



## CITY OF EL LAGO

### MINUTES OF THE MARCH 15, 2020 EMERGENCY CITY COUNCIL MEETING 411 TALLOWOOD DRIVE, EL LAGO, TEXAS 77586

1. **Call to Order** Mayor Skelton called the meeting to order at 5:00 PM.

2. **Invocation and/or Pledge of Allegiance**

3. **Declaration of a Quorum**

Present: Mayor John Skelton  
Councilperson Shawn Findley  
Mayor Pro Tem Ann Vernon  
Councilperson Darin Clark  
Councilperson Jeff Michalak  
Councilperson Kris Kuehnel

Mayor Skelton stated that the deadline for applications for a place on the ballot for City Council positions has passed and all incumbents are unopposed so there will not be a general election held this year.

4. **Citizen Comments**

There were no citizen comments.

5. **Mayor Skelton's comments on the current COVID-19 pandemic and the state of the city**

Mayor Skelton discussed the need for modifying public area accesses due to the COVID-19 threat and recommended closing City Hall and the court to the public and have staff present to conduct business by phones, email, and online applications. Additionally he recommended that court dates be postponed for at least one week. Mayor Skelton made a recommendation that the gym be closed until further notice. Mayor Pro Tem Vernon asked if the gym fees would be refunded. She then recommended that if the closure lasted two weeks or less then there would not be refunds, but if closures extended longer than two weeks then refunds could then occur. Councilperson Michalak stated that the decision to close the gym should be made now and the issue of refunds could be considered later. Mayor Pro Tem Vernon stated that rather than considering refunds, it would be easier to suspend the next payments scheduled for April 1, 2020 if the gym was still closed at that time. The decision was made to close the gym and suspend the payments as of April 1, 2020 if the gym continues to be closed.

Mayor Skelton stated that Governor Abbot is conducting conference calls to brief city officials regarding current status of the COVID-19 threat in the state and what decisions are being made. Mayor Skelton said he has been in contact with the Chief of Police and they have a plan in place to handle the threat. The Mayor said he has contacted WCID 50 and is expecting a return call to determine if any changes will need to be made there.

Councilperson Michalak raised a question about the restrooms in McNair Park and if they would be closed.

Mayor Pro Tem Vernon stated that they would also be closed to the public as well as all City buildings.

6. **Emergency Management Coordinator Tom Merchant to speak on Continuity of Operations recommendations for the City**

The Emergency Management Coordinator, Tom Merchant, informed Council that there is a Continuity of Operations Plan with is designed to specify how the city will operate under non-normal situations. He discussed the need for PPE for staff and Mayor Skelton stated that staff would be practicing social distancing and will use hand sanitizer. Mr. Merchant asked if all scheduled events in the Event Room would be cancelled. After discussion by the Council it was determined that all events scheduled to take place in the Event Room would be cancelled and all City activities are cancelled until further notice. This will be reassessed in two weeks. Additionally, all deposits made during this time frame will be refunded.

Mr. Merchant asked if a declaration of disaster would be made by the City. Mayor Pro Tem Vernon stated that the City is covered by the Harris County declaration of disaster. Mayor Skelton said he did not feel that given that Harris County has made a declaration of emergency then a City declaration is not necessary.

Mr. Merchant informed Council that 23<sup>rd</sup> Psalm is covered by a state mandate and they are taking appropriate action. He then asked what will be done if a case of COVID-19 is found in El Lago. The Mayor stated that there may be additional measures enacted at that time but it will be revisited if that happens.

Tom Merchant shared a form including instructions for tracking the costs of COVID-19 to the City. He then read a statement that he recommended be distributed to the City via social media and the City's website. Mayor Skelton said he would release a statement via the City's website, robocall, Facebook, Nextdoor, on the following day. He also informed Council that the Governor's office is looking at ways that Council Council and board meetings can be conducted during this time so there may be temporary changes enacted soon. Mayor Pro Tem Vernon provided a copy of the notices that will be posted at all City locations for Council to review.

## 7. New Business

- 7.1. *Discuss/approve action to protect the El Lago citizenry and the general public including actions as related to city services and City Hall.* Mayor Skelton explained that City Hall and the Courts will be closed to the public but staff would be working using phones, email, and online access. The City gym and the park bathrooms would be closed. All events scheduled in the Event Room will be cancelled. Councilperson Michalak made a motion to approve and a second was provided by Mayor Pro Tem Vernon. The vote was unanimous to approve.
- 7.2. *Discuss/approve action plan to protect City employees including City Hall an Municipal Court workplace environment.* Mayor Pro Tem Vernon explained that staff will practice social distancing. This means they will work separately and stay 6 feet apart. The Mayor said that staff will be paid if the offices close completely. Inspections will be postponed for one week and the Mayor will reassess. Mayor Pro Tem Vernon made a motion to approve and Councilperson Findley seconded. The motion was approved unanimously.
- 7.3. *Discuss/approve continuity plan for City government and services* Mayor Skelton stated that a policy is in place that all checks must be approved prior to being signed. The Mayor requested that this be waived due to the Council meetings being cancelled, but the check detail can still be sent to all Council members via email. Mayor Pro Tem Vernon made a motion to approve a continuity of operations plan to allow the Mayor and other check signers to pay City bills during the time the City is under the Harris County State of Emergency, which temporarily suspends the City Council plan for prior approval to sign checks. A second was provided by Councilperson Michalak. The vote was unanimous to approve.

8. **Adjournment** – There being no further business the Mayor adjourned the meeting at 6:09 P.M.



John Skelton  
Mayor

ATTEST:



Rachel Lewis  
City Secretary

## TEXAS LOCAL GOVERNMENT CODE, Sec. 418.108. DECLARATION OF LOCAL DISASTER.

(a) Except as provided by Subsection (e), the presiding officer of the governing body of a political subdivision may declare a local state of disaster.

(b) A declaration of local disaster may not be continued or renewed for a period of more than seven days except with the consent of the governing body of the political subdivision or the joint board as provided by Subsection (e), as applicable.

(c) An order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the city secretary, the county clerk, or the joint board's official records, as applicable.

(d) A declaration of local disaster activates the appropriate recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the declaration. The appropriate preparedness and response aspects of the plans are activated as provided in the plans and take effect immediately after the local state of disaster is declared.

(e) The chief administrative officer of a joint board has exclusive authority to declare that a local state of disaster exists within the boundaries of an airport operated or controlled by the joint board, regardless of whether the airport is located in or outside the boundaries of a political subdivision.

(f) The county judge or the mayor of a municipality may order the evacuation of all or part of the population from a stricken or threatened area under the jurisdiction and authority of the county judge or mayor if the county judge or mayor considers the action necessary for the preservation of life or other disaster mitigation, response, or recovery.

(g) The county judge or the mayor of a municipality may control ingress to and egress from a disaster area under the jurisdiction and authority of the county judge or mayor and control the movement of persons and the occupancy of premises in that area.

(h) For purposes of Subsections (f) and (g):

(1) the jurisdiction and authority of the county judge includes the incorporated and unincorporated areas of the county; and

(2) to the extent of a conflict between decisions of the county judge and the mayor, the decision of the county judge prevails.

(i) A declaration under this section may include a restriction that exceeds a restriction authorized by Section [352.051](#), Local Government Code. A restriction that exceeds a restriction authorized by Section [352.051](#), Local Government Code, is effective only:

(1) for 60 hours unless extended by the governor; and

(2) if the county judge requests the governor to grant an extension of the restriction.

## **Texas Government Code § 551.047. Special Notice to News Media of Emergency Meeting or Emergency Addition to Agenda**

The presiding officer of a governmental body, or the member of a governmental body who calls an emergency meeting of the governmental body or adds an emergency item to the agenda of a meeting of the governmental body, shall notify the news media of the emergency meeting or emergency item as required by this section.

(b) The presiding officer or member is required to notify only those members of the news media that have previously:

(1) filed at the headquarters of the governmental body a request containing all pertinent information for the special notice; and

(2) agreed to reimburse the governmental body for the cost of providing the special notice.

(c) The presiding officer or member shall give the notice by telephone, facsimile transmission, or electronic mail.