

**CITY OF KOSSE
EMERGENCY CITY COUNCIL MEETING
FRIDAY MARCH 27, 2020 - 4:00 P.M.**

Council Members Present:

Brooks Valls Harley Leazer Jimmy Pate Ronnie Funderburk

Council Members Absent:

LB Perry

Mayor Jarrod Eno opened the meeting. A quorum was present with three members present. Proper posting of the meeting was confirmed.

Discussion and take action on Emergency Management Response to COVID-19. City Secretary asked how to deal with late fees and cut offs on water bills this month. Jimmy Pate made a motion to let City Secretary Christina decided case by case on late fees. Brooks Valls seconded. Motion carried.

Discussion and take action on Extending Ordinance 03192020- DECLARING AN IMMINENT THREAT OF DISASTER. Brooks made a motion to extend the order for the next 7 days and add the penalty clause to read as follows, *In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates a state or local directive or public health order 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.* Harley Leazer seconded. Motion carried.

ORDINANCE NO. 03202020

A TEMPORARY EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KOSSE ('CITY'), TEXAS DECLARING AN IMMINENT THREAT OF DISASTER IN THE CITY, AND FURTHER DECLARING A LOCAL STATE OF DISASTER IN THE CITY OF KOSSE, AND FURTHER DECLARING A STATE OF EMERGENCY, DUE TO THE DANGER POSED BY THE POTENTIAL COMMUNITY SPREAD OF THE NOVEL CORONAVIRUS, ALSO KNOWN AS COVID-19, PROVIDING AN EFFECTIVE DATE, PROVIDING FOR IMPLEMENTATYION OF EMERGENCY MANAGEMENT MEASURES AND AUTHORITY, AND PROVIDING FOR PENALTY FOR VIOLATION OF EMERGENCY MANAGEMENT MEASURES, AND PROVIDING FOR PUBLICATION BY CAPTION.

WHEREAS, A GLOBAL PANDEMIC, AS DECLARED BY THE WORLD HEALTH ORGAINIZATION AND CENTERS FOR DISEASE CONTROL, POSES AN IMMINENT THREAT TO THE HEALTH, SAFETY AND WELL BEING OF THE CITIZENS, VISITORS, PROPERTY AND BUSINESSES WITHIN THE CITY OF KOSSE; AND

WHEREAS, THE COVID-19 VIRUS, ALSO KNOWN AS CORONA VIRUS, HAS BEEN SHOWN TO CAUSE SEVERE ILLNESS AND DEATH AMONG A RANGE OF VICTIMS INCLUDING THE ELDERLY, IMMUNOCOMPROMISED, IMMUNOSUPPRESSED AND CHILDREN, AND CAN BE CARRIED AND SPREAD BY ANY PERSON; AND

WHEREAS, THE VIRUS IS EASILY SPREAD FROM PERSON TO PERSON THROUGH CASUAL CONTACT BY AEROSOLIZED RESPIRATORY DROPLETS BY CAUGHING, SNEEZING OR BREATHING; AND

WHEREAS, MEDICAL CARE FACILITIES AND THE MEDICAL RESPONSE COMMUNITY ARE LIMITED AND CAN BE QUICKLY INUNDATED WITHOUT EMERGENCY ACTIONS TO PREVENT THE SPREAD OF THE VIRUS AND LIMIT COMMUNICATION OF THE VIRUS FROM PERSON TO PERSON; AND

WHEREAS, THE LOCAL GOVERNMENT OF THE CITY OF KOSSE HAS THE AUTHORITY, RESPONSIBILITY AND DUTY TO ACT AND PROTECT THE COMMUNITY AND PUBLIC AT LARGE FROM THE SPREAD OF THE VIRUS AND PROTECT THE HEALTH, SAFETY AND WELL BEING OF OUR COMMUNITY; AND

WHEREAS, THE PRESIDENT OF THE UNITED STATES OF AMERICA HAD DECLARED THE COVID-19 VIRUS AS A CONTAGIOUS RESPIRATORY DISEASE WITH SEVERE AND IMPACTS, AND THE GOVERNOR OF THE GREAT STATE OF TEXAS HAS DECLARED A STATE WIDE DISASTER AND IMPLEMENTED RESTRICTIONS AND DIRECTIONS TO LOCAL GOVERNMENTS TO TAKE EXTRAORDINARY MEASURES TO CONTAIN COVID-19 AND PROTECT THE COMMUNITY FROM ITS SPREAD; AND

WHEREAS, AVOIDABLE SERIOUS ILLNESS AND DEATH COULD RESULT IF IMMEDIATE ACTIONS ARE NOT INITIATED TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF THE VIRUS AND TO MAINTAIN CIVIL ORDER;

THEREFORE BE IT ORDAINED BY THE CITY OF KOSSE:

(A) A state of emergency exists within the City of Kosse.

(B) An imminent threat of disaster exists, and a state of disaster is hereby declared by the Mayor of the City of Kosse.

(C) A public disaster now exists and the City invokes the right to undertake such measures as may be required to protect the City's citizens, and preserve the property of same, under the authority granted to the City under Texas Code 418.108(b), applicable sections of the Texas Local Government Code, and Article XVI; and

(D) Any and all public events previously sanctioned by the City for conduct on or after the effective date of this Ordinance are hereby cancelled until 8:00 p.m. on March 26, 2020 and further, that the cancellation period may be extended, on a week-to-week basis, until the threat posed by the virus has passed as determined by the City Mayor in consultation with County, State and Federal Emergency Management and Health Care Agencies.

(E) Any Gatherings of 10 or more people in any one place are prohibited until 8:00 p.m. on March 26, 2020, and this mandatory period of social distancing may be extended on a week to week basis, until the threat of the virus has passed as determined by the City Mayor, in consultation with County, State and Federal Emergency Management and Health Care Agencies.

(F) The City does hereby declare that all City facilities including, but not limited to, the Community Center and City Hall shall be closed to the public beginning at 8:00 a.m. on March 20, 2020 and shall remain closed until 8:00 p.m. on March 26, 2020 and further, that the cancellation period may be extended, on a week-to-week basis, until the threat posed by the virus has passed as determined by the City Mayor in consultation with the Council, County, State and Federal Emergency Management and Health Care Agencies. Residents who require priority services (such as water reconnection, and electrical service inspection) may request an appointment with the City Secretary by e-mail at cityofkosse@gmail.com, or by calling 254-375-2212 during normal business hours.

(G) The Municipal Court will suspend holding court upon the effective date of this Ordinance and will keep court proceedings in suspense through March 28, 2020 and further, that the suspension period may be extended, on a week-to-week basis, until the threat posed by the virus has passed as determined by the City Mayor in consultation with all appropriate authorities. The Municipal Court will continue to collect fines and fees in the door slot at the City Office at 103 North Narcissus. Per the Office of the Governor, issuance of failure to appear notices (and related fines) will be suspended during the aforementioned period.

(H) Access to the City Police and Fire Stations, by the public, shall be restricted to the minimum access necessary to assure public safety and the provision of public safety services.

(I) The City Mayor is granted the authority to direct non-emergency essential city staff to work from home, as may be required, to mitigate community spread of the virus; and

(J) This Ordinance provides for emergency powers to the mayor and/or his designee for Emergency Management to enact quarantines, places of emergency shelter and medical treatment, food and temporary services, curfews, restrictions on mobility and travel, restrictions on public and private gathering, public and private facility and business closures, and any other such lawful measures to provide for the health, safety and welfare of our community and as warranted to mitigate the community spread of the virus.

