

The Bandera PROPHET

March 20, 2020

City of Bandera holds emergency meeting, passes ordinance effective through April 16

By Jessica Nohealapa'ahi Goode
The Bandera Prophet

Effective Monday, March 23, the Bandera City Hall and Municipal court lobbies will be closed to the public. City staff will be on site to help customers over the phone and via email.

In the midst of the COVID-19 pandemic, the gates to Bandera City Park will be shut, however residents may enter on foot, bicycle or horse. Playground equipment, picnic tables and pavilions will be barricaded, and the bathrooms will be closed.

“We haven’t seen a pandemic like this before,” City Attorney Dan Santee told council members during an emergency meeting on Friday.

“Everyone keeps saying when it shows up in their community they’ll do something. You don’t have testing going on,” Santee said, adding the number of positive tests is doubling daily as testing increases statewide. He said many people are positive for the disease yet don’t feel ill.

“Those are the most dangerous people because they’re asymptomatic. But for their neighbors, it could be deadly,” Santee said. “You don’t have the facilities in Bandera to accommodate a spike... There aren’t enough emergency beds and there aren’t enough ventilators nationwide.”

Santee said although one of the great liberties of Texas is local control, the governor issued an executive order yesterday because too few Texas counties were taking action.

“That reason, in addition to the funding that is available, is why I pushed the emergency declaration to you last week,” Santee said. “I am not standing before you telling you that you have to police your city. What measures can we do to prevent the introduction and the spread [of this

disease]... If, that's a big if, we move to a shelter order in a month, not everybody can work from home. There have already been a lot of layoffs, there are going to be a lot more. A lot of cities are not enforcing cut off rules and not charging late payments... We're not giving a gift, this is a public emergency."

The governor's order prohibits any public social gatherings of more than 10 people through April 3. Santee said Bexar County has extended that restriction to June. He said he recommended 30 days for Bandera.

"Nobody wants to be stricter than they have to be for any longer than they have to be. It doesn't benefit anyone to do that. But this is a public health disaster. The time to do it is before you have it widespread in your community," Santee said, adding the ordinance may be repealed or extended at any time in another emergency meeting. "You can always be stricter than the state, you can't be more lenient."

Santee said California has a shelter-in-place order issued, adding the disease progression there is about one month ahead of Texas.

"Bandera is behind," he said, according to the modeling. "I'm not a medical professional. I would love to be wrong about it."

Council members deliberated closing all of the city's parks and whether they should include places of worship in the ordinance. The governor's order limits gatherings to 10 people, however it does not address churches.

"I would like to see them comply on their own," Council Member Lynn Palmer said. "A lot of people are praying that this will be over soon."

Marshal Will Dietrich said he could remind people of the order, however he said he was not a proponent of a penalty phase. Santee said violations of a statewide order are punishable by six months in jail, but that spirit was intended to restrain someone who is blatantly disregarding safety measures and creating a public hazard.

"This is an extreme exercise of police power," Santee said. "It's only to be used in times of emergency. That emergency has been declared."

Council Member Glenn Clark motioned to keep the skate park open with a limit of 10 people. The tie vote - Clark and Palmer in favor, Council

Members Rebeca Gibson and Jerry Russe opposed - was broken with a yay vote from Mayor Suzanne Schauman.

“I’m not in favor of closing access to outdoor things,” Schauman said.

Council unanimously agreed to approve Ordinance No. 373, which will expire April 16, at 11:59 p.m.

Council’s next regular meeting is set for April 2. If the ordinance remains in place, they may elect to conduct it by teleconference or video conference.