



**City Council
Special
Emergency
Meeting
March 25, 2020**



A G E N D A

CITY COUNCIL SPECIAL EMERGENCY MEETING WEDNESDAY, MARCH 25, 2020, AT 12:00 P.M. COUNCIL CHAMBERS, CITY HALL BUILDING 100 S. MONROE STREET, EAGLE PASS, TEXAS

NOTICE: PURSUANT TO SECTION 551.045(a) AND 551.045(b) OF THE TEXAS GOVERNMENT CODE AND DUE TO DECLARATIONS OF EMERGENCY ISSUED BY THE PRESIDENT OF THE UNITED STATES AND THE GOVERNOR OF TEXAS IN RESPONSE TO THE EMERGING THREAT OF THE COVID-19 VIRUS, THE CITY COUNCIL OF THE CITY OF EAGLE PASS TEXAS WILL CONVENE AT THE ABOVE REFERENCED DATE AND TIME TO DELIBERATE AND TAKE ACTION ON THE FOLLOWING ITEMS OF EMERGENCY OR URGENT PUBLIC NECESSITY.

ESTABLISHMENT OF QUORUM

MOMENT OF REVERENCE

CITIZENS COMMUNICATIONS AND RECOGNITIONS

RESOLUTION(S)

1. Consideration and possible approval of a resolution amending resolution 2020-16R in order to extend, amend, and/or modify the order of the Second Mayoral Declaration of Disaster executed on March 22, 2020, by the Mayor Pursuant to § 418.108, Texas Government Code, regarding the COVID-19 a global pandemic.
2. Consideration and possible approval of a resolution appointing a local health authority under the provisions of Chapter 121 of the Texas Health and Safety Code, to administer state and local laws relating to public health within the City Council's jurisdiction.

EXECUTIVE SESSION

3. Executive Session Pursuant to Section 551. 071 of the Texas Government Code-Consultation with Attorney regarding consideration and possible action on a Resolution Calling for the rescheduling of the April 25, 2020 City Officers Runoff Election due to a Public Health Emergency; and authorizing Legal Counsel to take appropriate action to obtain an order authorizing the rescheduling of said Runoff Election.

ADJOURNMENT

The City Council reserves the right to consider business out of the posted order and the right to adjourn into executive session to discuss items which are not listed as executive session items but which qualify to be discussed in closed session under Chapter 551 of the Texas Government Code.

Entrance and parking spaces for disabled persons are available in front of City Hall.

CERTIFICATION

I, the undersigned City Secretary, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 South Monroe Street, Eagle Pass, Texas, as well as the City's website <https://eaglepass> on Wednesday, March 25, 2020, at 10:00 a.m.

Imelda B. Rodriguez, City Secretary

Item

#1

RESOLUTION NO. 2020- R

A RESOLUTION EXTENDING, AMENDING, AND/OR MODIFYING THE ORDER OF THE SECOND MAYORAL DECLARATION OF DISASTER EXECUTED ON MARCH 22, 2020 BY THE MAYOR PURSUANT TO §418.108, TEXAS GOVERNMENT CODE, REGARDING THE COVID-19 A GLOBAL PANDEMIC

WHEREAS, on the 22nd Day of March 2020 the Mayor of Eagle Pass executed a Second Declaration of Disaster providing for additional restrictions in the City in order to activate the appropriate recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorize the furnishing of assistance under said declaration and in order to amend in various sections previous declarations issued by the Mayor or the governing body; and

WHEREAS, the City Council modified and approved Resolution 2020-16R thereby extending the mayoral declaration of March 18, 2020 in order to continue with recovery and rehabilitation efforts; and

WHEREAS, the City Council finds it necessary and appropriate and in the public interest and for the public good to extend, amend, and/or modify the second mayoral Disaster Declaration in order to continue with the extraordinary protective measures and efforts afforded by the previous Declarations of Disaster;

WHEREAS, the City Council finds it necessary and appropriate for citizens to abide and comply with all disaster declaration orders issued by the Governor of the State of Texas and/or President of the United States.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS, as follows:

SECTION 1. The following paragraph is hereby added as a second paragraph to Resolution No. 2020-16R and shall read as follows:

Pursuant to § 418.108(b) of the Texas Government Code, the Second Mayoral Declaration of Disaster executed by Mayor Luis E. Sifuentes on March 22, 2020, is hereby renewed, extended, amended and/or modified as noted in Exhibit 1 and shall continue to be in full force and effect until the City of Eagle Pass deems it unnecessary to continue.

SECTION 2. The amendments and modifications, attached hereto as Exhibit 1, are hereby incorporated by reference to the Declaration of Disaster executed by Mayor Luis E. Sifuentes on March 22, 2020.

SECTION 3. This Resolution will supersede all previous resolutions issued by the Mayor and/or Council. If there is a conflict between the declarations issued by this governing body and the orders issued by the Governor of Texas or the President of the United States, the more restrictive declaration requirements will control.

SECTION 4 The City Manager is hereby directed to distribute Resolution No. 2020-16R to any person or agency for the purposes intended.

READ, PASSED AND APPROVED, this 25th Day of March 2020.

ATTEST:

Luis E. Sifuentes
Mayor

Imelda B. Rodriguez
City Secretary

Item

#2

RESOLUTION NO. 2020-R

A RESOLUTION APPOINTING A LOCAL HEALTH AUTHORITY UNDER THE PROVISIONS OF CHAPTER 121 OF THE TEXAS HEALTH AND SAFETY CODE, TO ADMINISTER STATE AND LOCAL LAWS RELATING TO PUBLIC HEALTH WITHIN THE CITY COUNCIL'S JURISDICTION.

WHEREAS, pursuant to §121.028(a) of the Texas Health and Safety Code, the governing body of a municipality that has not established a local health department or a public health district may appoint a physician as health authority to administer state and local laws relating to public health in the municipality's jurisdiction; and

WHEREAS, §121.029 of the Texas Health and Safety Code allows for the delegation of the duties of a Local Health Authority ("LHA"). §121.029 of the Texas Health and Safety Code provides that (1) a delegation is effective during the term of the health authority who made the delegation; (2) the LHA may limit the time of delegation to a shorter duration in the written delegation of authority; (3) the LHA is responsible for the acts of the physician to whom the LHA has delegated the power or a duty; (4) the entity that appoints the LHA and the designee LHA must adopt procedures for the service of the designee LHA; and

WHEREAS, pursuant to §121.029 of the Texas Health and Safety Code, a health authority may delegate a power or duty imposed on the health authority by the department, or any other law, to a properly qualified physician to act while the health authority is absent or incapacitated. The physician designated by the health authority must: (1) be a competent physician legally qualified to practice in Texas and a resident of Texas; (2) be appointed as a designee in the same manner as the appointment of the health authority; (3) take, subscribe, and file the official oath and appointment with the department; and (4) file a certified copy of the written delegation with the department; and

WHEREAS, pursuant to the requirements of §121.029(e) of the Texas Health and Safety Code, the following procedures, known as the "Delegation of Designee Health Authority" are adopted for the services of a Designee to the LHA: (1) when the LHA is (i) absent from the jurisdiction or (ii) incapacitated, debilitated or otherwise deprived of strength and power to perform their duties or power, the LHA may delegate its power to one or more City approved Designee LHA; (2) the LHA may authorize one or more City approved Designee LHA to (i) utilize one or more powers granted to the LHA and/or (ii) to fulfill one or more duties imposed on the LHA; (3) the LHA shall make its delegation in writing, via email, facsimile or letter by registered or certified mail, directed to the attention of the City Manager, Mayor and Designee Local Health Authority with a copy to the Texas Department of State Health Services; (4) the LHA's delegation of powers and/or duties shall state the effective date of the delegation, the termination date of the delegation and the scope of delegation; (5) the Designee LHA shall neither perform any of the same duties nor exert the same powers that are retained or reserved, if any, by the LHA; and (6) the Designee LHA may if it has reasonable cause to believe that an individual is ill with, has been exposed to, or is the carrier of, a communicable disease, the Designee LHA may order, in writing and personally delivered, the individual, or the individual's parent, legal guardian, or managing conservator, if the individual is a minor, to implement control measures that are reasonable and necessary to prevent the introduction, transmission, and spread of the disease in the City of Eagle Pass, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

EAGLE PASS, TEXAS, as follows:

SECTION 1. Pursuant to Chapter 121 of the Texas Health and Safety Code the City of Eagle Pass, Texas hereby (i) appoints Dr. Victoriano Valdez to serve as the City's Local Health Authority, and (ii) appoints Dr. _____ and Dr. Lilian Ringsdorf, each individually to serve as a Designee Health Authority, when required to do so at the request of the Local Health Authority.

SECTION 2. Dr. Victoriano Valdez shall, as soon as possible, and in accordance with the rules promulgated by the Texas Department of Health Services (TDHS) take the Oath of Office for Health Authorities in the State of Texas, and submit to TDHS the Statement of Appointed Officer and the Certificate of Appointment.

SECTION 3 The City Manager is hereby directed to distribute this Resolution to any person or agency for the purposes intended.

READ, PASSED AND APPROVED, this 25th Day of March 2020.

ATTEST:

Luis E. Sifuentes
Mayor

Imelda B. Rodriguez
City Secretary