

RESOLUTION NO. 040120A

RENEWING THE MAYORAL 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; and

WHEREAS, there are more than 70 confirmed cases of COVID -19 in Lubbock County; 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 Governor of the State of Texas, on March 19, 2020, issued Executive Order GA-08, placing restrictions on social gatherings, visitations to local food and retail establishments where individuals in large numbers gather; and

WHEREAS, Executive Order GA-08 also places additional restrictions on visitations to nursing homes, retirement centers and long-term care facilities as well as temporarily closing schools; and

WHEREAS, on March 31, 2020, the Governor of the State of Texas issued Executive Order GA-14 superseding Executive Order GA-08, effective until April 30th the social distancing requirements, further defining essential businesses and extending school closures until May 4, 2020; and

WHEREAS, it is critical for the City of Abernathy to take additional 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, the President of the United States and the United States Centers of Disease Control and Prevention (CDC), on March 16, 2020, issued COVID-19 Guidelines for America calling upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; 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

WHEREAS, the Mayor believes it to be in the best interest of the City of Abernathy that the Mayoral Declaration of Local Disaster be extended; and

WHEREAS, pursuant to Section 418.108(b) of the Texas Government Code, a local declaration of a state of disaster for public health emergency shall continue for a period of not

more than seven days from the date of the declaration unless continued or renewed by the City Council of the City of Abernathy, Texas; and

WHEREAS, pursuant to Texas Government Code §418.108, the City Council 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, renew the Declaration of Local Emergency with the changes requested by the Mayor;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ABERNATHY, TEXAS, HEREBY RESOLVES AND DECLARES:

1. **THAT** the recitals outlined above are found to be true and correct and are incorporated as if fully set forth herein.
2. **THAT** all terms and conditions of the Mayoral Declaration of a Local Disaster, which was amended and signed and executed by the Mayor on March 31, 2020, not in direct conflict with this Resolution, is hereby renewed in accordance with Texas Government Code § 418.108(b).
3. **THAT** pursuant to §418.108(c) of the Texas Government Code, this Resolution extending the Mayoral Declaration of Local Disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. **THAT** the City Council authorizes the Mayor to take any actions necessary to promote health and suppress the COVID-19 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, and all actions authorized for a Type A general law municipality pursuant to Texas Health and Safety Code § 122.005, enforcing applicable orders issued by the Lubbock 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 of such actions.
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** the Mayor and the City Manager is authorized to use all available resources of the City of Abernathy reasonably necessary to comply with this Declaration.
7. **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 or confinement in jail for a term that does not exceed 180 days.
8. **THAT** this resolution 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 April 30, 2020, subject to being extended, modified, amended, rescinded or superseded under applicable laws.

CITY OF ABERNATHY, TEXAS


Lindsey Webb, Mayor

ATTEST:


Krista Adames, City Secretary

