

City Council Agenda

SAGINAW CITY COUNCIL NOTICE OF SPECIAL MEETING

Meeting and/or Executive Session Agenda

1:00 PM - Thursday, March 26, 2020

Saginaw City Hall Council Chambers

333 West McLeroy Blvd.

In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at Saginaw City Hall, and distributed to the appropriate news media within the required time frame. All meetings of the Saginaw City Council are open to the public. Public participation and written comments are invited on all open session business items.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside to respond to a page or to conduct a phone conversation.

The City Hall is wheelchair accessible and special parking is available on the east side of the building. If special accommodations are required please contact the City Secretary a minimum of 72 hours in advance at 817-232-4640.

- (1) Call to Order--Todd Flippo, Mayor**
- (2) Consideration and Action regarding Extension of City of Saginaw, Texas Declaration of Local Disaster due to Public Health Emergency (Ordinance No. 2020-08)--Todd Flippo, Mayor**
- (3) Adjournment--Todd Flippo, Mayor**



City of Saginaw

Meeting Date: 3/26/2020

Staff Contact: Janice England
City Secretary

Agenda Items: (2)

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SUBJECT:

Consideration and Action regarding Extension of City of Saginaw, Texas Declaration of Local Disaster due to Public Health Emergency (Ordinance No. 2020-08)

BACKGROUND/DISCUSSION:

Mayor Flippo signed the *City of Saginaw, Texas Declaration of Local Disaster due to Public Health Emergency* on March 20, 2020. This declaration which is in effect for a period of seven (7) days is necessary before a city may request disaster recovery assistance. Although at this point it is too early to know if we will need to request disaster recovery assistance, we must be prepared. The declaration signed by Mayor Flippo can only be extended by action of a majority of the City Council. The proposed extension continues the declaration until terminated by executive order of the Mayor or by the City Council. Ordinance No. 2020-08 addresses the approval of the extension.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description

Ord 2020-08

CITY OF SAGINAW, TEXAS
ORDINANCE NO. 2020-08

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, CONTINUING THE MAYOR'S DECLARATION OF LOCAL DISASTER, AS AMENDED; INCORPORATING THE ORDERS SET FORTH THEREIN INTO THIS ORDINANCE IN ORDER TO ABATE THE PUBLIC HEALTH EMERGENCY; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2, which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization;

WHEREAS, on March 20, 2020, the Mayor of the City of Saginaw, Texas, issued a proclamation declaring a state of disaster for the City of Saginaw, Texas, resulting from COVID-19 (novel coronavirus) and on March 26, 2020 issued the First Amended Disaster Declaration for the City of Saginaw; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a statewide public health emergency; and

WHEREAS, County Judge Glen Whitley issued a Second Amended Declaration of Local Disaster Due to Public Health Emergency for Tarrant County in response to COVID-19 on March 21, 2020, which was further clarified by Executive Order on March 24, 2020 ("Tarrant County Declaration");

WHEREAS, Section 418.108(b) of the Texas Government Code provides that a local state of disaster may not be continued for a period in excess of seven days without the consent of the governing body of the political subdivision; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Saginaw to continue the amended declaration in accordance with Section 418.108(b) of the Texas Government Code and Section 122.006 of the Texas Health and Safety Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS:

SECTION 1: That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: That pursuant to Section 418.108 of the Texas Government Code, the City Council finds and declares a local state of disaster for public health emergency in Saginaw as a result of the impact of COVID-19. The declaration of

local disaster issued by the Mayor on March 20, 2020, and further amended on March 26, 2020, is hereby continued as provided in Section 418.108(b) of the Texas Government Code, until terminated by executive order of the Mayor or by the City Council of the City of Saginaw, Texas.

SECTION 3: That the Tarrant County Declaration, attached hereto as Exhibit “A,” is hereby adopted and incorporated as if set forth verbatim herein. The restrictions and mandates set forth therein shall be subject to the provisions of Section 7, hereof.

SECTION 4: That the First Amended Declaration of Disaster issued by the Mayor of the City of Saginaw and attached hereto as Exhibit “B,” is hereby adopted and incorporated as if set forth verbatim herein. The restrictions and mandates set forth therein shall be subject to the provisions of Section 7, hereof.

SECTION 5: Pursuant to Section 418.018(c) of the Texas Government Code, the declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION 6: All provisions of the Code of Ordinances of the City of Saginaw, codified or uncoded, in conflict with the provisions of this Ordinance are hereby temporarily superseded by this Ordinance for the duration of this declaration. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7: A violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Section 1-13 of the Code of Ordinances of the City of Saginaw, Texas. The City Council hereby authorizes the use of all other lawfully available enforcement measures in the event of a violation of any provision of this Ordinance. A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs.

SECTION 8: This Ordinance shall take effect immediately upon its passage and publication as required by law. This Ordinance expires when the City of Saginaw Disaster Declaration is terminated by the Mayor or the City Council of the City of Saginaw, Texas.

**PASSED AND APPROVED ON THIS 26th DAY OF MARCH, 2020 at a meeting
of the City Council of the City of Saginaw, Texas.**

**Todd Flippo, Mayor of the City
of Saginaw, Texas**

ATTEST:

Janice England, City Secretary