

# City of San Antonio



## City Council Special Meeting

WebEx Meeting - No in-person public access to this meeting

**Tuesday, April 28, 2020**

**1:00 PM**

**Videoconference**

To protect the health of the public and limit the potential spread of COVID 19, the City Council held this meeting via videoconference. These meeting standards are based upon the various suspended provisions of the Open Meetings Act issued by the Texas Governor in response to the COVID 19 crisis. These modified standards shall remain in place until further notice or until the state disaster declaration expires or is otherwise terminated by the Texas Governor. The meeting will be available to the public at AT&T channel 99, Grande channel 20, Spectrum channel 21, digital antenna 16, [www.sanantonio.gov/TVSA](http://www.sanantonio.gov/TVSA) and [www.Facebook.com/COSAGOV](https://www.Facebook.com/COSAGOV) or by calling (210) 207 5555 (password 1111).

Once a quorum is established, the City Council, in a joint meeting with the Bexar County Commissioner's Court, shall consider the following item.

### **ROLL CALL**

Acting City Clerk Tina J. Flores took the Roll Call noting a quorum with the following Councilmembers present:

**PRESENT:** 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

Bexar County Clerk Lucy Adame-Clark took the Roll Call noting a quorum with the following County Commissioners present:

**PRESENT:** 5 - Judge Nelson Wolff, Sergio Rodriguez, Justin Rodriguez, Kevin Wolff, Tommy Calvert

1. Briefing and updates on the City of San Antonio and Bexar County COVID-19 response and preparedness updates from the COVID-19 Health Transition Team.

Mayor Nirenberg led the meeting by acknowledging the historic occasion of the inaugural Special Joint Meeting with City Council and the Bexar County Commissioner's Court. He thanked the Commissioner's Court for their partnership and solidarity in providing a unified pandemic response to protect the community and ensure the long-term vitality of the City.

Judge Wolff thanked Mayor Nirenberg and City Council for their coordinated efforts to represent two million people. He noted the City's contributed \$25 million to assist the public and the County's contribution of \$10 million to assist small businesses and for rental assistance. He stated that rental evictions would continue to be temporarily halted.

City Manager Erik Walsh stated that the Special Meeting would begin with an update on the City's COVID-19 response and preparedness from Dr. Dawn Emerick, Health Director, Metro Health; thereafter, City Attorney Andy Segovia would provide an update on Governor Abbott's Executive Orders.

Dr. Emerick reported that data analytics illustrated an estimated 3,000 to 5,000 lives were saved since the inception of Phase 1 of the Governor's Stay-at-Home Order which took effect on April 2, 2020. She stated that Phase 2 of the COVID-19 Response activated the City's Emergency Operation Center (EOC) and established a Unified Command with two goals: 1) Flatten the curve; and 2) Slow or stop the speed of the spread of COVID-19.

Dr. Emerick reported that the Metro Health Response Team performed the following practices during the Phase 2 COVID-19 Response:

- Responded to isolated outbreaks
- Canvassed neighborhoods
- Provided education about social distancing and the importance of wearing masks
- Performed COVID-19 testing, contact tracing, quarantine and isolation practices

Dr. Emerick reported that as a result of the Phase 2 COVID-19 Response actions, there were 1,254 reported COVID-19 cases, 531 recovered cases, and 43 deaths, with a peak of cases reached in March 2020. She stated that the City may be over the curve but it was yet to be determined. She reported that 76% of COVID-19 tests were conducted by medical providers; 76% of cases were attributed to close contact and community transmission, and 42% of cases had recovered. She stated that monitoring indicators illustrated patterns of descent for the last 16 weeks. She added that additional monitoring indicators would be added to the COVID-19 Dashboard as recommended by the Health Transition Team. She noted that 958 daily COVID-19 tests were performed and the goal was to increase daily testing. She stated that the report of 77% ventilators in use was a key indicator to understand warning and progressive signs of COVID-19 cases.

Dr. Emerick stated that EMS transports, ICU rates, ventilator rates, and quarantine rates would continue to be monitored as the City entered the Phase 3 COVID-19 Response. She emphasized that recommended approaches taken during the entire COVID-19 Response were dependent on science, public health principles, and health care expertise – all of which were critical to guide the decision-making process to opening up the City and County again.

City Attorney Andy Segovia reported that Governor Abbott issued Executive Order No. GA-18 on April 27, 2020. He stated that GA-18 related to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 Disaster. He noted that social gatherings were still prohibited and identified Essential Services remained in place. He relayed that the Order identified certain businesses in the Non-Essential category and allowed them to reopen under limited conditions starting May 1, 2020 with a 25% occupancy restriction. He stated that the reopened services may independently require face coverings. He noted that GA-18 highly encouraged the use of face coverings

but fell short of requiring local municipalities to issue criminal penalties.

City Attorney Segovia reported that GA-18 referenced a publication issued by the State which provided specific guidance and criteria for businesses that would be reopening. He stated that Places of Worship were encouraged to continue conducting their activities remotely as much as possible and to follow guidelines provided by the Centers for Disease Control and Prevention (CDC). He added that GA-18 allowed for outdoor sports to resume so long as participation was limited to 4 persons on a no-contact basis.

City Attorney Segovia reported that Governor Abbott issued Executive Order No. GA-19 which would become effective on May 1, 2020 and allow healthcare professionals to continue practicing if they complied with any emergency rules issued by their licensing agencies. He added that GA-19 would require hospitals to reserve 15% of their capacity for the treatment of COVID-19 patients.

City Attorney Segovia reported that Governor Abbott issued Executive Order No. GA-20 which would become effective on May 1, 2020 and would remove travel restrictions relating to travelers from Louisiana but mandated self-quarantine for 14 days for travelers from several other states, including California and New York.

Dr. Barbara Taylor, Chair, COVID-19 Health Transition Team (HTT), reported that the intent of the Health Transition Team was to provide guidance and recommendations to the City and County as they formulated plans to reopen the community. She stated that the HTT based their guidance on existing public health evidence-based data and subject expertise informed by shared values, to include a collective commitment to equity and service to the community. She added that HTT members included a Pastor and an Ethicist. She stated that HTT recognized that health and economic prosperity were tightly linked in every community and autonomy, individual freedom, privacy and trustworthiness were essential considerations when HTT simultaneously drafted guidelines for limitations to individual freedom and reviewed reopening plans.

Dr. Taylor emphasized that HTT guidance was different from Governor Abbott's guidance. She explained that the Governor's Executive Orders divided activities and businesses into essential and non-essential categories, whereas HTT relied on a risk assessment strategy developed by the John Hopkins Bloomberg School of Public Health to determine risk by activity as determined by contact intensity and modification potential. She explained that mitigation strategies were implemented to reduce the risk of infection such as physical distancing and reducing contact.

Dr. Taylor presented the HTT's Phased Response System:

- HTT Phase 1 – Stay home and stay safe
- HTT Phase 2 – Propose a Phase 3 Plan for the reopening of businesses based on risk assessment factors
- HTT Phase 3 – Easing of restrictions in the context of improving conditions
- HTT Phase 4 – Continued pandemic preparedness

Dr. Taylor relayed the recommended components of HTT Phase 2. She stated childcare facilities could open with clear mitigation strategies in place. She added that summer camps without congregated living could potentially open, but contact school sports would not be recommended. She noted that some libraries had a higher volume of visitors and reopening would depend on the context of individual

libraries. She stated that transportation risks could be mitigated but that mass gatherings would be difficult to consider before effective COVID-19 treatment or a vaccine were available.

Dr. Taylor reported that HTT Phase 3 would increase capacity operation of businesses and decrease restrictions in a two-fold approach: 1) Implement risk mitigation, provide effective treatment, and cultivate widespread immunity; and 2) Monitor warning indicators to prompt a rapid response to small clusters of infections to prevent outbreaks.

Dr. Taylor reported that HTT Phase 4 would increase pandemic preparedness for the future and included local capacity building, research, and disaster preparedness.

Dr. Taylor reported that HTT prioritized efforts for those most impacted by the COVID-19 pandemic and identified two major groups:

- Persons medically at risk: Seniors over the age of 65; and individuals diagnosed with hypertension, diabetes or obesity.
- Persons in congregate settings: Children of economic disparities; local African American communities; low-income communities; marginalized populations; persons with disabilities; persons living in shelters; and the LGBTQIA+ community.

Dr. Taylor presented categories identified by HTT that could advance risk mitigation:

- Rapid onsite testing at work sites and mass gatherings that would yield immediate results
- Antibody testing with high validity and reliability
- Breakthrough treatment methods that were safe and widely available
- Development of a COVID-19 vaccine that was safe, effective, and available with no out-of-pocket expense, regardless of insurance status
- Knowledge of disease transmission that would inform risk reduction
- The role of asymptomatic and pre-symptomatic infections in the spread of the virus

Councilmember Havrda Cabello noted that the largest number of testing was 330 in one day. She asked if there was capacity for additional testing. Dr. Taylor reported that the current capacity was approximately 1,600 tests per day and was increasing due to the expansion of testing through TexMed Clinics and Walmart locations. She added that the University Health System Lab Center would deploy a high volume testing process very soon which would likely increase testing capacity to approximately 3,000 tests per day.

Councilmember Gonzales voiced concern for households experiencing domestic violence or extreme heat conditions that were under incredible pressure with the Stay-at-Home Order in place and requested that such factors be taken into consideration for HTT phase recommendations. Dr. Taylor concurred and recognized other additional burdens of the Stay-At-Home Order such as mental illness and remote education for children in households experiencing an extreme digital divide. She stated that HTT recommended the founding of a Health Equity Task Force to attend to residents most impacted by the HTT Phase 1 status.

Councilmember Treviño spoke of 50 tenants of the Olmos Club Apartment that recently were locked out of their apartment units. He stated that although a moratorium was placed on local evictions, the landlord exercised a loophole in the eviction process to exert pressure on renters to compel them to willingly vacate. He requested that Dr. Taylor explain how forcing renters out of a stable environment into a

homeless situation could present a COVID-19 health hazard for the community. Dr. Taylor replied that the Stay-at-Home Order was to provide safety and to protect the community but if individuals were evicted, they would not even have the option to stay at home and stay safe. She reported that homeless COVID-19 patients discharged from the hospital into temporary housing were at least safe during their recovery period and had a better chance at recovery because rest, nutrition, safety and a stable home environment directly affected health.

Commissioner Sergio Rodriguez referenced the 175 contact tracers currently deployed by Metro Health and the City's population of 2 million people. He asked of the contact tracing process and how it could support the population. Dr. Taylor reported that the current number of contract tracers in place was population-based and aligned with several different metrics as recommended by the Harvard Institute for Global Health recommendations and HTT. She explained that the testing process, the contact tracing process, and the isolation process were interwoven. She added that Metro Health was assessing the number of contact tracers needed. She noted that the need for contact tracing would surge under certain circumstances, such as within the high-risk environments of jails and assisted living facilities.

Councilmember Andrews-Sullivan asked of treatment centers for patients undergoing chemotherapy or dialysis and if a screening process was in place. Dr. Taylor reported that COVID-19 patients in need of chemotherapy or radiation had their treatments rescheduled to the end of the day to allow for deep cleaning and decontamination to take place.

Councilmember Andrews-Sullivan asked if HTT had an appointed representative to monitor nursing homes and if there were nursing home tracking indicators in place. Dr. Taylor replied that Dr. Junda Woo and Dr. Ruth Berggren were proactive advisors to nursing homes and skilled nursing facilities and provided education in the areas of personal protective equipment (PPE) and risk mitigation procedures. Dr. Emerick added that Metro Health would incorporate a new strategy recommended by the CDC to provide universal screening and testing for all congregate settings such as jails, homeless shelters and assisted living facilities.

County Commissioner Justin Rodriguez asked if the City and the County were entering Phase 2 of the State's Open Texas Plan. Dr. Taylor stated that the State's Phase 1 Plan aligned with HTT's Phase 2 Plan regarding a gradual reinstatement of some venues. She noted that the Governor's Executive Orders took precedence over HTT guidance. She reported of a decrease in the number of COVID-19 cases which indicated the City was nearing a sustained decline of cases.

Councilmember Rocha Garcia requested clarification regarding the term HTT Modification Potential as it appeared in the HTT reports; she requested information on the Electronic Mobile Comprehensive Health Application (EMOCHA). Dr. Taylor defined HTT Modification Potential as how easy it was to change a setting. She cited the example of a restaurant moving its tables six feet apart as a risk modification strategy. Dr. Emerick stated that Metro Health had launched the use of EMOCHA Health App in a pilot program. She explained that the EMOCHA Health App was a contact tracing mobile health program that would remotely monitor and support residents who may have been exposed to COVID-19. She added that the use of the EMOCHA Health App would allow Metro Health to track symptoms and ensure timely notification for consideration of medical evaluation and COVID-19 testing.

Commissioner Calvert asked of the approximate number of Bexar County residents with heart disease, diabetes, pulmonary issues and immune deficiencies. Dr. Taylor reported that 14% of residents were diabetic and 30% of residents were obese. She stated that because pulmonary issues and heart disease were broad categories, specific data could not be provided for those medical conditions.

Commissioner Calvert referenced a recent news report of false test results occurring in 3 out of 14 COVID-19 tests. He asked what could be done to verify test results and to protect the community from false test results generated by non-FDA approved COVID-19 tests; he asked of any possible legal measures that could be enacted against providers of non-FDA approved COVID-19 tests. Dr. Taylor reported that Metro Health led a Testing Task Force that convened private and public laboratories and provided testing recommendations. Dr. Emerick stated that Metro Health was responsible for issuing health advisories but did not have regulatory authority. She added that the Testing Task Force could formulate policies that could be enacted into future Declarations, if deemed appropriate by the Testing Task Force.

Councilmember Sandoval noted that statewide reports could not give the specific guidance needed for the local population in terms of equity and in terms of relevant health-based indicators. She recommended future action be taken to establish annual summer cooling centers with necessary COVID-19 measures in place. She requested additional domestic violence outreach in the community.

Councilmember Pelaez noted zoos to be outdoor museums with living exhibits which should not be classified as an amusement park under the non-essential business category. He emphasized gender to be an important category within HTT Phase Reports in addition to economic disparity, race, and LGBTQIA status. He noted that women were primary caregivers and were an essential component of the City's reported health outcomes. Dr. Taylor agreed and noted a gender variation in COVID-19 data where men tended to be more severely impacted by the disease than women. She stated that gender should be included in reported COVID-19 hospitalizations and ICU beds. She noted the disproportionate burden of the Stay-At-Home impact on society where women simultaneously worked and homeschooled children. She added that women's wellness and mental health were important in terms of health equity.

Councilmember Sandoval referenced HTT recommendations to address inequity and marginalized communities in the City's COVID-19 Response. She announced that she was working with Councilmember Andrews-Sullivan to create a Health Equity Advisory Committee which would address underlying community health inequities on a permanent basis.

Commissioner Calvert referenced recent news reports of disproportionately high COVID-19 exposure rates and death rates among the Ultra-Orthodox Jewish populations in Los Angeles and the United Kingdom. He requested that any existing health equity issues for local Ultra-Orthodox Jewish populations be addressed.

Councilmember Perry noted that the medical data the Governor and his team of medical experts used to inform the State's ongoing plan to safely and strategically reopen could vary from the City's HTT medical experts. He asked if HTT was in support of the State's Open Texas Plan. Dr. Taylor the State's Phased Plan differed from the Federal Phased Plan and HTT Phased Plan. She reported that the State's Phased Plan did not provide warning indicators. She added that the HTT Phased Plan included data-driven indicators that would inform a guided, recommended change by HTT which was transparent to the public.

Councilmember Courage voiced the need for broad COVID-19 testing across the community to better inform the public of the extent of COVID-19 infection. He noted the State's Phased Plan to be useful in the reopening of businesses but that it did not emphasize a mandatory wearing of masks. He added that if local business owners arranged to have their employees tested through Metro Health, it would ensure the health of the general public. Dr. Taylor referenced page 15 of the HTT Report wherein it stated that a

recommendation was made to increase asymptomatic testing. She reported that local hospitals were increasing asymptomatic testing and that she was screened several times a day as she entered the University Health System facilities. She stated that Metro Health was preparing a collaboration proposal for the increase of asymptomatic testing.

Judge Wolff stated that he and Mayor Nirenberg would meet with legal counsel to strengthen the Declaration of Public Health Emergency Order before it expired on April 30, 2020. He noted that indicators for hospitalizations, ventilators, and number of COVID-19 cases were important to inform the Economic Transition Team for the reopening of various businesses. He emphasized that it was extremely important for the City Leaders and COVID-19 Response Teams to maintain a good relationship with local employers to ensure they protect their employees and customers. He added that more information on asymptomatic testing was needed.

Mayor Nirenberg stated the City's ability to flatten the curve and slow the spread of the disease ultimately depended on the each member of the community taking action on behalf of their neighbors. He emphasized that each individual action to stay at home, to wear a mask, and to take all necessary precautions to protect the health and the safety of families and those around us was critical to the long-term success for our community.

## **ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 3:33 pm.

**APPROVED**

**RON NIRENBERG**

Mayor

Attest:

**TINA J. FLORES**

Acting City Clerk