

LEWISVILLE CITY COUNCIL

CALLED-SPECIAL SESSION

MARCH 20, 2020

Present:

Rudy Durham, Mayor (Teleconference)

Council Members:

TJ Gilmore

Bob Troyer, Mayor Pro Tem

R Neil Ferguson, Deputy Mayor Pro Tem

Kristin Green (Teleconference)

Brandon Jones (Teleconference)

City Staff:

Donna Barron, City Manager

Eric Ferris, Deputy City Manager

Claire Powell, Assistant City Manager

Melinda Galler, Assistant City Manager

Julie Worster, City Secretary

Lizbeth Plaster, City Attorney

CALLED-SPECIAL SESSION – 12:00 P.M.

With a quorum of the Council Members present, the called-special session of the Lewisville City Council was called to order by Mayor Durham at 12:00 p.m. on Friday, March 20, 2020, in the City Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas and various teleconferencing sites. Mayor Durham turned the meeting over to Mayor Pro Tem Troyer.

**Consideration of Extension of Declaration of
Disaster for Public Health Emergency.**

(Agenda Item 1)

City Attorney Lizbeth Plaster requested to take the City Council into Closed Session in regard to this item.

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Mayor Pro Tem Troyer adjourned the called-special session of the Lewisville City Council into Closed Session at 12:03 p.m. Friday, March 20, 2020, in accordance with the requirements of the Open Meetings Law.

**CLOSED SESSION: In Accordance with
Texas Government Code, Subchapter D,
Section 551.072 (Consultation With
Attorney/Client): Consideration of
Extension of Declaration of Disaster for
Public Health Emergency**

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Consultation With Attorney/Client), the Lewisville City Council convened into Closed Session at 12:03 p.m. on Friday, March 20, 2020, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to Section 551.072 (Consultation With Attorney/Client): Consideration of Extension of Declaration of Disaster for Public Health Emergency

The Closed Session was adjourned at 12:32 p.m. on Friday, March 20, 2020.

**Reconvene into Called-Special Session and
Consider Action, if Any, on Items Discussed
in Closed Session.**

(Agenda Item B)

Mayor Pro Tem Troyer reconvened the special-called session of the Lewisville City Council at 12:34 p.m. on Friday, March 20, 2020, in the Council Conference Room of the Lewisville City Hall and various teleconferencing sites.

Mayor Pro Tem Troyer opened the floor for action to be taken on the items discussed in the Closed Session. There was no action taken on the items discussed in closed session.

City Manager Barron addressed the City Council and referred them to the proposed Resolution before them and addressed the included sections that were beyond the scope of Denton County Judge Andy Eads' actions in his Order of March 13, 2020. She indicated that Section 3 and 4 would be enforce until Council took further action at the April 6, 2020, City Council meeting. The sections reviewed are as follows:

**Consideration of Extension of Declaration of
Disaster for Public Health Emergency (cont'd)**

(Agenda Item 1)

SECTION 3

Pursuant to sections 121.003 and 122.006 of the Texas Health and Safety Code, section 418.108 of the Texas Government Code, and such other powers the City may have under the City Charter, Code of Ordinances, and other laws, the City Council hereby orders that any person, including employees and members of the public, entering a City of Lewisville public facility may have their temperature taken and will not be allowed access to the facility if the person has a temperature or exhibits symptoms of COVID-19.

SECTION 4

Pursuant to sections 121.003 and 122.006 of the Texas Health and Safety Code, section 418.108 of the Texas Government Code, and such other powers the City may have under the City Charter, Code of Ordinances, and other laws, the City Council hereby orders that the enforcement of section 16-327 (Discontinuation for nonpayment) of the Lewisville City Code shall be suspended during the term of this Resolution.

SECTION 5

Pursuant to a request from the United Way of Denton County, the City Council approves funding, up to forty thousand dollars (\$40,000.00), to the United Way of Denton County COVID-19 Relief Fund to be used for eviction avoidance for Lewisville residents who have experienced income or job loss directly resulting from COVID-19. The City Manager is authorized to execute an agreement with the United Way of Denton County related to said funding.

At the request of City Manager Barron, Human Resource Director Matt Grebliunas reviewed the proposed policy relating to the following section. (Attached are his comments.)

SECTION 6

Pursuant to the powers the City has under the City Charter, Code of Ordinances, and other laws, the City Council adopts and approves the Emergency Paid Sick Leave Act (COVID-19) leave policy, attached hereto as Exhibit "A".

**Consideration of Extension of Declaration of
Disaster for Public Health Emergency (cont'd)**

(Agenda Item 1)

City Manager Barron addressed the complexities in the law and the management of that law for the Human Resource Department. She explained that the change would make it easier for administration. Discussion was held regarding the fiscal impacts of this change. City Manager Barron advised that she felt it would be minimal; however, staff had only one day to review the new law and there were many unknowns at this time. She assured the City Council that staff would provide reports as the City moves forward and determines the impacts. The consensus of the City Council was they were in agreement with the proposed policy.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Ferguson and seconded by Councilmember Gilmore the Council voted five (5) “ayes” and no (0) “nays” to adopt and approve Resolution No. 0200-20-RES: A Resolution of the City Council of the City of Lewisville, Texas, Ratifying and Extending the Declaration of Local Disaster for Public Health Emergency Signed by Mayor Rudy Durham on March 13, 2020 Until 11:59 P.M. on April 6, 2020; Suspending the Application of Section 16-327 of the City Code; Approving Funding to the United Way of Denton County COVID-19 Relief Fund; Adopting and Approving the Emergency Paid Sick Leave Act (COVID-19) Leave Policy; and Providing an Effective Date. The motion carried.

Adjournment

MOTION: Upon a motion made by Deputy Mayor Pro Tem Ferguson and seconded by Councilmember Jones, the Council voted five (5) “ayes” and no (0) “nays” to adjourn the called-special session of the Lewisville City Council at 12:44 p.m. on Friday, March 20, 2020. The motion carried.

These minutes approved by the Lewisville City Council on the 6th day of April, 2020.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Worster
CITY SECRETARY

Congress passed The Emergency Families First Coronavirus Response Act effective March 18, 2020. Staff has reviewed the provisions of the act and believe that administering the specifics would be difficult under our current payroll system. In order to ease the administrative burden, we are asking that the City go beyond the requirements of the act and provide additional benefits to our employees. These additional benefit provisions require City Council approval.

The Act provides two weeks of paid sick leave for employees or their family members who are quarantined or experiencing symptoms of COVID-19. The act also gives an additional 10 weeks of leave to care for a child whose school or childcare provider is unavailable due to COVID-19. The Federal law allows government employees to exclude Public Safety employees from receipt of this benefit. Staff recommends that public safety employees as defined in the policy be excluded due to our requirement to provide ongoing public safety services.

Under the law, the first two weeks of pay is capped at \$511 per day. This cap would only affect a limited number of positions in the organization. The remaining 10 weeks of pay cannot be less than two-thirds of the employee's pay, capped at \$200 per day. Staff recommends that we remove both caps to provide employees their regular rate of pay and approve the use of this benefit for any leave related to the COVID-19.

The COVID-19 related leave has no monetary value when an employee separates and will expire on December 31, 2020.

Even with this benefit, there will still be employees who will lose pay because they do not have accrued leave balances necessary to cover leaves related to closure of facilities and services. We will monitor this on an ongoing basis and provide future reports to council.