



**City Council
Special Meeting
June 26, 2020**



A G E N D A

**CITY COUNCIL SPECIAL MEETING
FRIDAY JUNE 26, 2020, AT 11:15 A.M. CST
INTERNATIONAL CENTER FOR TRADE-WESTROOM
3295 BOB ROGERS DRIVE, EAGLE PASS,
MAVERICK COUNTY, TEXAS**

PURSUANT TO SECTION 551.122 OF THE TEXAS GOVERNMENT CODE AND THE DECLARATION BY GOVERNOR GREG ABBOTT ON MARCH 16, 2020, THIS MEETING OF THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS SHALL BE OPEN AND ACCESSIBLE TO THE PUBLIC VIA THE FOLLOWING FREE-OF-CHARGE VIDEOCONFERENCE LINK: <https://www.facebook.com/OfficialCityEaglePassTexas> AN ELECTRONIC COPY OF THE AGENDA PACKET FOR THE REGULAR MEETING OF THE CITY COUNCIL IS ALREADY AVAILABLE TO THE PUBLIC AT THE FOLLOWING URL: <https://www.eaglepasstx.us/AgendaCenter>. IN LIGHT OF THE ONGOING NATIONAL EMERGENCY AND URGENT THREAT TO PUBLIC HEALTH CAUSED BY THE COVID-19 PANDEMIC, MEMBERS OF THE PUBLIC ARE ENCOURAGED TO FOLLOW THE RECOMMENDATIONS OF GOVERNMENT LEADERS AND THE CDC REGARDING SOCIAL DISTANCING AND SELF-QUARANTINE.

IF YOU ARE A CITIZEN WISHING TO PARTICIPATE IN CITIZENS COMMUNICATIONS, PLEASE CALL ON Friday June 26, 2020 FROM 8:30 AM TO 10:30 AM AT 830-773-1111 OR SEND EMAIL TO irodriguez@eaglepasstx.us

ESTABLISHMENT OF QUORUM

MOMENT OF REVERENCE

CITIZENS COMMUNICATIONS AND RECOGNITIONS

OTHER BUSINESS

1. Consideration and possible approval of an application, rules and criteria for the Business Assistance Program and Individual Rental Assistant Program.

RESOLUTION(S)

2. Consideration and possible approval of a resolution ratifying the City of Eagle Pass, Texas third Mayoral Declaration of local state of disaster due to public health emergency issued June 22, 2020.
3. Consideration and possible approval of a resolution of the City Council of the City of Eagle Pass, Texas amending the Local Vendor Preference Policy.

WORKSHOP

4. Discussion of the City of Eagle Pass Budget for fiscal year 2020-2021 and possible action on directive to City Administration regarding same.

EXECUTIVE SESSION

5. Executive Session pursuant to Section 551.071 of the Texas Government Code - Consultation with the attorney- regarding legal matters related to Eagle Point Ranch, LP, Robert Mayo and Rick Anderson, Plaintiffs vs. City of Eagle Pass Water Works System, City of Eagle Pass and Roberto Gonzalez, Defendants, in the District Court, 293rd Judicial District, Maverick County, Texas; and possible action in open session regarding same.

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 as permitted by the Texas Open Meetings Act, 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, on Tuesday, June 23, 2020 at 11:10 a.m.

Imelda B. Rodriguez
City Secretary

Item

#1

RESOLUTION NO. 2020-R

**A RESOLUTION RATIFYING THE CITY OF EAGLE PASS,
TEXAS THIRD MAYORAL DECLARATION OF LOCAL
STATE OF DISASTER DUE TO PUBLIC HEALTH
EMERGENCY ISSUED JUNE 22, 2020**

WHEREAS, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

WHEREAS, the City of Eagle Pass, Texas, is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

WHEREAS, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code; and

WHEREAS, on March 18, 2020, the Mayor of the City of Eagle Pass, issued his first declaration of local state of disaster due to public health emergency (1st disaster declaration), thereby activating the Eagle Pass, Texas, Emergency Management Plan.

WHEREAS, the City Council of the City of Eagle Pass thru formal action has adopted, extended, and at times modified the disaster declaration(s) until further notice to the citizens of the City;

WHEREAS in accordance with Texas Government Code Section 418.108(b), the Mayor as Presiding Officer and as Emergency Management Director continues to exercise powers granted by the Texas Disaster Act of 1975 for the period specified;

WHEREAS, the Mayor of the City of Eagle Pass has determined that extraordinary emergency measures must be taken to try and mitigate the effects of this public health emergency and to facilitate a response to the public health threat;

WHEREAS, the Mayor of the City of Eagle Pass is authorized to control ingress and egress from a disaster area and control the movement of persons and occupancy of premises on an appropriate local scale in accordance with Section 418.108(g) of the Texas Government Code and his authority as Emergency Management Director.

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

Effective as of 12:01 p.m. on Monday, June 22, 2020 ("*Effective Date*"), and continuing through 11:59 p.m. on Monday, June 29, 2020 unless extended, modified or terminated early by the Mayor of the City of Eagle Pass or consented to and approved by the City Council of the City of Eagle Pass or as otherwise indicated below:

SECTION 1. Public Health Emergency

That this Executive Order shall continue the local disaster declaration and public health emergency for Maverick County for the period specified in the Executive Order and shall incorporate and adopt the most recent executive order issued by Governor Greg Abbott on June 3, 2020, and any subsequent orders by the Governor relating to the expanded opening of Texas in response to the COVID-19 disaster.

SECTION 2. Health and Safety Policy - Commercial Entities. From the date of this Executive Order, all commercial entities in Maverick County providing goods or services directly to the public must develop and implement a health and safety policy ("***Health and Safety Policy***"). The Health and Safety Policy must require, at a minimum, that all employees or visitors to the commercial entity's business premises or other facilities wear face coverings when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or the public where six feet of separation is not feasible. The Health and Safety Policy required to be developed and implemented by this Executive Order may also include the implementation of other mitigating measures designed to control and reduce the transmission of COVID-19 such as temperature checks or health screenings. Commercial entities must post the Health and Safety Policy required by this Executive Order in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements. Failure to develop and implement the Health and Safety Policy required by this Executive Order within five (5) calendar days following the Effective Date may result in a fine not to exceed \$1,000.00 for each violation.

SECTION 3. Face Coverings - General Public. That all people 10 years or older shall wear a face covering over their nose and mouth when in a public place where it is difficult to keep six feet away from other people or working in areas that involve close proximity with other coworkers. The CDC advises face coverings for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Bexar County residents should continue to maintain social distancing of at least six feet while outside their home. Bexar County employees are also required to wear face coverings under the same circumstances as the general public.

IT IS STRONGLY RECOMMENDED THAT YOU NOT OBTAIN OR WEAR MEDICAL MASKS or N-95 RESPIRATORS AS THEY ARE A NEEDED RESOURCE FOR HEALTH CARE PROVIDERS AND FIRST RESPONDERS.

Our healthcare workers and first responders on the front-line combating COVID-19 must have priority access to medical masks or other personal protective equipment. Face coverings do not need to be worn in the following circumstances:

- When exercising outside or engaging in physical activity outside;
- While driving alone or with passengers who are part of the same household as the driver;

- When doing so poses a greater mental or physical health, safety, or security risk;
- While pumping gas or operating outdoor equipment;
- While in a building or activity that requires security surveillance or screening, (e.g. banks); and/or
- When consuming food or drink

Please note that face coverings are a secondary strategy to other mitigation efforts. **Face coverings are *not* a replacement for social distancing, frequent handwashing, and self-isolation when sick.** All people should follow CDC recommendations for how to wear and take off a mask. Residents should keep up the following habits while in public:

- washing hands before you leave home and when you return,
- staying at least six feet away from others,
- avoiding touching nose or face,
- not using disposable masks more than three times, and
- washing reusable cloth masks regularly to prevent the spread of the virus.

Consistent with Executive Order GA-26 issued by Governor Greg Abbott, no civil or criminal penalty will be imposed on individuals for failure to wear a face covering.

SECTION 4. The City of Eagle Pass Essential Business

That residents of Eagle Pass conduct essential business online or via regular mail to avoid visiting any Eagle Pass or Maverick County facilities unless absolutely necessary.

SECTION 5. Severability

The sections, paragraphs, sentences, clauses and phrases of this Executive Order are severable and if any phrase, clause, sentence, paragraph or section of this Executive Order should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end, the provisions of this Executive Order are severable.

SECTION 6:

To adhere and follow all applicable laws under the Texas Health and Safety Code and the Texas criminal statutes relating to communicable diseases, Local Health Authority powers, and criminal violations for failing to comply with isolation and quarantine orders.

SECTION 7. Interpretation and Additional Terms

To the greatest extent possible, this Executive Order shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of the executive orders of the Texas Governor either existing or as, if and when issued, which are made applicable to all jurisdictions by law shall be automatically incorporated into and constitute terms of this Executive Order, enforceable as if set forth herein without necessity for the issuance of any further orders.

SECTION 8. Enforcement.

Excepting Section 6 of this Executive Order and in accordance with the limitations contained in the executive orders of Governor Greg Abbott, that any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Executive Order in accordance with the authority granted under the Texas Disaster Act of 1975.

READ, PASSED AND APPROVED, this 26th Day of June 2020.

ATTEST:

Luis E. Sifuentes
Mayor

Imelda B. Rodriguez
City Secretary

Item

#2

RESOLUTION NO. 2020-

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF EAGLE PASS, TEXAS AMENDING THE
LOCAL VENDOR PREFERENCE POLICY**

WHEREAS, Chapter 252 of the Local Government Code sets requirements for expenditures with a value that exceeds \$50,000; and

WHEREAS, Ordinance 03-28 authorized the City Manager to implement a purchasing policy for expenditure less than \$50,000;

WHEREAS, the City Council previously approved a policy providing for a five (5) percent preference for local vendors for purchases of less than \$50,000; and

WHEREAS, the City seeks to provide additional economic assistance to local small businesses during the COVID-19 pandemic;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS;

SECTION 1. The Local Vendor Preference Policy is hereby amended to reflect a 10% local preference, with a maximum of \$1,000, for vendors located within the city limit of the City of Eagle Pass.

SECTION 2. This amendment to the policy is effective upon passage and will expire on September 30, 2021.

READ, PASSED, AND APPROVED, this 26th day of June, A.D., 2020.

ATTEST:

Luis E. Sifuentes
Mayor

Imelda B. Rodriguez
City Secretary