

**MAYORAL ORDER**  
**EXTENSION AND AMENDMENT OF 4/30/20 COUNCIL RESOLUTION RELATING TO**  
**DECLARATION OF LOCAL DISASTER**

**WHEREAS**, the novel coronavirus (COVID-19) has been recognized as a pandemic by the World Health Organization and is a contagious respiratory virus; and

**WHEREAS**, the Governor of the State of Texas, Greg Abbott, issued a state-wide disaster proclamation on March 13, 2020, certifying that COVID-19 poses an imminent threat of disaster for all counties in the State of Texas that was renewed by the Governor on April 12, 2020 and again on May 12, 2020; and

**WHEREAS**, pursuant to Texas Government Code §418.108(a), the Mayor issued a declaration of local disaster on March 25th due to the COVID-19 pandemic that was later amended on March 31, 2020 and renewed and extended until 11:59 p.m., June 4th, by the City Council of the City of Abernathy; and

**WHEREAS**, COVID-19 continues to spread and pose an imminent threat of widespread or severe illness, injury, or loss of life requiring emergency action and represents a public health disaster according to the Texas Department of State Health Services; and

**WHEREAS**, the United States President Donald J. Trump and the Centers for Disease Control and Prevention (CDC) have issued guidelines for Opening Up America Again providing guidance on safely opening up American business and society that continues to emphasize minimizing travel, maximizing social distancing and avoiding socializing in large groups; and

**WHEREAS**, the City Council has authorized the Mayor, pursuant to applicable provisions of Texas Government Code Chapter 418 and Texas Health and Safety Code § 122.005, on behalf of the City of Abernathy, to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals, and other hospitals, enforcing applicable orders issued by the Hale County Judge, the Governor of the State of Texas or the Texas Department of State Health Services related to suppressing the COVID-19 virus, and insuring compliance for those who do not comply with the City's rules and directives; and

**WHEREAS**, on May 18, 2020, the Governor of the State of Texas issued Executive Order GA-23, effective until 11:59 p.m. on June 3rd, superseding Executive Order GA-21, expanding the reopening of businesses and services throughout most of Texas; and

**WHEREAS**, on June 3, 2020, the Governor of the State of Texas issued Executive Order GA-26 superseding Executive Order GA-23, expanding into Phase III the reopening of businesses and services throughout the State of Texas; and

**WHEREAS**, it is critical for the City of Abernathy to continue to take steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the citizens of Abernathy and the surrounding area; and

**WHEREAS**, pursuant to Texas Government Code §418.108, the Mayor believes it to be in the best interest of the City and its citizens, in order to protect and preserve the public health, safety and welfare, to extend the Declaration of Local Disaster;

**NOW, THEREFORE, THE MAYOR OF THE CITY OF ABERNATHY, TEXAS, HEREBY ORDERS AND DECLARES:**

1. **THAT** the recitals outlined above are found to be true and correct and are incorporated herein as if set forth fully herein.
2. **THAT** all terms and conditions of the Resolution approved by the City Council of the City of Abernathy, including the Declaration of Local Disaster, are hereby approved and extended in accordance with Texas Government Code § 418.108(b).
3. **THAT** the Resolution approved by the City Council of the City of Abernathy is hereby amended to incorporate the terms and conditions outlined in the Governor's Executive Orders GA-26.
4. **THAT** pursuant to §418.108(c) of the Texas Government Code, this extension of the Declaration of Local Disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
5. **THAT** to the extent permitted by law, any local ordinance or administrative rule prescribing the procedures for conduct of City business or any local ordinance or administrative rule that would in any way prevent, hinder, or delay necessary action in coping with this disaster, including any local ordinance or administrative rule regarding contracting or procurement which would impede the City's emergency response necessary to cope with this declared disaster, are hereby suspended, but only for the duration of this declared local disaster and only for that limited purpose.
6. **THAT**, in the event any term or condition of this extension of the Mayoral Declaration of Local Disaster is in direct conflict with and superseded by Executive Orders GA-26 or any subsequent executive order of the Governor of the State of Texas, the Mayor may comport this Order or any subsequent Mayoral order to come into compliance with the Governor's executive order without further action being taken by the City Council.
7. **THAT** the Mayor and the City Administrator is authorized to use all available resources of the City of Abernathy reasonably necessary to comply with this Resolution.
8. **THAT** pursuant to § 418.173 of the Texas Government Code, any person who knowingly or intentionally violates this Declaration commits an offense, punishable by a fine up to \$1,000.00.
9. **THAT** this Order and extension of the declaration of a local state of disaster for public health emergency shall remain in full force until 11:59 p.m. on June 8, 2020, unless renewed, extended, amended or cancelled by the Mayor or City Council of the City of Abernathy.

Issued this \_\_\_\_\_ day of June, 2020.

CITY OF ABERNATHY, TEXAS

\_\_\_\_\_  
Lindsey Webb, Mayor

ATTEST:

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Krista Adames, City Secretary