

RESOLUTION R-20-4487

A RESOLUTION EXTENDING THE AUTHORITY OF THE MAYOR TO PROMULGATE THE DECLARATION OF DISASTER AND PROCLAMATION OF EMERGENCY REGULATIONS AND ANY CHANGES AS NECESSARY OR REQUIRED BY THE DECLARATIONS OF THE GOVERNOR OF TEXAS

- WHEREAS,** in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China, with symptoms including fever, cough, and shortness of breath and with outcomes ranging from mild to severe illness and in some cases death; and
- WHEREAS,** a succession of events occurred to cause the World Health Organization Director General to declare the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), and the recommendation of aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic, and then a declaration of COVID-19 as a worldwide pandemic; and
- WHEREAS,** the Centers for Disease Control and Prevention is closely monitoring the growing number of cases that have spread into the United States and the identification of "community spread" cases of COVID-19 in the United States signals that transmission of the virus is occurring; spreading between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes, and the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and
- WHEREAS,** on March 13, 2020, President Donald Trump declared a State of National Emergency for the United States of America, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19, and County Judge Glen Whitley issued a Declaration of Disaster Due to Public Health Emergency for Tarrant County for COVID-19; and
- WHEREAS,** the Tarrant County Commissioners issued a Renewal of Declaration of Local Disaster due to Public Health Emergency on March 17, 2020; and
- WHEREAS,** Governor Greg Abbott issued an Executive Order on March 19,

2020, further clarifying additional measures for public gathering and business operations within the State of Texas; and

WHEREAS, the County Judge issued a First Amended Declaration of Local Disaster due to Public Health Emergency to implement additional measures to ensure the protection of the residents of Tarrant County; and

WHEREAS, the City of Colleyville has enacted the City's Emergency Management Plan and Coronavirus Response Plan; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the emergency management director of the City of Colleyville, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, pursuant to the authority granted to the Mayor under the Texas Disaster Act of 1975, and Section 3.06 of the City of Colleyville Charter, which provides that in a time of emergency, the Mayor may govern the City by proclamation and maintain order and enforce all laws; and

WHEREAS, Mayor Richard Newton determined that extraordinary and immediate measures were necessary to respond quickly to prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19 and therefore signed a Declaration of Disaster and Proclamation of Emergency Regulations on March 20, 2020, and a First Amended Declaration of Disaster and Proclamation of Emergency Regulations on March 24, 2020, which, among other things, declared all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

WHEREAS, pursuant to Section 418.108 (a) of the Texas Government Code, the Mayor's first amended declaration dated March 24, 2020 will not continue for more than seven days unless the same is extended by the City Council of the City of Colleyville, Texas, pursuant to Section 418.108 (b) of the Texas Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

- Sec. 1. THAT all matters stated above are found to be true and correct and are incorporated herein by reference as if copied in their entirety.
- Sec. 2. THAT in order to further the general health, safety, and welfare of the community, the First Amended Declaration of Disaster and Public Health Emergency proclaimed for the City of Colleyville by the Mayor on March 24, 2020 (herein below the "Declaration"), shall continue until terminated by order of the City Council. Such extension shall apply to any enforcement or revision of the declaration necessary to comply with applicable orders, rules, regulations and limitations issued by the State of Texas, or other entities governing the Coronavirus Disease 2019 public health emergency, as applicable to the City of Colleyville.
- Sec. 3. THAT the Declaration will continue until terminated by official action of the Mayor or City Council, unless sooner terminated by operation of applicable law. The Mayor shall be responsible for administering the Declaration, including making all necessary modifications thereto, until the Declaration is terminated. Administration of the Declaration shall include continual review thereof on a weekly basis.
- Sec. 4. THAT the City's Emergency Management Plan and Coronavirus Response Plan shall continue to be implemented.
- Sec. 5. THAT any violation of the orders, rules, regulations, or directives adopted pursuant to the Declaration or the City's Emergency Management Plan shall be subject to the enforcement and penalty provisions set forth therein.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF **6** AYES, **1** NAYS ON THIS THE 26TH DAY OF MARCH 2020.

Mayor Richard Newton	<u>Aye</u>	Mayor Pro Tem Bobby Lindamood	<u>Aye</u>
Place 1, Tammy Nakamura	<u>Nay</u>	Place 3, Kathy Wheat	<u>Aye</u>
Place 4, George Dodson	<u>Aye</u>	Place 5, Chuck Kelley	<u>Aye</u>
Place 6, Callie Rigney	<u>Aye</u>		

ATTEST:



Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor