



FOR IMMEDIATE RELEASE

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Denton City Council Extends COVID-19 Declaration of Disaster and Order Council Adopts Twelfth Order of Council That Supersedes Previous Orders

DENTON, TX, March 17, 2021 – On Tuesday, March 16, the Denton City Council voted to extend the Declaration of Local Disaster for Public Health Emergency first executed by Mayor Chris Watts on Friday, March 13, 2020. The declaration will now be in effect through 11:59 p.m. on Wednesday, June 30, 2021.

In addition, the Council adopted a new Twelfth Order of Council, which will supersede previous orders related to the COVID-19 pandemic. The new Order shall be in effect beginning 11:59 p.m. on Tuesday, March 16, 2021 through 11:59 p.m. on Wednesday, June 30, 2021.

Included within the Twelfth Order of Council:

- All businesses and establishments in Denton are strongly encouraged to continue to follow and implement the health and safety precautions and recommendations of the Centers for Disease Control and Prevention (CDC), as they may be amended or updated;
- Fees and charges relating to the nonpayment of utilities will not accrue during the period for which the order is in effect;
- The City Manager maintains the authority to create standard operating procedures and administrative directives, as necessary, to protect the safety of employees and the public, including adopting procedures and directives related to personnel, or to open, close, or otherwise alter the operation of facilities or services of the City of Denton;
- The City Manager is authorized to expend no more \$3,500,000, including previously authorized funds, from the general fund reserve balance during this period to fund essential response activities and functions not already budgeted. Of this amount, \$250,000 will be authorized for housing assistance.
- Authority for the City Manager to accept on behalf of the City services, gifts, grants, equipment, supplies, and/or materials whether from private, nonprofit, or government sources; and
- Continued authorization for an additional \$125,000 for utility assistance.

All businesses and establishments in Denton must abide by Governor Abbott's Executive Order GA-34 as it may be amended, preempted, or superseded. The Twelfth Order of Council places no additional obligations or restrictions Denton businesses or establishments beyond what is provided in GA-34.

Residents needing utility assistance are asked to call City of Denton Customer Service at 940-349-8700 in order to be referred to a utility assistance provider.

A copy of the Order of Council and its full provisions is **attached** and will be available online at www.cityofdenton.com. Visit www.cityofdenton.com/coronavirus for additional updates.

Contact: Ryan Adams, (940) 349-8565, Ryan.Adams@cityofdenton.com

OUR CORE VALUES

Integrity • Fiscal Responsibility • Transparency • Outstanding Customer Service

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ORDINANCE NO. 21-432

AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME-RULE MUNICIPAL CORPORATION, EXTENDING THE EFFECTIVE PERIOD OF THE DECLARED STATE OF LOCAL DISASTER TO JUNE 30, 2021; SUPERSEDING AND REPLACING THE ELEVENTH ORDER OF COUNCIL OF THE CITY OF DENTON ISSUED DECEMBER 17, 2020 APPROVED BY ORDINANCE NO. 20-2467; CONFIRMING THE EXPENDITURE OF FUNDS AND AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has spread throughout the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, symptoms of COVID-19 include fever, coughing, and shortness of breath, and in some cases the virus has caused death; and

WHEREAS, the number of known cases of COVID-19 diagnosed in the State of Texas presents a hazard to public health; and

WHEREAS, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout the City of Denton and Denton County, including the limitation of community gatherings and requiring individuals, groups of individuals, or property to be subject to additional measures that prevent or control the spread of disease; and

WHEREAS, the State Office of Court Administration, in consultation with the Supreme Court, Court of Criminal Appeals, and Regional Judges, has provided guidance recommending postponement of all non-essential court proceedings, minimizing staff, and taking all other appropriate measures to prevent the spread of disease; and

WHEREAS, the Mayor of the City of Denton determined that extraordinary measures must be taken by temporarily limiting the number of persons allowed to convene in a single location; temporarily closing City buildings, facilities, and limiting certain uses thereof; temporarily postponing all non-essential municipal court proceedings; providing resources to prevent eviction due to COVID-19 impact; and temporarily suspending all City utility shut-offs to residential customers; and

WHEREAS, on March 13, 2020, the Mayor executed a “Declaration of Local Disaster for Public Health Emergency” and an “Order of the Mayor of the City of Denton” pursuant to the Declaration; and

WHEREAS, finding it in the best interest of the citizens of Denton, on March 17, 2020, the City Council, through Ordinance No. 20-721, extended the Declaration of Emergency through April 30, 2020 and issued an Order of the Council of the City of Denton, attached thereto as Exhibit “C,” including the authorization to expend no more than Five Hundred Fifty Thousand Dollars (\$550,000.00) during this period to proceed with the necessary emergency responses and essential functions not already budgeted; and

WHEREAS, City of Denton Code of Ordinances Section 9-54(b) provides for penalties for violation of proclamations of emergency and any rule, regulation, or order issued pursuant to such proclamation and Chapter 9 of the City of Denton Code of Ordinances; and

WHEREAS, information about COVID-19 continues to evolve and measures must be taken to respond to the latest information available; and

WHEREAS, following updated information on the spread of COVID-19, the City Council amended the Order of Council on March 20, 2020; and

WHEREAS, as COVID-19 continued to spread throughout the City and County of Denton, the Mayor issued a Second Declaration of Local Disaster on March 24, 2020, and an “Order of the Mayor of the City of Denton” pursuant to the Second Declaration, extending measures in an attempt to slow the spread of the disease; and

WHEREAS, Governor Greg Abbott issued Executive Order GA-14 on March 31, 2020, further limiting public gatherings and defining which “essential services” were to continue during the declared state-wide emergency; and

WHEREAS, GA-14 expressly preempted local ordinances, declarations, and orders in conflict with it; and

WHEREAS, in compliance and to be consistent with GA-14, the City Council passed a Second Order of Council on April 6, 2020, superseding and replacing the prior orders of Council; and

WHEREAS, Governor Abbott issued Executive Order GA-16 on April 17, 2020, superseding GA-14, allowing retail stores to reopen under certain conditions and using certain procedures; and

WHEREAS, on April 27, 2020, Governor Abbott issued Executive Order GA-18, further ordering that people minimize social gatherings and in-person contact with people not in the same household except where necessary to obtain essential or reopened services, and still expressly preempting local ordinances, declarations, and orders in conflict with his orders; and

WHEREAS, on April 28, 2020, Denton County issued a new Disaster Declaration and Executive Order of the Denton County Commissioners Court, which extended the emergency declaration through May 15, 2020 and incorporated the provisions of GA-18 and the social distancing guidelines promulgated by the Centers for Disease Control; and

WHEREAS, on April 30, 2020, the City Council in compliance and to be consistent with the Governor’s Executive Orders and the County Orders, extended the effectiveness of the Declaration of Local Disaster until 11:59 p.m. May 31, 2020 and thereafter as any subsequent proclamation renews the Texas Governor’s disaster proclamation; and

WHEREAS, on May 5, 2020, the City Council in compliance and to be consistent with the Governor’s Executive Orders and the County Orders, extended the effectiveness of the Declaration of Local Disaster until 11:59 p.m. May 31, 2020; and

WHEREAS, on May 29, 2020, the City Council in compliance with and to be consistent with the Governor's Orders, extended the effectiveness of the Declaration of Local Disaster until 11:59 p.m. June 30, 2020; and

WHEREAS, on June 3, 2020, Governor Abbott issued Executive Order GA-26, ordering that people should not be in groups larger than ten and should maintain a distance of six feet of social distancing from those not in their group, and still expressly preempting local ordinances, declarations, and orders in conflict with his orders; and

WHEREAS, on June 23, 2020, Governor Abbott amended Executive Order GA-26, permitting county judges and mayors to place additional restrictions on outdoor gatherings estimated to consist of 100 people or more; and

WHEREAS, on June 23, 2020, the City Council in compliance with and to be consistent with the Governor's Orders, extended the effectiveness of the Declaration of Local Disaster until 11:59 p.m. August 31, 2020; and

WHEREAS, Governor Abbott has indicated that local governments may require businesses to develop Health and Safety policies; and

WHEREAS, on June 26, 2020, Governor Abbott issued Executive Order GA-28, ordering that certain businesses return to 50 percent of occupancy limits and prohibiting certain gatherings and visiting bars; and

WHEREAS, on July 2, 2020, Governor Abbott issued Executive Order GA-29, ordering face coverings and providing for a penalty for violation of his order and amending Executive Order GA-28 allowing for penalties; and

WHEREAS, also on July 2, 2020, Governor Abbott further amended Executive Order GA-28 to limit gatherings to 10 people; and

WHEREAS, on August 25, 2020, the City Council, in compliance with and to be consistent with the Governor's Orders, extended the effectiveness of the Declaration of Local Disaster until 11:59 p.m. September 30, 2020; and

WHEREAS, on September 17, 2020, Governor Abbott issued Executive Order GA-30, amending and superseded GA-28; and

WHEREAS, also on September 17, 2020, Governor Abbott issued Executive Order GA-31, amending and superseding GA-19; and

WHEREAS, on September 22, 2020, the City Council, in compliance with and to be consistent with the Governor's Orders, extended the effectiveness of the Declaration of Local Disaster until December 31, 2020; and

WHEREAS, on October 7, 2020, Governor Abbott issued Executive Order GA-32, superseding GA-30; and

WHEREAS, on December 17, 2020, the City Council, in compliance with and to be consistent with the Governor's Orders, extended the effectiveness of the Declaration of Local Disaster until March 31, 2021; and

WHEREAS, on March 2, 2021, Governor Abbott issued Executive Order GA-34, superseding GA-17, GA-25, GA-29, GA-31, and GA-32; and

WHEREAS, Governor Abbott has renewed the disaster declaration for the State of Texas every 30 days, most recently on March 6, 2021; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of the City of Denton to extend the Declaration of Local Disaster through June 2021 and to supersede and replace the Eleventh Order of the Council of the City of Denton dated December 17, 2020, and confirming certain previous orders; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The facts, circumstances, and recitations contained in the preamble of this Ordinance are found and declared to be true and correct, and are incorporated herein by reference as if fully set out herein.

SECTION 2. Pursuant to Section 418.108, Texas Government Code, and Section 9-27, City of Denton Code of Ordinances, Council extends the effective period of Declaration of Local Disaster executed by the Mayor on March 13, 2020 until 11:59 p.m. on June 30, 2021 in the interest of public health and safety in an attempt to prevent the spread of COVID-19, unless further extended, revised, or terminated by law.

SECTION 3. The Council hereby adopts the Twelfth Order of Council, dated March 16, 2021, attached hereto as Exhibit "A."

SECTION 4. It is Council's intent that this Ordinance and the Order of Council attached hereto supersede and replace the prior Orders of Council, passed March 17, 2020 through Ordinance 20-420, March 20, 2020 through Ordinance 20-740, April 6, 2020 through Ordinance 20-812, April 30 through Ordinance 20-873, May 5 through Ordinance 20-923, May 29 through Ordinance 20-980, June 23 through Ordinance 20-1199, June 26 through Ordinance 20-1255, July 28 through Ordinance 20-1423, August 25 through Ordinance 20-1597, September 22, 2020 through Ordinance 20-1845, and December 17, 2020 through Ordinance 20-2467. To the extent those prior Orders conflict with the Order herein passed, they are repealed.

SECTION 5. The City Council confirms the expenditure authority as further specified in Exhibit "A."

SECTION 6. The motion to approve this Ordinance was made by Jesse Davis and seconded by Gerard Hudspeth; the Ordinance was passed and approved by the following vote [6 - 0]:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Gerard Hudspeth, Mayor:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Birdia Johnson, District 1:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connie Baker, District 2:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jesse Davis, District 3:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Ryan, District 4:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Deb Armintor, At Large Place 5:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paul Meltzer, At Large Place 6:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PASSED AND APPROVED this the 16th day of March, 2021.



 GERARD HUDSPETH, MAYOR

ATTEST:
 ROSA RIOS, CITY SECRETARY

BY: 

APPROVED AS TO LEGAL FORM:
 AARON LEAL, CITY ATTORNEY

BY: 





EXHIBIT A

**TWELFTH ORDER OF THE COUNCIL
OF THE CITY OF DENTON
DATE ISSUED: MARCH 16, 2021**

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed. As the number of positive cases of COVID-19 continue to present a public health concern in the City of Denton, there is an immediate need to undertake the following measures described in this Order. This Order supersedes and replaces the Eleventh Order of the City Council adopted on Tuesday, December 17, 2020 (Ordinance No. 20-2467).

PURSUANT TO THE PRIOR DECLARATION EXTENDED BY COUNCIL ON MARCH 16, 2021 AND THE AUTHORITY IN SECTION 9-22 OF THE DENTON CODE OF ORDINANCES AND SECTION 418.108 OF THE TEXAS GOVERNMENT CODE, THE COUNCIL OF THE CITY OF DENTON HEREBY ORDERS:

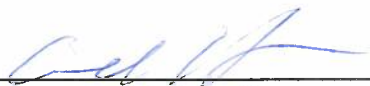
1. This Order pertaining to a Declaration of Local Disaster for Public Health Emergency, originally enacted by the Mayor on March 13, 2020 and extended by Council pursuant to ordinance, supersedes and replaces the prior Orders of the Mayor and of Council. The Order shall take effect at 11:59 p.m. on March 16, 2021 and continue through 11:59 p.m. on June 30, 2021.
2. This Order authorizes the use of all lawfully available enforcement tools found in Denton City Code, Chapter 9 (Emergency Management), state laws and gubernatorial orders, or federal laws.
3. This Order continues the policy, established in the Seventh Order in accordance with City of Denton Code of Ordinances 2-28, granting the City Manager authority to create standard operating procedures and administrative directives as necessary during the duration of the Declaration of Local Disaster associated with this Order, and any extensions thereof, to protect the safety of employees and the public, including adopting procedures and directives related to personnel, or to open, close, or otherwise alter the operation of facilities or services of the City of Denton.
4. All businesses and establishments in the City of Denton must abide by Governor Abbott's Executive Order GA-34, as it may be amended, preempted, or superseded. All businesses and establishments in the City of Denton are strongly encouraged to continue to follow and implement the health and safety precautions and recommendations promulgated by the Centers for Disease Control and Prevention (CDC), as they may be amended or updated. In addition, all businesses and establishments in the City of Denton are encouraged to educate their customers and patrons on health and safety precautions, including the use of signage at the entrances to the business or establishment.

5. Pursuant to Section 9-22 of the Code of Ordinances, the following measures are also ordered continued as set forth herein:

- a. All City Committee, Commission, and Board meetings are suspended through the term of this order, with the following exceptions:
 - i. The Planning and Zoning Commission shall meet no more than twice per month;
 - ii. The Public Utilities Board shall meet no more than twice per month;
 - iii. The Civil Service Commission shall meet as needed; and
 - iv. Other boards and commissions shall meet as necessary and as resources allow, with priority given to boards and commissions that have time-sensitive items.
 - b. City Council meetings shall be rescheduled as posted and may be conducted in accordance with alternate measures as permitted by law;
 - c. Only electronic purchasing submissions shall be accepted;
 - d. The City Manager or his designee is authorized to make application for local, state, and federal assistance as necessary and/or applicable;
 - e. The City Manager or his designee is authorized to accept on behalf of the City services, gifts, grants, equipment, supplies, and/or materials whether from private, nonprofit, or government sources;
 - f. The City Manager or his designee is authorized to terminate or suspend any event that is or may negatively impact the health, safety, and welfare of persons within the City;
 - g. The City Manager is authorized to approve individual purchases and sign contracts up to \$500,000.00 for general expenditures already budgeted or authorized by this Order;
 - h. The City Manager is authorized to expend no more than Three Million Five Hundred Thousand Dollars (\$3,500,000.00) total, including previously authorized funds, from the general fund reserve balance during this period to proceed with the necessary emergency responses and essential functions not already budgeted.
6. No penalties for non-payment of utilities under Ordinances 20-1553, 20-1549, 19-2137, 20-1551, or 18-1494 shall accrue during the pendency of this order; and
7. The City Manager is authorized to expend no more than One Hundred and Twenty-Five Thousand Dollars (\$125,000.00), in addition to currently budgeted funds, from the utility fund reserve balance during this period to provide additional utility payment assistance to qualifying customers.

Copies of this Order shall be promptly provided to the City Secretary for filing and posting on the City's website and in other conspicuous places.

IT IS SO ORDERED PURSUANT TO ORDINANCE NO. 21-432



Mayor Gerard Hudspeth
City of Denton