

MINUTES OF THE SPECIAL SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MARCH 23, 2020 AT 6:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Mitcham at 6:00 p.m. with the following present:

Mayor, Andrew Mitcham

City Manager, Austin Bleess

Council Member, Drew Wasson

Council Member, Greg Holden

Council Member, Bobby Warren

Council Member, James Singleton

Council Member, Gary Wubbenhorst

City Secretary, Lorri Coody was not present at this meeting. No other Staff Members were present at this meeting.

B. CITIZENS' COMMENTS

Any person who desires to address City Council regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and City Council Members are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the City Council.

There were no Citizens' Comments made at this meeting.

C. SPECIAL SESSION ITEMS

1. Discuss and take appropriate action regarding an update on staff activities and City status regarding COVID-19.

Austin Bleess, City Manager, introduced the item as follows:

I just want to take a few moments to discuss what City Staff has been doing since the update last week.

Since Wednesday, March 18, 2020, City Hall has been closed to the public. Most Staff have been telecommuting including City Hall Staff and Admin Staff in other locations. We continue to provide all services to the residents. All Staff is available via phone and email at the regular office numbers, which Staff can answer from home.

Given the news from last night about a shelter in place order, or stay at home order, in Dallas County, we have taken steps to be prepared for that should such an order be issued for Harris County.

Our Public Utilities continue to work as normal. Our water and wastewater operations are all operating smoothly. I would like to take a moment and remind people at home that

SPECIAL SESSION MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – March 23, 2020

wipes should not be flushed down toilets. Even wipes that say they are “flushable” can still clog pipes and cause issue at treatment plants. Please do not flush wipes.

Police operations continue as normal. Our officers have the appropriate N95 masks for use, should they need them. Things that can be handled over the phone instead of face-to-face are being done on the phone.

EMS is happening as normal. Calls that can be treated over the phone are being handled that way. We do have the appropriate PPE for our Staff and volunteers. We are closely monitoring all of our first responders (Police, Fire, and Dispatch) to ensure they are healthy.

We have also started a page on our website for local businesses that may be impacted due to this situation. As we look for ways to help our local businesses, we are providing resources for them to utilize. We are also looking at the possibility of providing loans to local businesses. Any business that has interest in that should submit the short form located on our COVID-19 Business Assistance Page, which can be found under the Economic Development tab of our website.

As for Council meetings we are planning for this to be the last meeting of the City Council in person. We will be working to do future City Council meetings via conference call or video conference. That will be done in accordance with the guidance from the Attorney General’s Office to allow for public comments to be made as well.

This is a brief highlight of the things we are doing for our response. In completing his presentation, Council had no questions for the City Manager.

2. **Consider Ordinance No. 2020-06, continuing a Mayoral Declaration of Local Disaster due to public health emergency; waiving certain fees during the public health emergency; suspending the disconnection of water services during the public health emergency; providing restrictions on community gatherings; providing for severability; providing for a fine in an amount not to exceed two thousand dollars (\$2,000) for each offense; and, providing an effective date.**

Austin Bless, City Manager, introduced the item. Background information is as follows:

This ordinance has four main pieces.

Section 1 of this ordinance extends the Declaration of Local Disaster, which was signed by Mayor Mitcham on Tuesday, March 17, 2020. Per state law that declaration ends after 7 days unless continued by the Council.

Section 2 authorizes the Council to take any actions necessary to promote health and suppress disease.

Section 3 declares that those persons under investigation, persons under management, and quarantined persons remain quarantined.

SPECIAL SESSION MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – March 23, 2020

Section 4 waives the credit card processing fees for utility bills and municipal court payments. This is being recommended due to the fact City Hall is closed to the public and people are being encouraged to pay online.

Section 5 waives late fees for utility bills during this emergency.

Section 6 waives any penalty related to signs being erected due to COVID-19.

Section 7 suspends water disconnections due to unpaid bills during the emergency.

Section 8 limits gatherings based upon CDC Guidelines thru April 1, 2020. A “Community Gathering” is any indoor or outdoor event that brings together ten (10) or more persons at the same time in a single room or other single confined or enclosed space. There are exceptions for community gatherings outlined in the Ordinance and of course these guidelines can be superseded by County, State, and Federal orders.

Section 9 contains the severability clause.

Section 10 provides a penalty for anyone who violates the provisions of the Ordinance.

Council discussed the provisions of the Ordinance. Some wanted to know if the limits on community gathering pertains to businesses. City Manager Bleess referred to Section 8(d), which states the exclusions as follows:

- d) For purposes of clarity, a “Community Gathering” does not include the following so long as visitors are generally not within arm’s length of one another for extended periods;
- i. Spaces where ten (10) or more persons may be in transit or waiting for transit such as airports, bus stations, or terminals;
 - ii. Office space or residential buildings;
 - iii. Grocery stores, shopping malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within arm’s length of one another for extended periods; and
 - iv. Hospitals and medical facilities.

Provisions for “day care centers” specifically were discussed as a possible exclusion. Some felt that this type of establishment is not clearly covered and wished to have “day care centers” added to the list of exclusions. This exclusion was discussed at length and it was the consensus of Council to add “day care centers” as an exclusion in both the list of before and after April 1, 2020.

Council discussed community gatherings further and the restrictions for same. Most members felt that these restrictions will be changed by County, State, and Federal authorities in the near future.

SPECIAL SESSION MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – March 23, 2020

Another change was discussed. It was mentioned that Section 1 does not establish a day certain end date. Adding an end date was discussed. If set, the date can be renewed. Various dates were discussed. It was the consensus of City Council to set an end date of May 12, 2020 and that Section 1's language should read as follows:

Section 1. Pursuant to Texas Health and Safety Code 408.108(b), the City Council of the City of Jersey Village (the "Council") hereby continues the Mayor's Declaration of Local Disaster Due to Public Health Emergency for the City of Jersey Village, until May 12, 2020.

Mayor Mitcham had several comments in connection with COVID-19. A summary of those comments follow. Many people feel this virus is similar to the seasonal flu wherein there is a .1% chance to die and the resources required for the seasonal flu are nowhere near those required for COVID-19. So implementing these restrictions buys time. It is important to note that 20% of those that have COVID-19 require hospitalization and most require ICU care. It is very different from the seasonal flu and healthcare workers are at risk. Therefore, COVID-19 is a health problem, an economic problem, and a resource problem. That being said, the restrictions are heavy handed but we do not want to overload our health care system. With testing coming on board, the numbers will go up. Countries who have done the best at fighting this virus are doing mass testing. The goal is to implement testing, understand what we have, and fight rationally. We must limit movement as much as possible. Those who are not essential and do not need to go to work should stay at home. Businesses must prepare for further restrictions on staffing. The Mayor thanked our own IT staff for preparing the City's Staff to work remotely. He has spoken to local businesses and they are concerned about making it through this crisis. They want to survive. Local government must step up and must provide services in this time of need. We must help business owners get through by looking at offering 0% interest loans, which are not to be considered grants or handouts, but designed to help with the economic impact from COVID-19. Business owners are encouraged to contact the City through its website in order to provide information on what is needed. As far as the City's parks, they will remain open for now, but signs will be posted to remind participants to practice social distancing. Additionally, it might be that park playground equipment will be closed in the near future. Mayor Mitcham closed by asking all to stay informed because more regulations will certainly be announced by the County, State, and Federal governments. Be safe and be careful.

Council discussed the defense of social distancing to fight the virus until we get a vaccine in order to reduce infection. People are used to seeing viruses that have a vaccine, but there is no vaccine for COVID-19, which means that there is nothing to protect health care workers from the virus. This is very serious and there will certainly be further restrictions by County, State, and Federal authorities.

With no further discussion on the matter, Council Member Singleton move to approve Ordinance No. 2020-06, as amended in these discussions, continuing a Mayoral

SPECIAL SESSION MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – March 23, 2020

Declaration of Local Disaster due to public health emergency; waiving certain fees during the public health emergency; suspending the disconnection of water services during the public health emergency; providing restrictions on community gatherings; providing for severability; providing for a fine in an amount not to exceed two thousand dollars (\$2,000) for each offense; and, providing an effective date. Council Member Warren seconded the motion. The vote follows:

Ayes: Council Members Wasson, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

The motion carried.

ORDINANCE NO. 2020-06

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS CONTINUING A MAYORAL DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY; WAIVING CERTAIN FEES DURING THE PUBLIC HEALTH EMERGENCY; WAIVING PENALTIES ON CERTAIN SIGNS DURING THE PUBLIC HEALTH EMERGENCY; SUSPENDING THE DISCONNECTION OF WATER SERVICES DURING THE PUBLIC HEALTH EMERGENCY; PROVIDING RESTRICTIONS ON COMMUNITY GATHERINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A FINE IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.

- 3. Consider Ordinance No. 2020-07, amending the General Fund Budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020 by increasing line items 01-25-3524 (FEMA Supplies) in the amount not to exceed \$5,000 and 01-25-3525 (FEMA Equipment) in the amount not to exceed \$5,000.**

Austin Bless, City Manager, introduced the item explaining that due to the emergency declaration for the Coronavirus Pandemic, City Staff will need to purchase additional supplies and equipment in order to assist and serve the public during this crisis. This budget amendment is to appropriate the funds to purchase those supplies.

With a brief discussion about the use of funds and FEMA reimbursement, Council Member Warren moved to approve Ordinance No. 2020-07, amending the General Fund Budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020 by increasing line items 01-25-3524 (FEMA Supplies) in the amount not to exceed \$5,000 and 01-25-3525 (FEMA Equipment) in the amount not to exceed \$5,000. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Wasson, Holden, Warren, Singleton, and Wubbenhorst

Nays: None

SPECIAL SESSION MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – March 23, 2020

The motion carried.

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 BY INCREASING LINE ITEMS 01-25-3524 (FEMA SUPPLIES) IN THE AMOUNT NOT TO EXCEED \$5,000 AND 01-25-3525 (FEMA EQUIPMENT) IN THE AMOUNT NOT TO EXCEED \$5,000.

D. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 6:45 p.m.



Lorri Coody, City Secretary