

CITY OF LAREDO
EMERGENCY CITY COUNCIL MEETING

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1110 HOUSTON STREET
LAREDO, TEXAS 78040

MARCH 17, 2020
7:30 P.M.

I. CALL TO ORDER

Mayor Pete Saenz called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Pete Saenz led in the pledge of allegiance.

III. MOMENT OF SILENCE

Mayor Pete Saenz led in a moment of silence.

IV. ROLL CALL

In attendance:

Pete Saenz	Mayor
Rudy Gonzalez, Jr.	District I
Vidal Rodriguez	District II
Mercurio "Merc" Martinez, III	District III
Alberto Torres, Jr.	District IV, Mayor Pro-Tempore
Norma "Nelly" Vielma	District V
Dr. Marte Martinez	District VI
George J. Altgelt	District VII
Roberto Balli	District VIII,
Jose A. Valdez, Jr.	City Secretary
Robert Eads	City Manager
Rosario Cabello	Deputy City Manager
Kristina L. Hale	City Attorney

Cm. Gonzalez and Cm. Altgelt joined at 7:39 p.m.

V. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

The urgency of these items is that on March 13, 2020, the Governor of the State of Texas

declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19. On March 14, the President of the United States held an additional press conference relating to COVID-19, and on March 15, 2020, the CDC issued additional guidance in relation to the same. On March 16, 2020, the Mayor of the City of Laredo issued a local emergency declaration. Due to the rapidly evolving nature of the disease and emerging federal and state guidance, it is necessary that the City Council of Laredo consider and take action on emergency ordinances.

The items are taken together in terms of discussion and action.

- (1) Discussion with action on the passage of an Emergency Ordinance extending the City of Laredo Declaration of Local Disaster for Public Health Emergency that was signed by the Mayor on March 16, 2020, and any other matter incident thereto.
- (2) Discussion with action on the passage of an Ordinance instituting emergency measures due to a public health emergency, in accordance with Section 2.11 of the City Charter, and any other matter incident thereto. Requested by Council Member Vidal Rodriguez, Council Member Dr. Marte Martinez, Council Member George Altgelt, Council Member Roberto Balli.

Robert Eads, City Manager, confirmed that Mayor Saenz signed an order earlier today with precautionary measures for City staff to take. The order includes restrictions on gathering in groups of 50 or more people and contains some exclusions. The order goes into effect at 2:00 a.m. Wednesday, March 18, 2020; consequences for not following the prohibition are also included in the order. He reminded Council that the Mayor also signed a Declaration of Local Emergency alongside the Webb County Judge. Aside from the declaration and the order, the City stands ready to move forward with a 2:00 a.m. to institute these new measures.

Mayor Saenz noted that the order was pursuant to the advice and full recommendation of Chief Steve Landin, the City's Emergency Management Coordinator, and Health Director Dr. Hector Gonzalez. He reminded Council that matters are fluid, and the circumstance changes quickly for communities like Laredo. He asked for Council input to see if the current measures are adequate or need to be strengthened.

Dr. Victor Treviño suggested that the City make use of experience, wisdom, and sound judgment before jumping into any measures. Based on observations in clinics and hospitals, there are some false positives for COVID-19, though he cautioned Council from relying on that observation to become complacent. The virus is highly contagious and propagates very quickly. Crowds and public gatherings have been addressed at this point, but he noted that crowds in grocery stores has not been addressed, which can defeat the purpose of eliminating large gatherings. Telemedicine has helped tremendously in preventing the spread of viruses or infections in medical care facilities and nursing homes. He suggested that the City remind the public of telemedicine opportunities; other doctors are performing drive-by or drive-through consultations so that patients can remain in their cars and not come into the medical office to prevent contamination or spread of any

pathogens.

Cm. Altgelt voiced his opinion that the Mayor's order is a good start but does not go far enough. The City should be doing what the New York City is doing, which is sheltering at home and only leaving for food takeout or other essentials in order to prevent the risk of contracting the virus or spreading it to others. He encouraged Council to take additional steps. Mayor Saenz noted that all of Council's recommendations are welcome, though he asked that suggestions be based upon science or medical recommendations.

Dr. Marte Martinez stated that the City has not received enough federal guidance, which has been conflicting information between the White House and the Center for Disease Control and Prevention (CDC). He clarified that the recommendation to limit gatherings to fewer than 50 people is for large spaces; in close quarters, the recommendation changes to 10 people or fewer. The fact that the City does not know when the City's first positive case of COVID-19 contracted the virus or where they picked it up, the City is still in the planning phases and are behind on the matter. This is a community-acquired case, not one associated with travel, which changes how aggressively officials must respond to the situation. The ability to be a vector for the virus begins very early, and COVID-19 is a novel pathogen. While the symptoms are mild like a simple cold, the virus has also been proven to kill 3-4% of those infected, which makes this a much more serious situation. Laredo must act quickly so that the City does not run out of its resources to provide adequate care for its residents.

Cm. Gonzalez noted that the steps taken by the Mayor, City Manager, and Emergency Management Coordinator has been important in conjunction with Webb County and the college and university to keep the community safe. There seems to be a panic right now, causing people to overbuy necessity items at the grocery store. He reminded the public to keep in mind that one's neighbors also need those supplies. Council is here for the community and will fight for the safety and health of every resident.

Cm. Rodriguez reminded Council that grocery stores are overwhelmed. If the City shuts down the operations of restaurants, then the grocery stores will be further impacted and leave people without any food supplies. He voiced his concern for a total shutdown of the community as many people may be left without resources. Not every Laredoan knows the 24/7 medical hotline number to call if they feel sick or need help securing goods. He asked how the City is going to help its elderly community during this situation.

Cm. Mercurio Martinez stated that the current measures are calculated and on the right track; if more severe measures are needed, then Council is ready to do so at a moment's notice. The state's economy is at risk of a downturn, so people may have difficulty paying their bills in the coming weeks. He reminded the public to practice hygiene and safety procedures such as washing hands and avoiding handshakes or hugs. If the community takes those measures, it will do a lot to prevent the spread of communicable diseases. He voiced his trust in the recommendations from Dr. Gonzalez on this matter.

MPT Torres noted that the City has been proactive to-date despite the information

surrounding COVID-19 moving faster than expected. The Mayoral order was well-intended but needs some strengthening given the rapidly evolving situation. He agreed with Dr. Martinez's comments that a community-acquired case of COVID-19 without knowing the identity or location of Laredo's "patient zero" is alarming and changes the current understanding of the virus. He reminded Council that Council's action at this meeting should keep in mind those businesses that have not instituted the appropriate safety precautions, such as amusement redemption establishments that continue to operate in high volumes. Bingo halls are also operating right now, which is a concern. MPT Torres noted that some restaurants can shut down their dining areas but stay in operation for drive-through or carryout service. While he supports strengthening some components of the order, he reminded Council to be conscious about the trickle-down economic effects of these decisions on the citizens. While Council voted to give employees paid administrative leave, that leave was conditional on a positive, confirmed case of the virus, which he realized does not address the concern of many employees who do not have the virus but feel that they should stay at home but must rely on their own accruals.

Cm. Vielma recalled that two cities in Italy performed shutdowns about five days apart, and the difference in the number of outbreaks between the city that quarantined earlier and the one that followed five days later was alarming. She stated that if the City is going to implement restrictions, now is the time to do so. While there are economic issues at present, the use of technology should help a lot of residents conduct their personal and professional business, such as online grocery orders. A significant area of help will be assisting the elderly community or those who are computer illiterate. As people continue to shop in person, the stores are getting crowded with more people than the recommended 50. She reminded Council that while shutting down the Bridge System would mean an economic disaster for Laredo, there is a concern about the massive amount of people and truck drivers passing through the community who may be contagious.

Dr. Gonzalez added that even medical communities are practicing social distancing; the CDC and National Institute of Health estimate that an individual is exposed to a pathogen about 600 times before developing the disease. There has to be prolonged intimate contact, which is why the social distancing of six feet or more is so important to reducing potential spread. The virus is not spread by passing by someone one time; it requires multiple prolonged exposures. He assured Council that while the situation is serious, there is no need to panic unnecessarily because the virus is not rampant. The City of Laredo is taking the same steps as Singapore, which has been the best model of responses to this virus. The Mayoral order is rolling out a lot of changes in one roll-out but is a step in the right direction. Worldwide, there have been no fatalities in children because those that contracted the virus recovered well; in the United States, no children have been infected to-date despite being exposed to the virus. 55% of those patients with COVID-19 have recovered well with no complications so far. Of those who experienced complications, most still recovered, which is encouraging news in the face of any rising panic.

Dr. Martinez noted that there about 3,000-4,000 droplets in a sneeze with about 18,000 virus particles per droplet. Dr. Gonzalez agreed that one sneeze could be enough to spread the virus from person-to-person, though it is unlikely. Dr. Martinez voiced his

hesitancy to risk the lives of Laredoans based on the assumption of multiple prolonged exposures. Cm. Altgelt agreed, stating that if the City implements a self-quarantining protocol, then the risk of spreading the virus is greatly reduced even more so.

Cm. Balli asked how many people locally have tested positive for COVID-19 and how many tests are still pending. Dr. Gonzalez reported that testing was only initiated nationwide. In Texas, 11 labs are testing; Laredo requested testing supplies because the Health Department lab has the capability to test and just needs the testing reagents. Currently, there were 20 tests taken and sent off for results; of those 20, five results were returned, four of which were negative (including one truck driver, to address Cm. Vielma's concern). One test result came back positive; the remaining 15 are still pending. None of the pending tests are being considered presumptive because the physicians ruled out the symptoms. The testing was simply recommended because most of these cases have an underlying medical condition. Statewide, 1,200 patients have been tested, and 64 have been confirmed as positive. The individuals who were tested are under self-quarantine as a standard practice.

Cm. Balli noted that the overall psychological wellbeing of the community is important, as residents are living in fear of contracting the virus or having their ability to work or running their business curtailed which will impact their ability to meet their financial responsibilities. While a shutdown could hurt many people in the community, the greater worry is how operating as usual will affect the city's health and safety. Protecting the lives and health of the citizens is the City's main priority.

Steve Landin, Fire Chief and Emergency Management Coordinator, informed the public that Council is considering some restrictions regarding the Mayoral order that was signed earlier in the day. He voiced his opinion that social distancing and other measures have been clearly communicated to the public as he has seen less people commuting through the city and several businesses taking action themselves to close down or change hours of operation to reduce public gatherings. Citizens are also choosing on their own to avoid dining areas, instead opting to utilize drive-throughs or carryout ordering. However, young adults and college-aged individuals still want to gather and go out, which creates an issue. This initiated the driving force behind the City of Austin closing down bars and restaurants. He recommended that Council keep in mind the best interest in the community's health and safety.

Dr. Gonzalez reported that staff continues to monitor the issue and have had good communication and coordination with both hospitals in town. Staff has had several meetings already this week, and he commended Laredo's medical community. He voiced his opinion that the medical community has the capacity to meet the estimated need of the city during this time, as evidenced by the successful capacity during flu season. Staff is already researching opportunities for alternate treatment as previously described by Dr. Treviño.

Cm. Altgelt informed Council that he received communication from a local restaurateur who said that it would be in all restaurant owners' best interest if the City were to mandate

restaurant closures because then their insurance would help them recuperate their lost income. He noted that some restaurants have contingencies already built in place, though he conceded that some might not. This restaurateur also provided two to three degrees of separation from the one confirmed positive COVID-19 patient, asking how much separation he needs since he was in close contact with someone who was in close contact with this individual. Cm. Altgelt noted that this information further proves his point that the City should mandate closures of restaurants to prevent contact. He stated that the financial hit that the City and its residents will take pales in comparison to the loss of even one life in the community, which can be prevented. He initiated a motion to expand the Mayoral order to eliminate all public gatherings, including public schools, indefinitely, allowing for restaurants to offer takeout and for people to leave their homes to buy necessities or perform essential errands. After Dr. Martinez provided a second, Dr. Treviño stated that the current order includes steps that would logically be taken given the circumstances. He cautioned Council to allow the physicians and the Health Director provide their medical opinions before taking action.

Kristina L. Hale, City Attorney, stated that once the City has declared a local state of disaster, which has been done, Council may take any measures effective immediately to protect public health. Dr. Martinez reminded Council that the City cannot establish good epidemiological facts because there has not been enough time to observe the virus at this point. Because of the lack of testing and with the knowledge that Laredo has a community-acquired case of COVID-19, Council has to assume that the City is further behind than previously estimated.

Cm. Rodriguez asked what a total lockdown would mean and asked if the City is going to offer reimbursement to businesses that must close because a total lockdown would essentially mean shutting down the economy. Unfortunately, the citizens' bills or necessities are not going to be suspended, so without a means to make a living, Council may be causing a financial hardship on their constituents. Dr. Martinez voiced his opinion that a total shutdown is not necessary, but other communities have taken similar aggressive measures to shutdown dining areas of restaurants, bars, and non-essential service industries. Society must continue to function; he clarified that the intention is to limit the unnecessary clustering of groups of people when taking policy steps to keep them separated would be more beneficial.

Cm. Balli voiced his opinion that the term "social gathering" is extremely vague and opposed the motion without more definition and a more targeted scope. Cm. Altgelt reminded Cm. Balli that the definition of "public" or "social" gathering is included in Section 3 of the Mayoral order that was released to the public. Chief Landin reminded Council that bars are one of the City's most crowded establishments. Establishments of necessity need to be reviewed individually so that the public is able to access necessary goods and services.

MPT Torres recommended that Council review the Mayoral order section by section to determine what Council wants to restrict or leave as is. Specification is needed rather than a blanket lockdown because the public is not going to know what is allowed or not.

Mayor Saenz read from public comments received. Michelle Marie Romani asked about the infringement on freedom of religion, since church services are likely to be curtailed. Abe Diaz stated that Council should shut down the malls because of the crowds. Veronica Gonzalez Cardenas asked if the City has obtained testing kits; Dr. Gonzalez reminded Council that testing reagents are being sent out throughout the state, and 11 Texas labs are receiving them. Due to the expanse of the state, labs are regionalized; Laredo belongs to the San Antonio regional lab, though he has requested some specific reagents for Laredo specifically. The issue is not a matter of Laredo receiving the reagents but receiving them in sufficient quantities. There are several private labs also waiting for certification and approval to receive testing reagents, which will improve the state's testing capacity.

Mayor Saenz read a public comment from Mario Mendiola stating that the City should shut down its border. Cassandra Tijerina suggested the closing of bars, clubs, and the malls in order to discourage people from leaving their homes and spreading the risk of contamination. Joshua Jerry stated that the grocery situation should be back to normal in a week. Jessica Palacios asked if restaurants will be required to close their dining area only and still offer to-go. Priscilla Caidas asked if the *maquinitas* will be closed. A citizen who Mayor Saenz did not name suggested that stores implement a two-hour shopping opportunity exclusively for senior citizens and individuals with disability so that they may get their necessities in peace. Rolando Morales asked what will happen to those residents who are living paycheck-to-paycheck. These people are not being considered.

Cm. Altgelt read a text received from Priscilla Villarreal, who runs a Facebook blog and persona known as La Gordiloca, who reported that she posted a survey on Facebook asking if the citizens of Laredo think that the City should impose a mandatory lockdown for the next two weeks. In three minutes, she received 1,500 votes with 74% of responders in favor. She also reported that the bingo hall is packed and voiced her opinion that residents should be quarantining themselves to prevent the spread. Cm. Altgelt clarified that the term "lockdown" has been used loosely. He proposed exceptions to "public gatherings" such as pharmacies, grocery stores, home improvement stores, and other establishments so that citizens can buy their necessities. He also received a public comment discouraging the shutdown of the border. He was asked how many ventilators the City has versus how many are needed and other health care capacity inquiries.

Dr. Gonzalez confirmed that the City has so far counted over 100 rooms that can house two patients, 40 isolation rooms, and almost 600 beds between both hospitals for acute care. Cm. Altgelt read a public comment from Pastor Norman Howell from Church of the Crossroads stating that the church has moved everything online for the next two weeks; it is a challenge, but the church is committed to helping the community stay safe during this time.

Cm. Rodriguez asked Council to define what establishments are going to be affected in Cm. Altgelt's motion. Cm. Altgelt clarified that the motion eliminates public or community gatherings of 50 people or more and impose a two-week self-quarantine. The two-week period can be extended if necessary, and Council will provide exceptions for people to get

necessities such as pharmaceuticals, groceries, repairs, and takeout. He amended his motion to this effect.

Cm. Vielma reminded Council of the need to not only eliminate large public gatherings but gatherings of 10 or more people in a confined space, like an office. Mayor agreed that if someone is going to the grocery store or pharmacy, then the six-foot rule should be in place.

Cm. Rodriguez asked if Council is going to waive utility payments or similar due to the people who will not be able to go to work or operate their business. MPT Torres voiced his opinion that a mandatory lockdown is an extreme measure; he voiced his willingness to incorporate it for two weeks and then reevaluate it after while allowing for takeout. However, he voiced his opposition to supporting a mandatory self-quarantining that will keep people in their homes since there is only one confirmed case in the community. Mayor Saenz voiced his agreement that the self-quarantine sounds too extreme, especially for people who live paycheck-to-paycheck.

Cm. Altgelt noted that the restaurateur in communication with him informed him that those waiters are going to be moved to food delivery so that they may keep working. Cm. Balli voiced his understanding that Council is all in agreement other than the definition of self-quarantine and whether that is equivocal to a mandatory lockdown. He added that gyms would be an establishment that should close down as well.

Cm. Rodriguez asked if eliminating community gatherings would include people having barbeques at their houses, since they will not be dining in restaurants. Cm. Balli noted that unless those barbeques have 50 people or more, they would not be included in the definition of community gatherings as per the Mayoral order. Dr. Martinez stated that smaller venues should still be limited so as to avoid the potential for prolonged intimate exposure, which is what spreads the virus more quickly. Venues need to be restricted so that the people inside are able to maintain a distance between each other of at least six feet.

Cm. Vielma voiced her opinion that these cautionary measures are appropriate given the fact that the circumstances around the first positive case in Laredo is still so unclear and the unknown number of people that this patient may have been in close contact with.

Cm. Altgelt updated Council that the poll conducted by Ms. Villarreal showed 3,000 responses with 75% in favor of a community-wide lockdown or quarantine. Mayor Saenz requested clarification on whether the term being used is “shutdown,” “lockdown,” or “quarantine.” Dr. Martinez reminded the public that confined spaces should have no more than 10 people at a time and not within six feet of each other. Cm. Altgelt stated that businesses suffering pales in comparison to individuals potentially dying of this virus.

Cm. Rodriguez countered that while businesses risk suffering, there are many more workers who will suffer more greatly because they are not able to make a living during this time. Cm. Martinez reminded Council that the City has its own employees who still live

paycheck-to-paycheck. He cautioned Council to be very careful about the steps they are considering because it has such a big impact on the community.

Cm. Gonzalez conceded that some Council Members may be misinterpreting the meaning of the word “lockdown,” which is not being used in this context to mean shelter-in-place or mandatory house arrest.

Cm. Rodriguez asked Council to consider how the City will help those members of the community who will not be able to pay their bills during this quarantine period in which many people may not be able to get to work due to closures or health concerns. Cm. Vielma reminded him that the federal government has instituted an emergency state which provides certain protections; many bills can be postponed. Despite her own business potentially being affected, she would not risk her family’s health or the health of her friends or neighbors.

Mr. Eads reminded Council that the City has not capabilities to support bill-paying for anyone at this point, even if only internally. The Bridge System is generating dwindling revenues already, giving the City concern for financial straits. He emphasized that the City cannot assist the community with any sort of bill payment.

MPT Torres corrected Cm. Vielma on the issue of federal government assistance, noting that the federal government has not even voted on that matter, so Council cannot use her argument as guidance at this point. Even with the \$1,000 of assistance that has been reported in the news is not reliable since the City does not know how long that would take to get to Laredoans. Council continues to hear about private business insurance protections, but that only helps the business owner and does not trickle down to the other constituents who are making minimum wage while contributing to the local economy. Mayor Saenz voiced his agreement to MPT Torres’s argument that there is no certainty to the federal government assistance claims.

Cm. Balli reminded Council that the motion was targeted at bars, restaurants, and amusement redemption establishments but not much more than that. The rest of the motion is in line with the Mayoral order. A mandatory lockdown is not on the table, so there is no reason to oppose Cm. Altgelt’s motion on those grounds. He asked what part of the proposed motion causes opposition among Council so that the group could come to a consensus. MPT Torres stated that the self-quarantine factor is problematic; Cm. Balli countered that self-quarantining is not in the motion.

Jose A. Valdez, Jr., City Secretary, explained that self-quarantining was initially in the motion, but it was left out of the amendment. MPT Torres noted Council’s support of shutting down the dining areas of restaurants while allowing them to provide takeout, delivery, or drive-through options. He asked that Council reevaluate the situation to see if it was effective after the two-week period is over.

Mayor Saenz asked if Cm. Altgelt would be willing to remove any self-quarantine language from his motion at this point; Dr. Martinez noted that while self-quarantine seems

draconian, Council must face the fact that the world is dealing with a virus that is acting very quickly and therefore requires certain measures to stifle the linear or exponential spread such as keeping people home as much as possible. He clarified that no one on Council is trying to tell people that they cannot go to work. The message is that citizens are not only susceptible to economic losses but rather death to their family. This is the only measure that has worked in other countries to stifle this disease. What the Mayoral order lacks is instructions to the public to try not to leave their homes.

Cm. Altgelt agreed that the Mayoral order makes the case that as long as someone is not part of a group of 50 people, there is no concern with them leaving their house. Dr. Treviño noted that people can lack discipline, meaning that the City needs enforcement to encourage them to stay in their homes to flatten the curve. Dr. Martinez clarified that the self-quarantining aspect was assumed to be voluntary throughout this discussion and during Cm. Altgelt's motion.

Rosario Cabello, Deputy City Manager, voiced her understanding that the motion was to expand the Mayoral order by removing the qualifier of 50 or more people, encourage a community-wide self-quarantine, close down bars, nightclubs, and *maquinitas*, and impose the quarantine for two weeks or longer with the exception of pharmacies, grocery stores, work, and restaurants' takeout, delivery, or drive-through services. Dr. Martinez agreed, noting that self-quarantine means voluntary and not mandatory action. Mayor Saenz noted that this makes a big difference in the understanding of the motion.

Mr. Eads noted that if the quarantine were to be mandatory, then the City would have 2,800 employees not working (minus Police and Fire). He asked how that would affect the City's operations and whether this is a counterintuitive directive at play. Cm. Balli noted that the self-quarantine is a recommendation that the individual can impose on themselves; he reminded Council that the motion includes an exception for work if needed.

MPT Torres countered that the motion confuses the public because issuing a voluntary quarantine is unnecessary since anybody could have begun quarantining themselves; he asked why Council is giving a *directive* for a *voluntary* action. Dr. Gonzalez has been recommending in press conferences for the public to stay home if they are sick or to help reduce the risk of infections.

Cm. Vielma noted that Section 3 (d) of the Mayoral order does not include spaces such as office spaces or residential buildings. She reiterated her concern for crowds in grocery stores or the malls. Dr. Treviño noted that the doctors' offices give appointments in order to manage the volume of people; this could be done with grocery stores to manage crowds, though he voiced doubt that Laredoans would self-regulate in an unstructured situation.

Cm. Balli suggested that the issue of grocery stores not be addressed at this meeting. He suggested that the City simply ask HEB as a community partner to help find solutions for crowding in stores. Chief Landin reported that Police have been monitoring the situation and found that the situation has already caused a change in behavior of community members. Therefore, providing definitions or clear instructions to the public would be

beneficial. In response to the continued debate, Cm. Altgelt withdrew his motion.

Motion to eliminate *all* community gatherings of 50 or more people as defined in the order and impose it for the next two weeks or longer if necessary and apply it to bars, restaurants (dining areas only), amusement redemption centers and bingo halls, and gyms, allowing for exceptions for drive-through pickups or delivery and errands for necessities like pharmaceuticals, groceries, work, home improvement or repair needs, and restaurant takeout, as amended.

Moved: Cm. Altgelt
Second: Dr. Marte Martinez
Motion withdrawn.

Cm. Altgelt initiated a new motion to impose a two-week mandatory lockdown that is City enforced save and except for essentials and necessities. Cm. Vielma asked that the essential reason to leave home include work, to which Cm. Altgelt agreed so long as the places of employment have safety protocols in place like hand sanitizer and the ability to check employees' temperature to ensure that no one is serving as a vector for COVID-19.

Dr. Gonzalez voiced his opposition to Cm. Altgelt's motion; while Dr. Treviño voiced support, he recanted that there are a lot of factors to consider on this matter, though he would still support it. Mr. Eads agreed that the City needs to apply targeted restrictions but noted that he did not know enough to give a recommendation on Cm. Altgelt's motion for a mandatory quarantine at this moment.

Cm. Balli voiced his opinion that this motion is actually a step backwards from the withdrawn one. It does not address the issues that he thought Council was going to address at this meeting. Cm. Altgelt clarified that his motion is not for dining in restaurants but are just for the drive-through, delivery, or takeout options; he added that the word "lockdown" is only meant to be quarantine, though this motion is for mandatory quarantining rather than essentials. Cm. Gonzalez voiced his support for the motion.

Cm. Vielma asked how the City is going to enforce this lockdown. Mr. Eads reminded Council that the Mayoral order also includes enforcement, which the City is currently implementing with Police. The City does not have the resource to check every single business for these measures as specified by Cm. Altgelt's motion.

Cm. Altgelt stated that in addition to Police, Fire, Code Enforcement, and various staff, the citizens of Laredo will largely follow the directive and can report on the residents or businesses that are not following the directive. Cm. Vielma noted that Section 4 of the order gives the consequences for violations, which can be applied to Cm. Altgelt's motion. It will be very easy for Code Enforcement or Police to see if a large gathering of cars are parked at a venue or building for them to investigate further. Dr. Martinez noted that the 2,000-3,000 people watching this meeting on Facebook live have voiced agreement for stricter guidelines and measures to curve the disease.

Dr. Treviño stated that people listen to medical authorities; if he and Dr. Gonzalez give daily information to the public, then they may be more receptive and therefore more apt to follow the directives. Whatever ordinance passes, they can help inform the public on it.

Cm. Rodriguez noted that while he might support a lockdown, the City is still open for through-traffic and visitors, which leaves it vulnerable to the spread of the virus; Dr. Martinez reminded Council that the City cannot stop people from entering the community. This must be done by the Governor. He agreed with Cm. Rodriguez that Council must discuss the Transit System if they are not going to stop operations. Transit is an essential service.

MPT Torres voiced his support of the motion on the condition that Council discuss the matter of local utility disconnection. Council agreed.

Motion to impose a mandatory lockdown for the next two weeks that is enforceable in which people will be quarantined within their own homes but can only go out for necessities such as food, pharmaceuticals, home repairs and work and iterate that all places of employment have to have safety protocols in place, including but not limited to, hand sanitizer, adequate air quality, and the ability to check temperatures and that places of employment ensure that their employees are not vectors for the disease, as amended.

Moved: Cm. Altgelt

Second: Dr. Marte Martinez

For: 8

Against: 0

Abstain: 0

MPT Torres initiated a motion mandating that no local utility authority disconnect any essential utility service for anyone that may be affected by the two-week lockdown period. Council can reevaluate this motion if the quarantine is extended past two weeks.

Motion to direct staff that no local utility authority shall disconnect any essential utility services for anyone that may be affected by the two-week mandatory lockdown.

Moved: MPT Torres

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0

Cm. Altgelt reported that First Transit has many people using the City transit services at the same time; First Transit employees are concerned because of the crowds of people coming in without much guidance on how to handle the masses or suspend operations. He informed Council that FTA grantees, of which the City is one, should follow the direction of local and state public health and law enforcement agencies. This local and state information is generally coordinated with the CDC and the Department of Homeland Security and is the most accurate assessment of the situation locally. The Transit System has to get people to doctors' appointments or to seek medical care or obtain essential goods. Cm. Altgelt noted that First Transit should have the resources to fully sanitize the buses and protect their staff with personal protective gear in order to safely transport

people to their essential destinations.

Mr. Eads reported that the Transit System informed him that they are currently struggling with working within social distancing requirements while carrying enough people on the buses throughout the community. There are also 50% more drivers calling in sick at this point. Newly-trained drivers are being added to the fleet, but there is still a shortage to meet the demand. Keeping the required social distance equates to only 10 people per bus.

Cm. Altgelt noted that mass transit should be available for essential services. Cm. Gonzalez noted that there are also various taxi services in town, asking about the considerations being given to them. Mr. Eads noted that not much discussion has taken place beyond the issue of sanitation for taxi services; the main focus has been on mass transportation given the number of people affected at one time.

Dr. Martinez noted that knowing the current capacity for each bus based on distance would be important. Mr. Eads informed Council that a six-foot distance requirement for a 50-foot bus equates to 10 people per bus. Cm. Altgelt suggested that the buses keep their windows open to increase ventilation during transportation, to which Dr. Martinez agreed in addition to reducing the number of riders per buses and increasing sanitation. Cm. Altgelt initiated a motion in line with the suggestions and concerns voiced, adding giving drivers the ability to determine whether a high-risk passenger may board the bus.

Dr. Martinez cautioned Council that it is very difficult for someone who is “unqualified” to determine who is high- or low-risk, elderly, or whatever characteristic is being asked of them to identify. Asking bus drivers to determine who gets to board a bus or not is a very challenging task to ask of someone. Cm. Altgelt ask if any pre-screening could be conducted at the transit center so that at-risk citizens do not board the buses and risk infecting others.

Mayor Saenz reminded Council that the majority of riders are picked up at bus stops, not the transit center. Therefore, Cm. Altgelt’s suggestion is moot. In response to Cm. Altgelt’s attempt to amend his motion to give priority to elderly passengers for El Lift diversion, Mrs. Cabello reported that, per Transit, the City cannot give any priority to any type of rider, elderly or otherwise, as it is a violation of FTA regulations.

Cm. Martinez noted that the motion is well-intended but puts a heavy burden on Transit bus drivers. Mrs. Cabello also corrected Cm. Altgelt’s attempt to amend his motion by reminding Council that determining whether passengers are riding for a necessity is also a violation of FTA and cannot be allowed.

Motion to task First Transit keep the spacing requirements imposed for social distancing purposes, keep windows open for ventilation, and maintain sanitization of the buses as needed for the next two weeks, as amended.

Moved: Cm. Altgelt
Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

Cm. Rodriguez what protocol is currently being used for the people exposed to COVID-19. Dr. Gonzalez explained that both of the schools and Parks Department employees, which were potentially exposed to the confirmed positive case of COVID-19 patient, letters went out to all parties with information. Staff is following up with those individuals to make sure that they understand the letter, to determine if they are suffering from any symptoms, and to advise them on what to do within the next seven days. If these people are not able or unsure about checking their own symptoms, they have been given instructions on how to get to the Health Department clinic in order to be checked by medical staff.

Mr. Eads reminded Council that when staff members were sent home, they were sent home to *stay at home*, not to leave their houses for non-essential reasons. The same goes for anyone told to stay home during the quarantine. It is the function of those individuals' supervisors and administration to make sure that their staff is following directives to stay home during this time. Staff has discipline measures in place for that. City staff being told to stay home are not being given a suggestion; it is a directive from a supervisor and must be followed.

MPT Torres voiced his concerns for people who rent their living spaces and their potential inability to work in order to pay rent during the quarantine. He initiated a motion to prohibit landlords from evicting any tenants while the quarantine/lockdown is in effect. Dr. Martinez asked MPT Torres to include both residential and commercial landlords in this motion, to which he agreed.

Motion to extend the Mayoral order to prohibit any residential or commercial landlord from evicting any tenants for lack of payment while the order is in effect, to the extent that the law allows, as amended.

Moved: MPT Torres

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0

Cm. Rodriguez asked what the City is doing for first responders, since they are the ones most exposed to the virus and still go home to their families. Claudio Treviño, Police Chief, explained that first responders are following the Mayoral order and are asking for businesses to comply voluntarily before the quarantine goes into effect. The main focus is on businesses that attract more than 50 people at a time. He noted that first responders are taking precautions by directing people to the call center, which is screening those calls for the different services needed. Some crime reports can be taken over the phone, which is being done if applicable to avoid physical contact and comply with social distancing. The public is being advised to call ahead for any services that can be fulfilled by Police Headquarters. Police officers are given the supplies to disinfect their units and are asked to monitor their own health and symptoms and stay at home if they feel like they are vectors of the virus. The Police Public Information Officer is gathering information and requests throughout the Department in order to best meet Police's needs.

[Note: video and audio recording is briefly interrupted during Chief Treviño's remarks to Council.]

MPT Torres reminded Council that at the previous Emergency Council meeting, he initiated a motion that went into effect in which any City employee that tests positive COVID-19 (or their spouse or children), they would be given paid Administrative Leave without having to utilize their own benefit accruals. This would require them to bring documentation of their diagnosis.

Cm. Altgelt initiated a motion to direct the Health Department to work in collaboration with the TAMIU Nursing School, LC Nursing School, and the UT Health Science Center or other health care systems to increase the availability of testing and screening, particularly for drive-through testing. Dr. Gonzalez noted that staff is already working towards this goal but supported Cm. Altgelt's formalization of the objective into a motion.

Motion to direct the Health Department to work in collaboration with the TAMIU Nursing School, Laredo College Nursing School, and the UT Health Science Center and local health care systems to rapidly increase the availability of testing and screening including locations for drive-through testing.

Moved: Cm. Altgelt

Second: Cm. Balli

For: 8

Against: 0

Abstain: 0

Motion to prohibit businesses that lease or rent venues for social gatherings from charging fees for date changes or modifications during the period of this order as allowed to the extent of the law.

Moved: Cm. Gonzalez

Second: MPT Torres

For: 8

Against: 0

Abstain: 0

Dr. Martinez asked if the City has any financial resources to draw from in the event that the COVID-19 situation continues for a prolonged amount of time and depletes the available health resources. He noted his understanding that the City is under a very tight budget but asked for a contingency in case the situation spirals into a worst-case scenario.

Mr. Eads explained that the City's General Fund balance would be the place to draw additional resources from, which is a serious matter as the General Fund is tied to many of the City's operations. He strongly cautioned Council from decisions regarding locking down General Fund reserves in light of the downstream shortfalls that doing so could mean for the City. The budget is constrained to the greatest degree in recent memory; to do more would be to seriously tax the General Fund balance. Mrs. Cabello added that while property taxes are performing well, the other two main revenue streams for the General Fund (sales tax and Bridge) are unpredictable at this time and could greatly affect the

Fund.

Dr. Martinez initiated a motion to bring General Fund reserve information to the next regularly-schedule Council meeting. Dr. Gonzalez reminded Council that federal stockpile assistance may be available; staff has also requested this assistance regionally in the form of masks, gloves, gowns, and other supplies and equipment.

Cm. Altgelt requested that Chief Landin, as the Emergency Management Coordinator, inform the public via press release what equipment is on hand if needed in the City's reserves. Chief Landin noted that the emergency management protocol makes the City's resources available and allows for the request of state and temporary facilities if Laredo's hospitals run out of capacity.

Motion to direct staff to bring to the next scheduled Council meeting information on the amount of the City's General Fund reserves for resources that can be directed to the COVID-19 and lockdown matter without drawing concern from the City's bonding agencies.

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 8

Against: 0

Abstain: 0

Chief Landin noted that the City could request additional ventilators for the hospitals via the Emergency Management plan through the proper channels. Mayor Saenz asked for updates on this manner through daily briefings.

MPT Torres observed confusion on social media regarding social gatherings and a threshold of 50 people or more. He asked for clarification on the threshold of a social/public gathering. Cm. Altgelt explained that the threshold of 50 people or more was eliminated by nature of his motion. MPT Torres noted that this means that a gathering of two or more people would constitute a social gathering. This may prevent people from going to check on their family members.

Cm. Altgelt countered that if checking on a family member is a necessity, then it is allowed by the motion. Mayor Saenz questioned who would determine what a necessity is. Mrs. Hale agreed that Council needs a definition as to what constitutes a social or public gathering. MPT Torres suggested that a threshold of 10 people would be more appropriate, to which Mrs. Hale agreed that a threshold is needed in order to provide a definition.

Council agreed that a threshold of 10 people is appropriate since other cities have utilized this number.

Motion to approve a threshold 10 persons only permitted at a social gathering.

Moved: MPT Torres

Second: Cm. Balli

For: 8

Against: 0

Abstain: 0

Cm. Altgelt clarified that previous motions would be enforceable as misdemeanors in line with the Mayoral order.

MPT Torres noted that his motion regarding utilities included not only City utilities like water but also electricity, gas, cable, phone, and internet. All of this is allowable in an emergency state, even privately-owned utilities. The two-week period starts 2:00 a.m. March 18 and ends two weeks later.

Dr. Martinez asked about a business with a membership that either would have to close or would not have any customers or clients since they are home quarantining. He asked if Council is allowed to put those contracts on hold during this time. Mrs. Hale confirmed that Council can issue orders if they deem it appropriate or necessary.

Cm. Altgelt explained that most contracts have a *force majeure* built in that any acts of God or disasters outside of the parties' control will give parties an exit. That is common, though he conceded that it may not apply to all contracts referred to by Dr. Martinez. He also questioned whether Council can meddle with contracts between two private parties. Mrs. Hale agreed that Council directive may not extend to that situation, but she confirmed that staff can research this matter and bring it back to Council.

Cm. Balli asked if the same could be said about landlord-tenant matters that Council already addressed, since that matter is also private contractual in nature. Mrs. Hale noted that the broad emergency order allows that because it is something having to do with residential issues, like one's home. The issue of commercial landlords is why Council's motion included "as allowed by law."

Cm. Vielma asked for health and safety guidelines that would allow individuals to continue going to work during this two-week period. These guidelines could be provided to the public or the Chamber of Commerce so that the public is adequately informed.

Mr. Eads asked Council to extend the seven-day declaration to 30 days.

Motion to extend the March 16, 2020, declaration from seven days to 30 days.

Moved: MPT Torres

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

Cm. Altgelt initiated a motion to issue a new control order instructing all healthcare facilities in Webb County to implement a range of sanitation and screening measures. The new specified control measures, which impact hospitals, doctors' offices, clinics, and other healthcare facilities, should mandate that: "Help Prevent Disease" signs provided by the City of Laredo Health Department must be displayed prominently in all healthcare facilities; hand sanitizer must be available and supplied to employees,

patients, visitors, and volunteers; the facility must symptom check all employees, patients, visitors, and volunteers prior to entry and may not allow any persons into the facility who exhibit symptoms of COVID-19, unless they are patients; the facility will develop a plan to screen, identify, and, when required, isolate individuals and patients presenting to healthcare facility using CDC recommendations to assess and further direct the care of patients and individuals presenting to the facility; the facility will apply the same approach of screening, identifying and, when required isolating healthcare workers employed by or affiliated with the facility; all healthcare workers should self-monitor their temperature prior to and at least once during their shift; any suspected or confirmed case of COVID-19 should be reported to the Health Department in the usual manner for notification of reportable disease.

Dr. Martinez reminded Council that most facilities are already performing these actions on their own, but it should be reiterated by Council. Dr. Gonzalez reminded Council that healthcare facilities' policies already have some procedures and actions that they must comply with, though they are in the best interest of the community's public health.

Cm. Altgelt amended his motion to include "as available" for hand sanitizer as it currently is in short supply.

Motion to issue a new control order instructing all healthcare facilities in Webb County to implement a range of sanitation and screening measures. The new specified control measures, which impact hospitals, doctors' offices, clinics, and other healthcare facilities, should mandate that: "Help Prevent Disease" signs provided by the City of Laredo Health Department must be displayed prominently in all healthcare facilities; hand sanitizer must be available and supplied to employees, patients, visitors, and volunteers, as available; the facility must symptom check all employees, patients, visitors, and volunteers prior to entry and may not allow any persons into the facility who exhibit symptoms of COVID-19, unless they are patients; the facility will develop a plan to screen, identify, and, when required, isolate individuals and patients presenting to healthcare facility using CDC recommendations to assess and further direct the care of patients and individuals presenting to the facility; the facility will apply the same approach of screening, identifying and, when required isolating healthcare workers employed by or affiliated with the facility; all healthcare workers should self-monitor their temperature prior to and at least once during their shift; any suspected or confirmed case of COVID-19 should be reported to the Health Department in the usual manner for notification of reportable disease, as presented and amended.

Moved: Cm. Altgelt

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

Dr. Martinez initiated a motion to suspend or freeze all contracts or memberships during the next two weeks as permitted by law. Cm. Balli voiced his opinion that such a motion is overly-broad, adding that he cannot support the motion because it goes against the individual who has a right to enter into contracts.

Motion to recommend that all contracts and memberships are suspended or frozen for the next two weeks as permitted by law.

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 3 Against: 5 Abstain: 0

Cm. Vielma

Dr. Marte Martinez

Cm. Altgelt

Cm. Gonzalez

Cm. Rodriguez

Cm. Mercurio Martinez

MPT Torres

Cm. Balli

Motion fails.

[Note: the video and audio transmission is briefly interrupted.]

Cm. Rodriguez asked about employees whose childcare is no longer available due to COVID-19 concerns or closures. He asked that City employees not be reprimanded because they have to stay home due to childcare limitations.

Mr. Eads noted that if this is an essential function, it should be allowed. However, if those employees are having to stay home and cannot travel to work, there will be a loss of revenue for which the City cannot hold them responsible. He asked if Council wishes to make daycare an essential function.

Cm. Altgelt stated his opinion that for a lockdown to be taken seriously, then the City should not comingle children in a daycare facility where they can become vectors of the virus or other illnesses. He suggested that Council track what the school districts are doing, which is closing down operations for the next two weeks.

Cm. Balli clarified that Cm. Rodriguez's concern is disciplining employees who have to take leave for childcare. He initiated a motion to treat employees needing leave to take care of their children during the quarantine as if they were on Family Medical Leave under the Family Medical Leave Act. This will allow them to take the time off while protecting their position. If the employee has their own benefit leave accruals, they are able to utilize them for their paycheck; however, if the employee does not have leave time, then that time away from work will not be paid.

Mr. Eads reminded Council that the City has not calculated the financial effect of this. He asked Council to be very careful with this decision as the City cannot afford to pay employees for this service. Cm. Balli amended his motion to stipulate that the employee will have to use their own leave accruals, specifically vacation or comp time rather than sick leave. Cm. Altgelt countered that the original motion is more appropriate; if the City is asking employees to stay home for safety purposes, then it is inappropriate to deprive them of their paychecks.

CM. Balli clarified that his motion is not to give employees extra leave but to simply treat them as if they were on FMLA leave, which is a protection of their position against termination and not paid leave.

Mr. Eads noted that if employees can use their own leave bank, then there are obviously no repercussions and staff would support this motion. If the employee does not have that leave accrual, then they will have to make that decision as to whether they can stay home. He noted that the City and the taxpayers are not able to “pick up the check” on employees that are simply choosing to stay home. Cm. reminded staff that this is not the motion that he made. He added that the employee would have to request the leave; the City will not assume that all employees with dependent children are going to stay home to care for their children due to childcare limitations.

Cm. Vielma reminded Council that some employees provide essential services that may necessitate that they continue to work. Some Departments may be able to reduce staff to “skeleton crews,” but the Department may still need to operate. Cm. Balli amended his motion to allow for children age 14 and under with no other caregiver.

MPT Torres suggested that Council give management two or three days to identify what employees can work from home. Cm. Altgelt noted that he has a motion prepared directly related to that point.

Mr. Eads noted that management has already begun this process of identifying what staff can work from home in order to keep the gathering of City employees manageable while still functional. Cm. Balli conceded and withdrew his motion from consideration.

Motion to treat employees needing leave for at-home childcare in the event of school and day care closures as if they were on family medical leave under the Family Medical Leave Act with protection of their position under the Act for employees who are caring for children under the age of 14 with no other caregiver, clarifying that the employee will have to use their own leave accruals, as amended.

Moved: Cm. Balli
Second: Cm. Altgelt
Motion withdrawn.

Cm. Altgelt initiated a motion to direct management assess and identify all City employees that are able to transition to teleworking schedules throughout the next two weeks and to further direct staff to increase the physical working space for employees unable to telework and circulate fresh air among those employees and modifying any and other necessary operations in order to provide the best and safest work environment. Mr. Eads expressed his gratitude for this latitude, noting that management has already begun this process in identifying those employees.

Motion to direct management assess and identify all City employees that are able to transition to teleworking schedules throughout the next two weeks and to further direct staff to increase the physical working space for employees unable to telework and circulate fresh air among those employees and modifying any and other necessary operations in order to provide the best and safest work environment.

Moved: Cm. Altgelt

Second: Dr. Marte Martinez

For: 8

Against: 0

Abstain: 0

Dr. Gonzalez asked for a grace period in which the City can inform restaurants and day care centers of the new directives so that they may inform their patrons or make arrangements. MPT Torres suggested putting this order into effect at midnight on Thursday, March 19, 2020. He initiated a motion to this effect.

Mr. Eads explained that the current order will continue until midnight on March 19 and then will carry out Council's directives afterward.

Motion to put the changes to the Mayoral order and declaration into effect at 12:01 a.m. Thursday to give businesses and residents two days' notice in order to make their arrangements.

Moved: MPT Torres

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

Cm. Vielma asked about employers who are keeping their employees from wearing personal protective equipment like masks or gloves. Cm. Altgelt noted that the Americans with Disabilities Act requires that employers provide reasonable accommodations to requests made by their employees, which would include personal protective equipment. The employer, if they refuse those accommodations, would be liable for litigation after the fact.

Cm. Vielma noted that her relative has pulmonary issues and has faced this issue at work. Cm. Altgelt initiated a motion to implement a public awareness campaign regarding how personal protective equipment is used as a preventative measure. The campaign will encourage the use of this equipment and destigmatize the taboo.

Motion to implement a public awareness campaign regarding COVID-19 information and personal protective equipment like masks and gloves on social and mainstream media as well as any other means of distribution.

Moved: Cm. Altgelt

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

MPT Torres clarified that the motions requiring sanitizers or personal protective equipment all stipulated “as available” due to their high demand. Cm. Balli reminded the public that soap and water are recommended over hand sanitizers anyway because they are more effective.

Mayor Saenz thanked Council and staff for their dedication through this difficult meeting.

VI. EXECUTIVE SESSION

None

VII. ADJOURNMENT

Motion to adjourn.

Moved: Cm. MPT Torres

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0