



# Wylie City Council

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## NOTICE OF MEETING

### Special Called Meeting Agenda

**March 22, 2020 – 4:00 p.m.**  
**Wylie Municipal Complex**  
**Council Chambers**  
**300 Country Club Road, Building #100**  
**Wylie, Texas 75098**

**Eric Hogue** ..... Mayor  
**David R. Duke** ..... Place 1  
**Matthew Porter** ..... Place 2  
**Jeff Forrester** ..... Mayor Pro Tem  
**Candy Arrington** ..... Place 4  
**Timothy T. Wallis, DVM** ..... Place 5  
**David Dahl** ..... Place 6  
**Chris Holsted** ..... City Manager  
**Richard Abernathy** ..... City Attorney  
**Stephanie Storm** ..... City Secretary

*In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at the Wylie Municipal Complex, distributed to the appropriate news media, and posted on the City website: [www.wylietexas.gov](http://www.wylietexas.gov) within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

*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 the Council Chambers to respond to a page or to conduct a phone conversation.*

*The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020.*

*Hearing impaired devices are available from the City Secretary prior to each meeting.*

#### CALL TO ORDER

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*Announce the presence of a Quorum*

#### INVOCATION & PLEDGE OF ALLEGIANCE

#### CITIZENS COMMENTS ON NON-AGENDA ITEMS

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*Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

REGULAR AGENDA

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1. **Consider, and act upon, Ordinance No. 2020-24 Continuing or Renewing the Mayor’s Declaration of Local Disaster for a Public Health Emergency. (B. Blythe, Fire Chief)**

**Executive Summary**

Pursuant to 418.018(b) of the Government Code, the state of disaster will be extended and the orders specified in Exhibit “A” shall be in effect for sixty (60) days on and from the date of this order, provided however that this declaration may be terminated before the expiration of sixty (60) days by subsequent order of the Mayor, and may be continued or renewed beyond sixty (60) days from its date of issuance only with the consent of the City Council of the City of Wylie.

EXECUTIVE SESSION

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If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

- § 551.071 – Private consultation with an attorney for the City.
- § 551.072 – Discussing purchase, exchange, lease or value of real property.
- § 551.074 – Discussing personnel or to hear complaints against personnel.
- § 551.087 – Discussing certain economic development matters.
- § 551.073 – Discussing prospective gift or donation to the City.
- § 551.076 – Discussing deployment of security personnel or devices or security audit.

*Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:*

RECONVENE INTO OPEN SESSION

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*Take any action as a result from Executive Session.*

READING OF THE ORDINANCE

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ADJOURNMENT

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CERTIFICATION

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*I certify that this Notice of Meeting was posted on March 19, 2020 at 4:00 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

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**Stephanie Storm, City Secretary**

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**Date Notice Removed**



# Wylie City Council

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## AGENDA REPORT

<b>Meeting Date:</b>	<u>March 22, 2020</u>	<b>Item Number:</b>	<u>1</u> <i>(City Secretary's Use Only)</i>
<b>Department:</b>	<u>City Manager</u>	<b>Account Code:</b>	<u></u>
<b>Prepared By:</b>	<u>City Secretary</u>	<b>Exhibits:</b>	<u>Ordinance</u>
<b>Date Prepared:</b>	<u>March 19, 2020</u>		

### Subject

Consider, and act upon, Ordinance No. 2020-24 of the City of Wylie, Texas extending the Mayor's amended Declaration of Local Disaster for Public Health Emergency due to the Novel Coronavirus (Covid-19); providing the consent of the City Council to the Continuation of the Declaration for a period of sixty (60) days; providing authority for the Mayor to terminate the Disaster Declaration; and providing an effective date.

### Recommendation

Motion to approve Ordinance No. 2020-24 of the City of Wylie, Texas extending the Mayor's amended Declaration of Local Disaster for Public Health Emergency due to the Novel Coronavirus (Covid-19); providing the consent of the City Council to the Continuation of the Declaration for a period of sixty (60) days; providing authority for the Mayor to terminate the Disaster Declaration; and providing an effective date.

### Discussion

Pursuant to Section 418.018(b) of the Government Code, the declaration of local disaster is hereby continued and the orders specified in Exhibit "A" shall be in effect for sixty (60) days from the date of this ordinance, provided, however, that the declaration may be terminated before the expiration of sixty (60) days by subsequent order of the Mayor, and may be continued or renewed beyond sixty (60) days from the date of this ordinance only with the consent of the City Council of the City of Wylie.

The City Council hereby finds that while in a state of disaster, there is a public purpose in maintaining the City workforce and ensuring continuity in staffing while continuing the City's services but recognizing that certain facilities and/or operations may need to be temporarily closed or suspended and/or certain personnel may encounter disaster-related events that prevent them from working at full capacity intermittently during the public health emergency. The City Council hereby authorizes the City Manager to make any staffing and compensation-related decisions necessary to adapt to the rapidly changing environment created by the public health emergency to meet the objectives stated herein and authorizes the expenditure of City funds to accommodate the same.

**ORDINANCE NO. 2020-24**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, EXTENDING THE MAYOR'S AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY DUE TO THE NOVEL CORONAVIRUS (COVID-19); PROVIDING THE CONSENT OF THE CITY COUNCIL TO THE CONTINUATION OF THE DECLARATION FOR A PERIOD OF SIXTY (60) DAYS; PROVIDING AUTHORITY FOR THE MAYOR TO TERMINATE THE DISASTER DECLARATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in December 2019, a novel coronavirus, now designated SARS-Co V2 which causes the disease COVID-19, was detected in Wuhan, China; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

**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; and

**WHEREAS**, the identification of "community spread" cases of COVID-19 in the region could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas, and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

**WHEREAS**, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call 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**, on March 13, 2020, Texas Governor Greg Abbott declared a statewide public health disaster; and

**WHEREAS**, on March 16, 2020, Collin County declared a local disaster for public health emergency and issued an accompanying order; and

**WHEREAS**, on March 16, 2020, Mayor Eric Hogue issued a declaration of local disaster for public health emergency for the City of Wylie for a period of seven (7) days; and

**WHEREAS**, on March 19, 2020, the Governor issued Executive Order GA 08, mandating the avoidance of social gatherings in groups of more than 10 people, the avoidance of eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors, the avoidance of visiting nursing homes or retirement or long-term care facilities unless to provide critical assistance, and closing schools throughout the State of Texas for a period of time issued an accompanying order relating to social gatherings; and

**WHEREAS**, on March 19, 2020, Mayor Eric Hogue issued an amended declaration of local disaster for public health emergency, expanding the original declaration; and

**WHEREAS**, the conditions necessitating declaration of local state of disaster continue to exist and are anticipated to continue to exist for at least sixty (60) days; and

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

**WHEREAS**, the City Council has determined that the declaration of local disaster, as amended, should be continued to help abate the public health threat.

**NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Wylie, Texas:**

**SECTION 1.** Pursuant to Section 418.018(b) of the Government Code, the declaration of local disaster is hereby continued and the orders specified in Exhibit “A” shall be in effect for sixty (60) days from the date of this ordinance, provided, however, that the declaration may be terminated before the expiration of sixty (60) days by subsequent order of the Mayor, and may be continued or renewed beyond sixty (60) days from the date of this ordinance only with the consent of the City Council of the City of Wylie.

**SECTION 2.** The City Council hereby finds that while in a state of disaster, there is a public purpose in maintaining the City workforce and ensuring continuity in staffing while continuing the City’s services but recognizing that certain facilities and/or operations may need to be temporarily closed or suspended and/or certain personnel may encounter disaster-related events that prevent them from working at full capacity intermittently during the public health emergency. The City Council hereby authorizes the City Manager to make any staffing and compensation-related decisions necessary to adapt to the rapidly changing environment created by the public health emergency to meet the objectives stated herein and authorizes the expenditure of City funds to accommodate the same.

**SECTION 3.** The City Council hereby finds that for the duration of this disaster declaration, immediate procurement may be necessary to preserve and protect public health and

safety, and authorizes the City Manager to purchase goods or services as necessary for ratification by the City Council at a later date as long as the procurement is in compliance with state law requirements.

**SECTION 4.** The City Council hereby finds that a public necessity exists to authorize the City Manager during the duration of this disaster to determine whether it is difficult for a quorum of the members of decision-making boards of the City to meet in person based on public health and safety concerns related to the pandemic. If such a determination is made, decision-making boards will be authorized to conduct their public meetings via telephone conference pursuant to Texas Government Code Section 551.125(b) and/or the Order of the Governor of the State of Texas temporarily suspending certain provisions of the Texas Open Meetings Act and/or other law or order.

**SECTION 5.** The City Council hereby authorizes the City Manager to temporarily waive any City Code regulations that are difficult or impossible to comply with during the term of this declaration of disaster as long as it is not inconsistent with state law.

**SECTION 6.** The City Council hereby finds and declares 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 Section 122.006, Texas Health and Safety Code.

**SECTION 7.** The City Council hereby finds and declares that this declaration authorizes the use of all lawfully available enforcement measures. A person who violates any provision of this declaration, upon conviction, is punishable by a fine of not more than \$2,000.

**SECTION 8.** Pursuant to Section 418.018(c) of the Government Code, the declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

**SECTION 9.** This Ordinance shall take effect immediately from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, ON THIS THE 22<sup>ND</sup> DAY OF MARCH 2020.**

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Eric Hogue, Mayor

ATTEST:

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Stephanie Storm, City Secretary

## **EXHIBIT “A”**

### **COVID-19 EMERGENCY PUBLIC HEALTH DECLARATION ORDERS FOR THE CITY OF WYLIE**

The following orders shall apply throughout the City of Wylie:

1. Pursuant to Texas Government Code §418.108(d), the City of Wylie Emergency Management Plan shall remain active through the duration of this disaster declaration.
2. Pursuant to Texas Government Code §418.020(d), the City of Wylie is authorized to: (1) temporarily or permanently acquire by lease, purchase, or other means sites required for installation of temporary housing units or emergency shelters for disaster victims; and (2) enter into arrangements necessary to prepare or equip the sites to use the housing units or shelters, including arrangements for the purchase of temporary housing units or shelters and the payment of transportation charges.
3. Pursuant to Section 122.006 of the Texas Health and Safety Code, the City of Wylie is authorized to adopt rules to protect the health of persons in the City of Wylie, including quarantine rules to protect its residents against communicable disease and provide for the establishment of quarantine stations, emergency hospitals, and other hospitals.
4. All public, private, and commercial labs within the City of Wylie are encouraged to report the number of COVID-19 tests conducted on a daily basis to the City of Wylie.
5. In accordance with the Guidelines from the President, the Governor and the CDC, every person in Wylie shall avoid social gatherings in groups of more than 10 people.
6. In accordance with the Guidelines from the President, the Governor and the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors; provided, however, that the use of drive-thru, pickup, or delivery options is allowed and highly encouraged throughout the limited duration of this Declaration.
7. In accordance with the Guidelines from the President, the Governor and the CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.
8. In addition, the Office of the Mayor and the Collin County and Dallas County Departments of Health and Human Services (“Health Authority”) strongly urge high-risk individuals to cancel, reschedule, and not attend all gatherings until further notice. These recommendations are based on the social distancing practices attached to this Order as well as the “Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission” issued by the United States Centers for Disease Control and Prevention (“CDC”). The Office of the Mayor and the Health

Authority urge people to not attend non-essential gatherings during the duration of this in Declaration to help slow down the spread of the COVID-19 virus.

9. Our community's critical infrastructure, which includes communications, emergency services, energy, transportation systems, and water and wastewater systems, are instructed by this order to continue operating and encouraged to implement screening precautions to protect employees.

10. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.

11. The City of Wylie will activate the Emergency Operations Center and will operate during normal business hours.

12. All Parks and Recreation facilities are closed.

13. The Smith Public Library is closed.

14. All City Board and Commission meetings, with the exception of Wylie City Council, Planning and Zoning and any other meeting required by law, will be postponed for the duration of this disaster declaration.

15. All youth sports leagues will be suspended.

16. All citizens are encouraged to watch City Council meetings online and submit comments of public interest, and on agenda items, by going to [wylietetexas.gov/boards](http://wylietetexas.gov/boards) and completing the Citizen Comment form.

17. The Office of the Mayor and the Collin County Health Authority strongly encourage compliance with the following recommendations, including social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched services. This Declaration does not prohibit people from visiting a variety of places, including grocery stores, gas stations, parks, and banks, so long as the necessary precautions are maintained to reduce the transmission of COVID-19. This Declaration does not mandate sheltering in place. All critical infrastructure will remain operational, domestic travel will remain unrestricted, and government entities and businesses will continue providing essential services. For offices and workplaces that remain open, employees should practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this Declaration will expire.