from all four candidates to review. Council held discussion with City Attorney Tom Cate on teleconferencing. According to Mr. Cate, right now, everybody can participate remotely; however, once we're back to normal, it will be a different story.

Discussion was held that newest council member, Rufino Vega, has not had a chance to look at the bios from the candidates.

Motion by Alderwoman Randall, seconded by Alderman Vega to table this item until the next council meeting, for the sake of new Councilman Vega, so that all council members can re-familiarize themselves with the bios that were submitted for the District 4 vacancy.

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

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Motion carried.

The seventh order of business was to discuss and consider authorizing Interim City Administrator/City Secretary Dora V. Rodriguez to sign the Red Cross Facility Use Agreement for the Dr. George S. Woods Community Center in case of Disaster.

Interim City Administrator/City Secretary Dora V. Rodriguez told Council that we did this before during Hurricane Harvey. She said they only need to have something in place that they can use. According to Emergency Management Coordinator Rob Flores, they cannot use it for a shelter because the Community Center does not have the facilities required for a disaster shelter; however, they can use it for numerous other things as specified in the agreement; like parking vehicles, storing supplies or just to set up their operations.

Motion by Alderman Lopez, seconded by Alderwoman Randall to approve authorizing Interim City Administrator/City Secretary Dora V. Rodriguez to sign the Red Cross Facility Use Agreement for the Dr. George S. Woods Community Center in case of Disaster.

Agreement attached as Exhibit B.

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

Motion passed.

The eighth order of business was to discuss and consider possible action to authorize payment of employees whose absence is related to Coronavirus (COVID-19) who cannot work from home.

Mayor Thompson asked Interim City Administrator/City Secretary Dora V. Rodriguez about what other cities are doing. She informed Council that they had a phone conference with Judge Schuchart who explained that the County was doing Corona Pay. She explained that this just means that they have budgeted for the year. An example would be for mothers who have kids at home now due to the schools being closed or day cares being closed down, and they have no choice but to be at home with them. Or, possibly someone in your family has the virus and you're stuck at home.

Mayor Thompson stated that there's no reason not to do this, and he recommended that we go ahead and do this so that our employees have that safety net knowing that if something does happen, they will not be without a job.

Alderman Espinosa agreed and inquired if we had any employees in this situation. According to Interim City Administrator, we have one employee in the Police Department, but we were able to find work for her to be able to work from home.

Motion by Alderman Espinosa, seconded by Alderwoman Randall to go ahead and authorize payment to employees whose absence is related to Coronavirus (COVID-19) who cannot work from home.

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

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

Ayes	--	Three – Aldermen Lopez and Espinosa Alderwoman Randall
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Nays	--	None
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Motion carried.

Mayor

City Secretary