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## CITY COUNCIL AGENDA

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Notice is hereby given that the Rockport City Council will hold an emergency meeting on Friday, March 20, 2020, at 1:30 p.m. in response to the COVID-19 imminent threat of disaster. The meeting will be held at Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. The matters to be discussed and acted upon are as follows:

### Opening Agenda

1. Call meeting to order.

### Emergency Agenda

2. Deliberate and act on continuance and renewal of the COVID-19 Disaster Declaration proclaimed by Mayor Patrick R. Rios in accordance with the *Texas Government Code §418.108*, as amended, for the period March 23 – April 14, 2020.
3. Adjournment.

### Special Accommodations

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213, ext. 225 or FAX (361) 790-5966 or email [citysec@cityofrockport.com](mailto:citysec@cityofrockport.com) for further information. Braille is not available. The City of Rockport reserves the right to convene into executive session under Government Code §§ 551.071-551.074 and 551.086.

### Certification

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, on Thursday, March 19, 2020, by 5:00 p.m. and on the City's website at [www.cityofrockport.com](http://www.cityofrockport.com). I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot* and *Corpus Christi Caller Times*.

  
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Teresa Valdez, City Secretary

**CITY COUNCIL AGENDA**  
**Special Emergency Meeting: Tuesday, March 20, 2020**

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**AGENDA ITEM: 2**

Deliberate and act on continuance and renewal of the COVID-19 Disaster Declaration proclaimed by Mayor Patrick R. Rios in accordance with the *Texas Government Code §418.108*, as amended, for the period March 23 – April 14, 2020.

**SUBMITTED BY:** City Manager Kevin Carruth

**APPROVED FOR AGENDA:** TV

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**BACKGROUND:** Mayor Rios declared the original state of disaster for the City of Rockport beginning March 16, 2020. *Texas Government Code* Section 418.108(b) states that the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed with the consent of the governing body of the political subdivision. The original Disaster Declaration expires on March 22, 2020.

City legal counsel prepared an Ordinance to continue and renew the state of disaster extending the Declaration of Local Disaster for the period of March 23-April 14, 2020. The Ordinance is attached hereto.

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**FISCAL ANALYSIS:** N/A

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**RECOMMENDATION:** Council approve and adopt An Ordinance of the City Council of the City of Rockport, Texas, extending a Declaration of Local Disaster for the period of March 23-April 14, 2020; establishing rules and regulations for the duration of the disaster; restricting certain activities; and establishing penalties for violations.

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**PROCLAMATION  
DISASTER DECLARATION**

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**WHEREAS**, the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

**WHEREAS**, as of March 16, 2020, there were 82 confirmed cases of COVID-19 located in multiple Texas counties; and

**WHEREAS**, there are many Texans with pending tests for COVID-19 in Texas and the number of confirmed cases is expected to increase; and

**WHEREAS**, as precautionary responses to the increasing presence of COVID-19 in Texas, growing numbers of schools, universities, other governmental entities, and businesses are altering their schedules, and public venues are beginning to temporarily close; and

**WHEREAS**, costs incurred to prepare for and respond to COVID-19 are beginning to mount at the state and local levels; and

**WHEREAS**, the State of Texas has already taken numerous steps to prepare for COVID-19, such as increasing laboratory testing capacity, coordinating preparedness efforts across state agencies, and working with local partners to promote appropriate mitigation efforts; and

**WHEREAS**, it is critical for the City of Rockport to take additional immediate and extraordinary steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of its citizens; and

**WHEREAS**, declaring a state of disaster will facilitate and expedite the use and deployment of resources to enhance preparedness and response.

**NOW, THEREFORE, BE IT PROCLAIMED** by Patrick R. Rios, Mayor of the City of Rockport, Texas, that I do hereby certify that COVID-19 poses an imminent threat of disaster and that a local state of disaster is hereby declared for City of Rockport pursuant to §418.108(a) of the Texas Government Code.

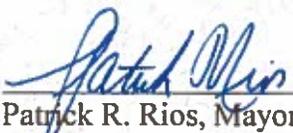
Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City of Rockport.

Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Rockport Emergency Management Plan.

That this Proclamation shall take effect immediately from and after its issuance.

ORDERED this 16th day of March 2020.

  
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Patrick R. Rios, Mayor

**ORDINANCE NO. 1782****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS, EXTENDING A DECLARATION OF LOCAL DISASTER; ESTABLISHING RULES AND REGULATIONS FOR THE DURATION OF THE DISASTER; RESTRICTING CERTAIN ACTIVITIES; ESTABLISHING PENALTIES FOR VIOLATIONS.**

**WHEREAS**, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

**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; and

**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; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and

**WHEREAS**, the Center for Disease Control and Prevention is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and

**WHEREAS**, over 1,629 cases of COVID-19 have been reported in the United States, including 41 deaths; and

**WHEREAS**, a large gathering of unidentifiable individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

**WHEREAS**, President Trump declared a national emergency on March 13, 2020; and

**WHEREAS**, Governor Greg Abbott declared a public health disaster on March 13, 2020; and

**WHEREAS**, the Center for Disease Control recommends that citizens stop handshaking, clean hands at the door, schedule regular hand washing, avoid touching faces and cover coughs and sneezes, disinfect surfaces like doorknobs, tables, desks, and handrails regularly, and increase ventilation by opening windows or adjusting air conditioning; and

**WHEREAS**, the Center for Disease Control recommends the use of videoconferencing for meetings when possible, and adjusting or postponing large meetings or gatherings; and

**WHEREAS**, the Center for Disease Control recommends citizens stay home if they are feeling sick or when they have a sick family member in their home; and

**WHEREAS**, households with vulnerable seniors and those with underlying health conditions should conduct themselves as if they were a significant risk to the person with underlying conditions; and

**WHEREAS**, the identification of “community spread” cases of COVID-19 in the United States could have signaled that transmission of the virus is no longer limited to those who traveled to China, or had contact with travelers who have visited China; and

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

**WHEREAS**, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of Rockport residents; and

**WHEREAS**, the City of Rockport will work collaboratively with Aransas County to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and

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

**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 displaced or evacuated and request assistance from the governor of state resources; and

**WHEREAS**, the Mayor has made a Declaration of Public Health Emergency, and further declared all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

**WHEREAS**, the Mayor, under the Texas Disaster Act of 1975, has authorized the use of all available resources of state government and political subdivisions to assist in the City’s response to this situation; and

**WHEREAS**, the Mayor has 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.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:**

- Section 1.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 2.** The local state of disaster and public health emergency declared by Mayor Patrick R. Rios for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code is hereby renewed and extended for a period of March 23-April 14, 2020, pursuant to §418.108(b) of the Government Code.
- Section 3.** Pursuant to §418.108(c) of the Government Code, 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.
- Section 4.** Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of Rockport emergency management plan.
- Section 5.** Pursuant to §418.020(c) of the Government Code, this declaration authorizes the City to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements.
- Section 6.** Pursuant to §122.006 of the Health and Safety Code, 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.
- Section 7.** All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.
- Section 8.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 9.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.
- Section 10.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas

Government Code, as amended.

**Section 11.** This Ordinance shall be in force and effect from and after its final passage, and any publication required by law.

**PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 20<sup>th</sup> DAY of MARCH 2020.**

**CITY OF ROCKPORT, TEXAS**

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Patrick R. Rios, Mayor

ATTEST:

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Teresa Valdez, City Secretary