

**MINUTES OF THE CITY COUNCIL REGULAR MEETING
CITY OF WILMER
APRIL 2, 2020**

Councilmembers Present

Emmanuel Wealthy, Mayor
Candy Madrigal, Mayor Pro Tem
Phyllis Slough, Councilmember
Jeff Steele, Councilmember
Melissa Ramirez, Councilmember
Sergio Campos, Councilmember

City Staff

Rona Stringfellow, City Administrator
Mark Hamilton, Fire Chief
Mayra Ortiz, City Secretary

Call to Order

With a quorum present, the Regular Meeting of the Wilmer City Council was called to order by Mayor Wealthy at 7:02 p.m. on Thursday, April 2, 2020. Due to the COVID-19 (coronavirus) state of emergency and consistent with the Governor's Order regarding modifications to the Texas Open Meetings Act, and executive orders regarding the public, the meeting was broadcast live via telephone conference.

Invocation

Edwin Favors, Praise Fellowship Church gave the invocation.

Pledge of Allegiance

Councilmember Jeff Steele led the pledge of allegiance.

Community Announcement

City Administrator Stringfellow provided an update on COVID-19 (Coronavirus) and shared the Census campaign for Wilmer to PUSH, REACH, LEAD. Staff is monitoring the numbers through the U.S. Census Bureau and Wilmer's 2010 FINAL Self Response rate was 54.5 percent. As of right now, Texas Self Response Rate: 33.4 percent and Wilmer Self Response Rate: 32.9 percent as on March 31, 2020. The Census Bureau continues to evaluate all 2020 Census field operations, and will communicate any further updates as soon as possible. City Administrator Stringfellow encouraged the citizens to self-response online at 2020Census.gov, over the phone by calling the number provided in the invitation, and by paper through the mail.

City Administrator Stringfellow read Dallas County Judge Clay Jenkins press released of April 2, 2020 that stated, "As of 10:00 am April 2, 2020, Dallas County Health and Human Services is reporting 100 additional positive cases of 2019 novel coronavirus (COVID-19), bringing the total case count in Dallas County to 831. The 16th and 17th deaths from COVID-19 are being reported, including of a woman in her 70's who was as resident of a long-term care facility, and a woman in her 80's who was a resident of the

City of Dallas. These individuals had been critically ill in area hospitals. Of cases requiring hospitalization, over three-quarters (77%) have been either over 60 years of age or have had at least one known high-risk chronic health condition." She encouraged all residents to "Stay at Home" and "Shelter in Place" and strongly recommended to follow the guidelines from the Centers for Disease Control and Prevention (CDC). Also, City Administrator Stringfellow stated that the City received 2500 donated masks from Procter and Gamble and the generous donation will be utilized for the City's First Responders and critical essential staff members.

Citizens Comments:

No citizens were pre-registered.

Action:

- 1. Discuss and consider approving a resolution amending the preparedness and response to COVID-19; providing to extend the disaster period; and providing an effective date.**

Mayor Wealthy shared that item 1 is being considered as the local state of disaster will expire on April 3, 2020.

City Secretary Ortiz spoke on item 1 and shared that on Thursday, March 19, 2020, City Council approved Resolution 2020-0319A ordering a declaration of a local state of disaster to take effect immediately and shall expire on April 3, 2020. Governor Greg Abbott held a press conference regarding the state's continued response to COVID-19 on Tuesday, March 31, 2020. The governor issued an Executive Order Number GA-14 relating to statewide continuity of essential services effective 12:01 a.m. on April 2, 2020, and continuing through April 30, 2020.

Mayor Wealthy requested City Council feedback in aligning the extension period with the Governor's order.

Mayor Pro Tem Madrigal and Councilmember Ramirez suggested following Dallas County's direction through April 30, 2020.

Councilmember Steele stated that Dallas County Orders in regards to religious and worship services are in conflict with the Governor's Order.

Mayor Wealthy shared that the Texas Municipal League provided an update regarding the matter. Sharing that the Governor issued guidance with respect to his most recent order relative to religious services. Governor Greg Abbott and Attorney General Ken Paxton issued joint guidance regarding the effect of Executive Order GA-14 on religious services conducted with congregations and houses of worship.

Councilmember Steele stated that the Governor's latest order allows religious services to congregate and Dallas County Order institutes a limitation.

Mayor Wealthy stated the joint guidance from the Office of the Attorney General and the Office of the Governor provided an example for the faith-based community regarding

the effect of Executive Order GA 14 on religious services conducted in churches, congregations, and houses of worship. For example, a church may hold Easter services in its parking lot, with attendees remaining in their cars (windows down), parked in every other parking spot, with the minister using amplification to preach. Or because Executive Order GA 14 permits drive-thrus to operate, then a house of worship may, according to their faith practices, provide communion or a blessing through a similar drive-up service. Or pastors with smaller congregations may consider conducting multiple services of 10 people or fewer in their sanctuaries, so long as they maintain appropriate social distancing, properly sanitize the building between each service, and provide hand sanitizer.

Councilmember Slough inquired confirmation on the number of people. Mayor Wealthy stated smaller congregations may consider conducting multiple services of 10 people or fewer in their sanctuaries, so long as they maintain appropriate social distancing, properly sanitize the building between each service, and providing hand sanitizer. The Office of the Attorney General and the Office of the Governor shared that these restrictions do not violate the religious liberty of houses of worship. Under the extraordinary circumstances in which we temporarily live, these restrictions do not violate the religious liberty of houses of worship because the government has a compelling interest for implementing the rules (stopping contagion) and the rules are the least restrictive means of burdening religious practice (they allow houses of worship to stay open for ministry, but suggest ways that help stop the spread of COVID-19).

Councilmember Steele referenced that the Executive Order GA-14 states that it does not prohibit people from accessing essential services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in person contact with people who are not in the same household.

Mayor Wealthy inquired confirmation from City Secretary Ortiz of the latest executive orders from the governor.

City Secretary Ortiz noted that on March 31, 2020 the Governor of the State of Texas, Greg Abbott has issued Executive Order No. GA-14 relating to statewide continuity of essential services and activities during the COVID-19 disaster.

Councilmember Ramirez stated that she will provide an electronic mail to share with the group.

Councilmember Steele suggested to adopt the latest order from the Governor.

Councilmember Campos and Councilmember Slough stated that funeral service capacity is limited to ten individuals at a time.

City Secretary Ortiz stated the executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster.

Fire Chief Hamilton shared that the governing body cannot lessen the order but Local officials have the authority to implement more strict standards. He discouraged all not to congregate.

Councilmember Steele and Mayor Pro Tem Madrigal recommended approval of the Governor's order.

Mayor Wealthy recommended to follow the Governor's order as long as congregations may consider conducting multiple services of 10 people or fewer in their sanctuaries. She shared that all emergency orders must comply with the First Amendment of the United States Constitution, Article I of the Texas Constitution, and the Texas Religious Freedom Restoration Act, which protect the rights of Texans to freely exercise their religion.

Councilmember Steele emphasized that pursuant to the order, essential services include religious services conducted in churches, congregations, and houses of worship. He stated that essential services shall also minimize social gatherings and minimize in-person contact.

City Secretary Ortiz shared that the executive order supersedes Executive Order GA-08, but not Executive Orders GA-09, GA10, GA-li, GA-12, or GA-13, and shall remain in effect and in full force until April 30, 2020, unless it is modified, amended, rescinded, or superseded by the governor.

Councilmember Steele expressed the opposition of setting limitations religious freedom and allowing the churches to make those decisions.

Councilmember Slough spoke in favor of all citizens having their religious freedom; however, she is highly concerned about their well-being and safety.

Councilmember Campos shared that the decision should not be left up to the congregation.

Councilmember Ramirez mentioned failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable by a fine.

Mayor Pro Tem Madrigal stated any members that fall under critical infrastructure should still abide by all rules and regulations as set forth.

MOTION: Councilmember Steele made a motion, seconded by Mayor Pro Tem Madrigal to approve item 1 aligning with the Executive Order Number GA-14 relating to statewide continuity of essential services effective 12:01 a.m. on April 2, 2020, and continuing through April 30, 2020. The vote was cast 5 for, 0 against. The motion carried unanimously.

2. Discuss and consider approving appointments to the City of Wilmer's Boards and Commissions.

Mayor Wealthy stated that Council may table item 2 to a future date or may take possible action.

City Secretary Ortiz spoke on item 2 and shared that on January 23, 2020, City Council conducted interviews in preparation for appointments. A total of ten (10) applications were received. One (1) applicant withdrew and two (2) of the applicants were not qualified residents located in the corporate limits of the City. On February 6, 2020 Regular Meeting, City Council made recommendations from the applications received. City Council directed staff to pursue additional recruitment efforts in order to receive more applications. Since that time, Staff has received three (3) new applications that are qualified residents located within the corporate limits of the City. On February 20, 2020 Regular Meeting, Councilmember Ramirez made her nominations and requested to pursue additional recruitment efforts for the Library Advisory Board and Parks Advisory Board. On March 19, 2020 Regular Meeting, there was no action made by City Council. Staff provided the ordinance in relations to appointment requirements, Sec. 1.06.035(d), stated that "all nominees shall be qualified and available to serve and must obtain a majority vote of the entire council in order to be elected to a board." City Secretary Ortiz emphasized that Board and Commission appointments are solely at Council's pleasure.

Councilmember Steele inquired Mayor Wealthy and Councilmember Ramirez's nominations to the Community Development Corporation, Type 4B.

City Secretary Ortiz shared that Councilmember Ramirez nominated to reappoint Sheila Petta and Mayor Wealthy did not have available applicants.

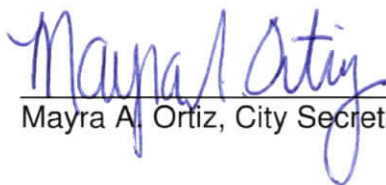
Mayor Pro Tem Madrigal suggested to table item 2.

MOTION: Mayor Pro Tem Madrigal made a motion, seconded by Councilmember Slough to table item 2 to next Regular Meeting on April 16, 2020. The vote was cast 4 for, 1 against [Steele]. The motion carried.

ADJOURNMENT

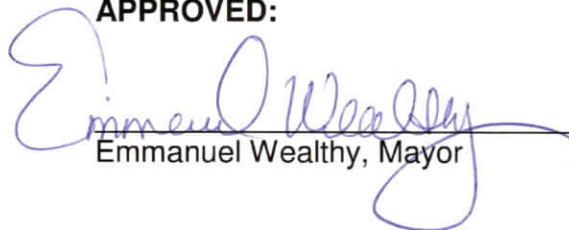
There being no further business, Mayor Wealthy adjourned the regular session at 8:16 p.m.

ATTEST:



Mayra A. Ortiz, City Secretary

APPROVED:



Emmanuel Wealthy, Mayor