

**KENNEDALE CITY COUNCIL AGENDA
SPECIAL MEETING VIA VIDEOCONFERENCE
APRIL 28, 2020 AT 5:00 PM**

**MEMBERS OF THE PUBLIC MAY JOIN BY VISITING
WWW.CITYOFKENNEDEALE.COM/JOINMEETING AND/OR BY DIALING
1-877-853-5257 (TOLL-FREE) AND USING ACCESS CODE 76060-76060**

I. CALL TO ORDER

*Join this meeting via the web address and/or toll-free phone number and access code provided above. To reduce background noise, all participants are muted. Please leave yourself on mute unless you are called upon by the Mayor and are actively speaking. Toggle between mute and unmute by pressing *6 on your keypad.*

II. SPECIAL SESSION

A. ROLL CALL

B. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider Ordinance 696, renewing the Mayor's Local Disaster Declaration in relation to Coronavirus (COVID-19)
2. Discussion of issues relating to the Coronavirus (COVID-19) emergency

III. ADJOURNMENT

Pursuant to the March 16, 2020 Proclamation issued by Governor Abbott suspending various provisions of Chapter 551, VTCA, Government Code, the public may join this remote meeting of the City Council via videoconference and/or teleconference. The Mayor and Council will also be participating remotely in compliance with the Texas Open Meetings Act and under provisions provided by the Governor in conjunction with the Declaration of Disaster enacted March 13, 2020. Virtual meetings are aimed at advancing social distancing by limiting in-person interaction to slow the spread of COVID-19. If you should have questions, please contact the City Secretary at 817-985-2104 or citysecretary@cityofkennedale.com.

CERTIFICATION

I DO HEREBY CERTIFY THAT THE APRIL 28, 2020 KENNEDALE CITY COUNCIL AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), IN A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES; AND THAT SAID AGENDA WAS POSTED AT LEAST SEVENTY-TWO (72) HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.



LESLIE E. GALLOWAY, CITY SECRETARY

In compliance with the Americans with Disabilities Act (ADA), the City of Kennedale will provide for reasonable accommodations for persons attending meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting by calling 817-985-2104 or (TTY) 1-800-735-2989.

CREATED 3/27/2020 9:29 AM

POSTED _____ (DATE) _____ (TIME)

MEETING DATE: APRIL 28, 2020

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM II.B.1.

SUBJECT

Consider Ordinance 696, renewing the Mayor's Local Disaster Declaration in relation to Coronavirus (COVID-19)

ORIGINATED BY

George Campbell, City Manager

SUMMARY

If adopted by the Council, Ordinance 696 (attached) would extend the Mayor's Second Amended Declaration of Local Public Health Emergency (also attached*) until 11:59 pm, May 31, 2020, unless terminated sooner by the City Council. The Council originally extended the Declaration through 11:59 p.m. on April 30, 2020, via adoption of Ordinance 695 at the special meeting on Tuesday, March 24, 2020.

As the Council is aware, the City of Kennedale is also subject to any Order issued by County Judge Glen Whitley (tarrantcounty.com/en/public-health/disease-control---prevention/coronaviruas/local-orders.html) and/or Governor Greg Abbott (lrl.texas.gov/legLeaders/governors/displayDocs.cfm?govdoctypeID=5&governorID=45). As we move forward, paragraph 7 of the Mayor's local Declaration serves to adopt the stricter of the restrictions enacted at either the County or State level.

Any additional or emerging information will be provided before the meeting, as appropriate.

** The original attachment has not been included here, as it is no longer the current County Order.*

RECOMMENDATION

Approve

ATTACHMENTS

1.	O696 Extending Mayor Declaration of Public Health Emergency	O696 Extending Mayor Declaration of Public Health Emergency.pdf
2.	03242020 Mayor Second Amended Declaration of Public Health Emergency	03242020 Mayor Second Amended Declaration of Public Health Emergency (attachment omitted).pdf

ORDINANCE NO. 696

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, APPROVING THE EXTENSION OF THE MAYOR'S SECOND AMENDED DECLARATION OF PUBLIC HEALTH EMERGENCY.

WHEREAS, the City of Kennedale, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, on March 24, 2020, the Mayor issued a Second Amended Declaration of Public Health Emergency for the City of Kennedale, Texas resulting from a determination that extraordinary and immediate measures must be taken to quickly respond, 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

WHEREAS, on March 24, 2020, the City Council of the City of Kennedale, by adoption of Ordinance No. 695, extended the Second Amended Declaration of Public Health Emergency for the City of Kennedale, Texas until April 30, 2020; and

WHEREAS, the conditions necessitating a declaration of a state of disaster continue to exist; and

WHEREAS, §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 of Kennedale, Texas, has in place an Emergency Management Plan adopted under Chapter 6 of the Code of Ordinances and Chapter 418 of the Texas Government Code (the Texas Disaster Act); and

WHEREAS, the City Council desires to further extend the declaration of local disaster; and

WHEREAS, the City Council finds that this ordinance is in the best interest of the City and further the public health and welfare of the City.

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

SECTION 1.

The Second Amended Declaration of Public Health Emergency issued for the City of Kennedale by the Mayor on March 24, 2020, shall continue until 11:59 pm, May 31, 2020, unless terminated sooner by the City Council.

SECTION 2.

This ordinance shall be in full force and effect from and after the date of its passage, and is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 28th DAY OF APRIL, 2020.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

RECEIVED
MAR 24 2020
BY: *JS*

**SECOND AMENDED DECLARATION OF PUBLIC HEALTH EMERGENCY
CITY OF KENNEDALE**

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;

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease;

WHEREAS, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic;

WHEREAS, on March 11, 2020 the World Health Organization (WHO) declared COVID-19 a worldwide pandemic;

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;

WHEREAS, COVID-19 spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes;

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action;

WHEREAS, County Judge Glen Whitley issued a Declaration of Disaster Due to Public Health Emergency for Tarrant County for COVID-19 on March 19, 2020, a Second Amended Declaration of Local Disaster Due to Public Health Emergency on March 21, 2020 and an Executive Order relating to COVID-19 preparedness and mitigation on March 24, 2020;

WHEREAS, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 on March 13, 2020 and an Executive Order relating to COVID-19 preparedness and mitigation on March 19, 2020;

WHEREAS, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020;

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

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease including isolation surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources;

WHEREAS, by this Declaration of Local Disaster and Public Health Emergency, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident;

WHEREAS, pursuant to the authority granted to the Mayor under the Texas Disaster Act of 1975, I authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this situation; and

WHEREAS, I, Brian Johnson, the Mayor of the City of Kennedale have determined that extraordinary and immediate measures must be taken to respond quickly, 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;

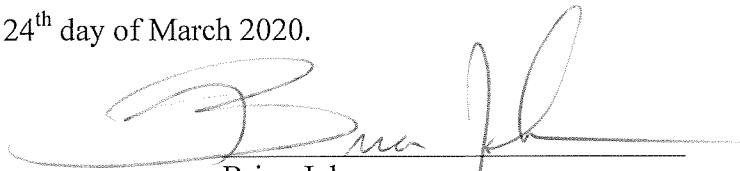
WHEREAS, I issued a Declaration of Public Health Emergency on March 20, 2020 and a First Amended Declaration of Public Health Emergency on March 22, 2020 and I now issue this Second Amended Declaration of Public Health Emergency to implement additional measures to ensure the protection of the general public in the City of Kennedale; and

NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF KENNEDALE, TEXAS:

1. That a state of disaster and public health emergency is hereby declared for the City of Kennedale, pursuant to §418.108(a) of the Texas Government Code.
2. That the state of disaster and public health emergency shall continue for a period of not more than seven days of the date hereof, unless the same is continued by the City Council of the City of Kennedale, Texas, pursuant to §418.108(b) of the Texas Government Code.
3. That this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary, pursuant to §418.108(c) of the Texas Government Code.
4. That the City's Emergency Operations Plan is activated and implemented, pursuant to §418.108(d) of the Texas Government Code.

5. That this declaration authorizes the City to commandeer or use any private property, temporarily acquire, by lease or by other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements, pursuant to §418.020 of the Texas Government Code.
6. That this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals, regulating ingress and egress from the City, and fining those who do not comply with the City's rules, pursuant to §122.006 of the Health and Safety Code and the City's authority as a home-rule municipality.
7. That this Declaration shall adopt for the City of Kennedale all current (Executive Order of County Judge B. Glen Whitley dated March 24, 2020 attached below) and future rules, regulations and limitations issued by Tarrant County and the State of Texas contained in executive orders or disaster declarations issued by those entities for the Coronavirus Disease 2020 public health emergency as applicable to the City of Kennedale. In the event of a conflict between the rules, regulations and limitations issued by Tarrant County and the State of Texas, the more restrictive of the rules, regulations and limitations shall be adopted.
8. That this declaration hereby authorizes the use of all lawfully available enforcement tools.
9. That this proclamation shall take effect at 11:59pm, March 24th.

ORDERED this the 24th day of March 2020.



Brian Johnson
Mayor, City of Kennedale

MEETING DATE: APRIL 28, 2020

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM II.B.2.

SUBJECT

Discussion of issues relating to the Coronavirus (COVID-19) emergency

ORIGINATED BY

George Campbell, City Manager

SUMMARY

Similarly to the previous item, this item has been added to the agenda in the event there is a need. Any additional information will be provided before the meeting as appropriate.

RECOMMENDATION

ATTACHMENTS