



Village of Jones Creek

*7207 Stephen F. Austin
Jones Creek, TX 77541
(979)233-2700*

CITY COUNCIL SPECIAL EMERGENCY MEETING AGENDA

Take notice that the Board of Alderman of the Village of Jones Creek, Texas will hold a City Council Special Emergency Meeting on Thursday, March 19, 2020 at the Village Hall located at 7207 Stephen F. Austin Road, within the incorporated limits of said Village beginning at 6:00 p.m., the subject of said meeting being as follows:

SUPPLEMENTAL NOTICE OF MEETING BY TELEPHONE CONFERENCE:

In accordance with order of the Office of the Governor issued March 16, 2020, the Board of Alderman of the Village of Jones Creek will conduct the meeting scheduled at 6:00 p.m. at City Hall by telephone conference in order to consider matters directly related to the Coronavirus (“COVID-19”) pandemic, advance the public health goal of limiting face-to-face meetings (also called “social distancing”), and to slow the spread of the Coronavirus (COVID-19). [There will be no public access to the location described above.]

This supplemental written notice, the meeting agenda, and the agenda packet, are posted online at http://www.villageofjonescreektexas.com/city_government/agendas_and_minutes

The public toll-free dial-in number to participate in the telephonic meeting is:

1 (844) 854-2222 Access Code: 419942

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. City Council members may participate by telephone under Chapter 551 of the Texas Government Code.

A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

- 1. CALL TO ORDER**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL OF MEMBERS**
- 4. BUSINESS OF VISITORS** (limited to five minutes per person)

Members of the public may request permission to address the Board. Specific factual information or a recitation of existing policy may be furnished in response to an inquiry made by a member of the general public but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open Meetings Act.

5. DISCUSSION/POSSIBLE ACTION

- a. Consider and take possible action to approve an ordinance of the City of Jones Creek declaring a public health emergency, approve an extension to the mayor's declaration of local disaster due to public health emergency, and approve a letter to the Governor concerning same due to COVID-19.

6. ADJOURNMENT

CERTIFICATION

I certify that a copy of March 19, 2020 agenda of items to be considered by the City Council was posted at the Village Hall located at 7207 Stephen F. Austin Road, on March 19, 2020, at 2:00 p.m., at least one hour before the meeting will be convened, and that special notice was provided to the news media of this emergency meeting in accordance with Section 551.047 of the Texas Government Code.

/s/

Kimberly Morris, City Secretary

ORDINANCE NO. 510

AN ORDINANCE OF THE VILLAGE OF JONES CREEK
DECLARING A PUBLIC HEALTH EMERGENCY AND
EXTENDING THE DISASTER DECLARATION OF THE MAYOR
ON MARCH 18, 2020; PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, in December 2019, a novel respiratory disease named "SARS-CoV-2" that causes a disease named "coronavirus disease 2019" ("COVID-19") was detected in Wuhan City, Hubei Province, China; and

WHEREAS, symptoms of COVID-19 include fever, cough, and shortness of breath that may result in 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 and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing, and prevention of onward spread of the disease; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the United States 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, according to the Center for Disease Control ("CDC"), it is likely that at some point, widespread transmission of COVID-19 in the United States will occur; and

WHEREAS, the CDC warns that widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time; and

WHEREAS, the CDC also warns that schools, childcare centers, workplaces, and other places for mass gatherings may experience more absenteeism; public health and healthcare systems may become overloaded with elevated rates of hospitalizations and deaths; other critical infrastructure, such as law enforcement, emergency medical services, and transportation industry may also be affected; and health care providers and hospitals may be overwhelmed; and

WHEREAS, the Governor of the State of Texas declared a state of disaster due to this same public health emergency on March 13, 2020; and

WHEREAS, given, among other things, including the CDC's guidance, there is an ongoing risk and likelihood of COVID-19 positive patients being identified in the Village of Jones Creek; and

WHEREAS, the City, local health agencies, and political subdivisions within the region have been working diligently to implement CDC guidelines, but now require additional tools and resources to protect the public health given the current state of the epidemic and the need for a sustained response; and

WHEREAS, Mayor Gordon Schlemmer signed a disaster declaration for the Village of Jones Creek on March 18, 2020; and

WHEREAS, the City Council finds it in the best interest of the health, safety and welfare of the citizens to extend the Mayor's declaration until April 30th, 2020 or until terminated or modified by earlier ordinance of the City; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE VILLAGE OF JONES CREEK, TEXAS:

Section 1. The facts and matters contained in the preamble to this ordinance are hereby found to be true and correct.

Section 2. Pursuant to the authority provided in Section 418.108(b) of the Texas Government Code, the disaster declaration signed by Mayor Gordon Schlemmer, dated March 18, 2020 is hereby extended until April 30th, 2020 unless terminated or modified by an earlier ordinance of the City Council of the City.

Section 3. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the Village of Jones Creek, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. This Ordinance shall take effect immediately upon its approval.

APPROVED AND ADOPTED this _____ day of March, 2020.

Gordon Schlemmer, Mayor

ATTEST:

Kimberly Morris, City Secretary

ORDINANCE NO. 511

AN ORDINANCE OF THE VILLAGE OF JONES CREEK,
TEXAS DECLARING A PUBLIC HEALTH EMERGENCY;
PROHIBITING COMMUNITY GATHERINGS;
PROVIDING FOR A FINE IN AN AMOUNT NOT TO
EXCEED \$2,000 FOR EACH OFFENSE.

* * * * *

WHEREAS, in December 2019, a novel respiratory disease named "SARS-CoV-2" that causes a disease named "coronavirus disease 2019" ("COVID-19") was detected in Wuhan City, Hubei Province, China; and

WHEREAS, symptoms of COVID-19 include fever, cough, and shortness of breath that may result in 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 and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing, and prevention of onward spread of the disease; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the United States 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, according to the Center for Disease Control ("CDC"), it is likely that at some point, widespread transmission of COVID-19 in the United States will occur; and

WHEREAS, the CDC warns that widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time; and

WHEREAS, the CDC also warns that schools, childcare centers, workplaces, and other places for mass gatherings may experience more absenteeism; public health and healthcare systems may become overloaded with elevated rates of hospitalizations and deaths; other critical infrastructure, such as law enforcement, emergency medical services, and transportation industry may also be affected; and health care providers and hospitals may be overwhelmed; and

WHEREAS, given, among other things, including the CDC's guidance, there is an ongoing risk and likelihood of COVID-19 positive patients being identified in the Village of Jones Creek; and

WHEREAS, the City, local health agencies, and political subdivisions within the region have been working diligently to implement CDC guidelines, but now require additional tools and resources to protect the public health given the current state of the epidemic and the need for a sustained response;

WHEREAS, the CDC has determined that large events and mass gatherings can contribute to the spread of COVID-19 in the United States via travelers who attend these events and introduce the virus to new communities.

WHEREAS, the CDC in accordance with its guidance for [large events and mass gatherings](#), has recommended that for that organizers (whether groups or individuals) cancel or postpone in-person events that consist of 50 people or more throughout the United States beginning March 15, 2020; and

WHEREAS, the CDC in accordance with its guidance for [large events and mass gatherings](#), recommends that until March 31, organizers (whether groups or individuals) cancel or postpone in-person events that consist of 10 people or more throughout the United States; now therefore,

BE IT ORDAINED BY THE VILLAGE OF JONES CREEK, TEXAS:

Section 1. Pursuant to §122.006 of the Texas Health and Safety Code, the City is authorized take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals. The Village of Jones Creek hereby declares a Public Health Emergency within the Village of Jones Creek.

Section 2. Pursuant to §122.006 of the Texas Health and Safety Code, the Village of Jones Creek hereby declares that those persons under investigation, persons under management, and quarantined persons remain within the confines of their homes or in safe, secure facilities during the quarantine period following their exposure to the virus.

Section 3. The Village of Jones Creek prohibits Community Gatherings within the Village of Jones Creek.

PROHIBITED GATHERINGS.

Public or private Community Gatherings are prohibited anywhere in the Village of Jones Creek.

a. For purposes of these regulations, a “Community Gathering” is any indoor or outdoor event or convening, subject to the exceptions and clarifications below,

that brings together or is likely to bring together ten (10) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.

b. An outdoor “Community Gathering” under these regulations is limited to events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm’s length of one another for extended periods.

c. These regulations do not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, school or office tower, so long as 10 people are not present in any single space at the same time. These regulations also do not prohibit the use of enclosed spaces where 10 or more people may be present at different times during the day, so long as 10 or more people are not present in the space at the same time.

d. For purposes of clarity, a “Community Gathering” does not include the following so long as visitors are generally not within arm’s length of one another for extended periods:

(i) spaces where 10 or more persons may be in transit or waiting for transit such as airports, bus stations, or terminals;

(ii) office space or residential buildings;

(iii) grocery stores, shopping malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within arm’s length of one another for extended periods; and

(iv) hospitals and medical facilities.

e. Beginning April 1, 2020 the following regulations regarding mass gatherings will apply:

PROHIBITED GATHERINGS.

Public or private Community Gatherings are prohibited anywhere in the Village of Jones Creek.

a. For purposes of these regulations, a “Community Gathering” is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.

b. An outdoor “Community Gathering” under these regulations is limited to events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm’s length of one another for extended periods.

c. These regulations do not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, school or office tower, so long as 50 people are not present in any single space at the same time. These regulations also do not prohibit the use of enclosed spaces where 50 or more people may be present at different times during the day, so long as 50 or more people are not present in the space at the same time.

d. For purposes of clarity, a “Community Gathering” does not include the following so long as visitors are generally not within arm’s length of one another for extended periods:

(i) spaces where 50 or more persons may be in transit or waiting for transit such as airports, bus stations, or terminals;

(ii) office space or residential buildings;

(iii) grocery stores, shopping malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within arm’s length of one another for extended periods;

- (iv) hospitals and medical facilities; and
- (v) funerals.

Section 3. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the Village of Jones Creek, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 5. This Ordinance shall take effect immediately upon its approval.

APPROVED AND ADOPTED this _____ day of March, 2020.

Village of Jones Creek, TEXAS

Gordon Schlemmer, Mayor

ATTEST:

Kimberly Morris, City Secretary