



617 Tenaha Street • P.O. Box 1744  
Center, Texas 75935-1744

(936) 598-2941 • Fax (936) 598-2615  
[www.centertexas.org](http://www.centertexas.org)

---

## **AGENDA**

**The Center City Council will meet in Special Session on Monday, March 30, 2020 at 12:00 p.m. in Room "C" at Windham Civic Center. The following items are on the agenda for appropriate action:**

- I. Welcome Guests and Visitors.**
- II. Discuss Consider and Action on the Following:**
  - A. Discuss and take action on Continuation and Renewal of Declaration of Local State of Disaster due to Public Health Emergency.**
- III. Adjournment.**

**This meeting is being held at the Civic Center in the event Council Members choose to attend via teleconference.**

**ORDER CONTINUING  
DECLARATION OF STATE OF LOCAL DISASTER  
FOR CITY OF CENTER, TEXAS**

**WHEREAS**, the Mayor of City of Center, Texas declared a state of local disaster on March 19, 2020 and March 27, 2020 due to threat from COVID19/Coronavirus;

**WHEREAS**, in accordance with Texas Government Code Section 418.108(b), the declaration of local state of disaster may not be continued or renewed for a period of more than seven (7) days except with the consent of the City Council of City of Center;

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

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

**WHEREAS**, a declaration of disaster activates the City of Center Emergency Management Plan in conjunction with the interjurisdictional aspects of the Shelby County Emergency Management Plan;

**WHEREAS**, the Mayor of City of Center has determined that measures must be taken to respond to health threats to people and to protect property; and

**WHEREAS**, the City Council of the City of Center, Texas, pursuant to Texas Government Code Section 418.108(b), has consented to continue the declaration of local state of disaster for City of Center, Texas.

**NOW THEREFORE, BE IT DECLARED BY THE MAYOR OF THE CITY OF CENTER, TEXAS, that:**

- 1.) The declaration of state of local disaster issued by the Mayor on March 27, 2020 for the City of Center, Texas resulting from public health emergency is hereby continued;
- 2.) This Declaration continues to activate the City's Emergency Management Plan;
- 3.) This Declaration continues to activate the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the Declaration, and the preparedness and response aspects of the plans are activated as provided in the plans;

- 4.) This Declaration continuing a local state of disaster shall be effective for thirty (30) days on and from its date of issuance, provided however that this declaration may be terminated before the expiration of thirty days by subsequent order of the Mayor, and may be continued or renewed beyond thirty days from its date of issuance only with the consent of the City Council of the City of Center, Texas;
- 5.) The sections, paragraphs, sentences, clauses and phrases of this Declaration are severable and if any phrase, clause, sentence, paragraph or section of this Declaration should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Declaration that can be given effect without the invalid provision, and to this end the provisions of this Order are severable.
- 6.) This Declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary of City of Center; and
- 7.) This Declaration shall take effect immediately from and after its issuance.

It is hereby **ORDERED**, this 30<sup>th</sup> day of March, 2020.

---

David Chadwick,  
Mayor of Center, Texas

ATTEST:

---

Barbara Boyd,  
City Secretary

**CITY OF CENTER, TEXAS  
MAYORAL DECLARATION OF LOCAL STATE OF DISASTER  
DUE TO PUBLIC HEALTH EMERGENCY**

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

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and,

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and,

**WHEREAS**, on March 19<sup>th</sup> the initial Disaster Declaration was issued for the City of Center to ratify the Governor's Disaster Declaration and implement immediate local measures; and,

**WHEREAS**, On March 20<sup>th</sup>, Shelby County Judge issued a local Disaster Declaration to implement the Governor's Declaration; and,

**WHEREAS**, the City of Center, Texas, is taking additional measures to address the health concerns, ensure provision of primary services and address the potential spread of this disease in our community in accordance with the orders of the Governor and County; and,

**WHEREAS**, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code.

**NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF CENTER, TEXAS:**

**SECTION 1.** That a local state of disaster for public health emergency is hereby declared for the City of Center, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

**SECTION 2.** That pursuant to Section 418.108(b) of the Texas Government Code the state of disaster for public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration, unless continued or renewed by the City Council of the City of Center, Texas.

**SECTION 3.** That pursuant to Section 418.108(c) of the Texas Government Code this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary and State of Texas.



**SECTION 4.** That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Center, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

**SECTION 5.** That this declaration authorizes the City to take actions to promote health of staff and continuity of service provision through the alteration of access to public facilities and general operations.

**SECTION 6.** That this declaration hereby specifically authorizes:


- a. Suspension of local ordinances and laws requiring compliance with deadlines for administrative enforcement actions or before the Center Municipal Court;
- b. Authorizing the Municipal Judge to suspend and defer current proceedings pending in the Center Municipal Court.
- c. Suspension of sections of Code of Ordinances, Chapter 90, Article IV, Billing Procedure, limiting payment extension agreements and additional fees;
- d. Suspending the terms of the City's purchasing policy more restrictive than State purchasing laws to allow for the local acquisition of goods, materials and supplies;
- e. Suspending the Sections of Code of Ordinances, Chapter 62 Application for and Issuance of Permits for Garage Sales, Itinerant Vendors, Door-to-Door, and Chapter 30 Application for permitting of Oil/Gas Wells.
- f. Authorizing the City Manager to act in the hiring and employment of temporary staff for public safety and utility operations to maintain staffing levels due to unforeseen absences or inability to report to work.

**SECTION 7.** In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this declaration 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.

**SECTION 8.** That this declaration hereby authorizes the use of all lawfully available enforcement tools.

**SECTION 9.** That this declaration shall take effect immediately from and after its issuance.

**DECLARED this 27<sup>th</sup> day of March, 2020.**

  
\_\_\_\_\_  
David Chadwick, Mayor  
City of Center, Texas

FILED:

  
\_\_\_\_\_  
Barbara Boyd, City Secretary

## THE CITY OF CENTER EMERGENCY MANAGEMENT PLAN

### V. CONCEPT OF OPERATIONS

#### G. EMERGENCY AUTHORITIES

1. Key federal, state, and local legal authorities pertaining to emergency management are listed in Section I of this plan.
2. TEXAS STATUTES AND THE EXECUTIVE ORDER OF THE GOVERNOR RELATING TO EMERGENCY MANAGEMENT PROVIDE LOCAL GOVERNMENT, PRINCIPALLY THE CHIEF ELECTED OFFICIAL, WITH A NUMBER OF POWERS TO CONTROL EMERGENCY SITUATIONS. IF NECESSARY, WE SHALL USE THESE POWERS DURING EMERGENCY SITUATIONS. THESE POWERS INCLUDE:
  - a. EMERGENCY DECLARATION. IN THE EVENT OF RIOT OR CIVIL DISORDER, THE MAYOR MAY REQUEST THE GOVERNOR TO ISSUE AN EMERGENCY DECLARATION FOR THIS JURISDICTION AND TAKE ACTION TO CONTROL THE SITUATION. USE OF THE EMERGENCY DECLARATION IS EXPLAINED IN ANNEX U, LEGAL.
  - b. Disaster Declaration. When an emergency situation has caused severe damage, injury, or loss of life or it appears likely to do so, the Mayor may by executive order or proclamation declare a local state of disaster. The Mayor may subsequently issue orders or proclamations referencing that declaration to invoke certain emergency powers granted the Governor in the Texas Disaster Act *on an appropriate local scale* in order to cope with the disaster. These powers include:
    - 1) Suspending procedural laws and rules to facilitate a timely response.
    - 2) Using all available resources of government and commandeering private property, subject to compensation, to cope with the disaster.
    - 3) Restricting the movement of people and occupancy of premises.
    - 4) Prohibiting the sale or transportation of certain substances.
    - 5) Implementing price controls.

A local disaster declaration activates the recovery and rehabilitation aspects of this plan. A local disaster declaration is required to obtain state and federal disaster recovery assistance. See Annex U, Legal, for further information on disaster declarations and procedures for invoking emergency powers.

## V. CONCEPT OF OPERATIONS

### A. General

#### 1. *Emergency Declaration.*

- a. Pursuant to Chapter 433 , Texas Government Code (TGC), the chief elected official or the governing body of a city or county may request the Governor declare a state of emergency for a jurisdiction or a portion thereof. For purposes of this statute, an emergency exists in the following situations: riot or unlawful assembly by three or more persons acting together by use of force or violence, the existence of a clear and present danger of violence, or a natural or man-made disaster. The Governor may proclaim a state of emergency and issue directives to control and terminate the emergency and protect life and property. Directives issued by the Governor for a state of emergency expire 72 hours after issuance; however, successive states of emergency may be declared by the Governor. A sample request for an emergency declaration is provided in Appendix 1.
- b. The emergency declaration process is generally not used for natural or man-made disasters because: (1) it requires action by the Governor to resolve local problems rather than facilitating action by local officials, (2) the Governor's directives require advance notice before they become effective, and (3) directives are of very limited duration – 72 hours. Hence, a disaster declaration may be more appropriate for responding to natural or technological emergencies. An emergency declaration may be appropriate for security-related incidents where local law enforcement resources are inadequate to handle the situation.
- c. If the actions taken by the Governor after an initial emergency declaration do not resolve the emergency situation, the chief elected official or governing body may request that the emergency declaration be continued. If the local emergency situation that was the basis for an emergency declaration is resolved before the Governor's directives expire, it is desirable to advise the Governor that the emergency declaration is no longer required.

#### 2. *Disaster Declaration*

- a. The Texas Disaster Act, Chapter 418, TGC, provides that the presiding officer of the governing body of a political subdivision the county judge of a county or the mayor of a municipality may declare a local state of disaster. A disaster declaration may be issued when a disaster has occurred or appears imminent. Chief elected officials, in order to respond to or recover from a significant natural or man-made disaster, typically use the disaster declaration process. A sample disaster declaration is provided in Appendix 2. Copies of a disaster declaration should be filed with the Governor's Division of Emergency Management (GDEM) and the City Secretary.

- b. The Executive Order of the Governor Relating to Emergency Management provides that county judges and mayors may, when a state of disaster has been declared, exercise similar powers on an appropriate local scale as have been granted to the Governor in the Disaster Act. Among those powers is the authority suspend procedural laws and rules, use public and private resources to respond to the disaster, control the movement of people, restrict the sale and transportation of certain items, and take a number of other actions. Once a state of disaster is declared, a city or county may enact an emergency ordinance or order describing the specific emergency regulations that are to be put into effect during the disaster. A sample emergency powers ordinance is provided in Appendix 5.
- c. A disaster declaration may not be continued in force for more than seven days unless renewed by the City Council. A sample ordinance/court order extending a disaster declaration is provided in Appendix 3. The City Council may terminate a state of disaster at any time; this approach is typically used when the threat that gave rise to the disaster declaration has subsided. Alternatively, the City Council may chose to simply let the declaration expire by taking no action to extend it. A sample ordinance/court order terminating a disaster declaration is provided in Appendix 4.





GOVERNOR GREG ABBOTT

March 19, 2020

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
11:59 AM O'CLOCK

The Honorable Ruth R. Hughs  
Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

MAR 19 2020  
  
Secretary of State

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-08 relating to COVID-19 preparedness and mitigation.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson  
Executive Clerk to the Governor  
GSD/gsd

Attachment

# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
March 19, 2020

EXECUTIVE ORDER  
GA 08

*Relating to COVID-19 preparedness and mitigation.*

---

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

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying that COVID-19 poses an imminent threat of disaster for all counties in the state of Texas; and

WHEREAS, COVID-19 continues to spread and to pose an increasing, imminent threat of disaster throughout Texas; 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, the Texas Department of State Health Services has now determined that, as of March 19, 2020, COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, under the Texas Disaster Act of 1975, "[t]he governor is responsible for meeting . . . the dangers to the state and people presented by disasters" (Section 418.001 of the Texas Government Code), and the legislature has given the governor broad authority to fulfill that responsibility.

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective 11:59 p.m. on March 20, 2020, and continuing until 11:59 p.m. on April 3, 2020, subject to extension thereafter based on the status of COVID-19 in Texas and the recommendations of the CDC:

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
11:52 AM O'CLOCK

MAR 19 2020

- Order No. 1 In accordance with the Guidelines from the President and the CDC, every person in Texas shall avoid social gatherings in groups of more than 10 people.
- Order No. 2 In accordance with the Guidelines from the President 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 executive order.
- Order No. 3 In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.
- Order No. 4 In accordance with the Guidelines from the President and the CDC, schools shall temporarily close.

This executive order 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 executive order 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 executive order will expire.

This executive order supersedes all previous orders on this matter that are in conflict or inconsistent with its terms, and this order shall remain in effect and in full force until 11:59 p.m. on April 3, 2020, subject to being extended, modified, amended, rescinded, or superseded by me or by a succeeding governor.



Given under my hand this the  
19th day of March, 2020.

A handwritten signature of Greg Abbott in black ink.

GREG ABBOTT  
Governor

ATTESTED BY:

A handwritten signature of Ruth R. Hughes in black ink.

RUTH R. HUGHES  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
11:59 AM O'CLOCK

MAR 19 2020



**Commissioner John W. Hellerstedt, M.D.**

**DECLARATION OF A PUBLIC HEALTH DISASTER IN THE STATE OF TEXAS**

**March 19, 2020**

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, John W. Hellerstedt, M.D., Commissioner of the Department of State Health Services, do hereby certify that the introduction and spread of the communicable disease known as COVID-19 in the State of Texas has created an immediate threat, poses a high risk of death to a large number of people and creates a substantial risk of public exposure because of the disease's method of transmission and evidence that there is community spread in Texas.

THEREFORE, in accordance with the authority vested in me by Section 81.082(d) of the Texas Health and Safety Code, I do hereby declare a state of public health disaster for the entire State of Texas.

Pursuant to Section 81.002 of the code, each person shall act responsibly to prevent and control communicable disease. The following actions, taken immediately, will reduce and delay the spread of COVID-19:

- People, businesses and communities should immediately undertake hygiene, cleanliness and sanitation practices that are accessible, affordable and known to be effective against COVID-19.
  - Wash hands often for 20 seconds and encourage others to do the same.
  - If no soap and water are available, use hand sanitizer with at least 60% alcohol.
  - Cover coughs and sneezes with a tissue, then throw the tissue away.
  - Avoid touching your eyes, nose, and mouth with unwashed hands.
  - Disinfect surfaces, buttons, handles, knobs, and other places touched often.
  - Avoid close contact with people who are sick.
- People who are known to have, or are under investigation or monitoring, for COVID-19, should adhere to the direction provided to them by duly authorized persons, including public health officials. Failure to abide by such direction may result in involuntary quarantine or isolation for the purposes of preventing further community spread of COVID-19.

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
11:45AM O'CLOCK



- People who are ill, especially those with symptoms consistent with influenza or COVID-19, should isolate themselves at home until they recover. Such persons should only present for medical evaluation and treatment if their symptoms are such that they cannot continue to be cared for in their home. And, when seeking medical care should call their doctor or health care facility before arriving to allow them to prepare.
- Limit trips into the public to essential outings. Traveling to work, the grocery store, the pharmacy or to seek medical care would be considered essential trips.
- Limit as much as possible close contact with other people. Stay six feet away.
- Do not gather in social groups of more than ten (10) individuals.
- Employers should allow work at home alternatives to the greatest extent possible.
- Restaurants should not allow dine-in options, either inside or outside. Take-out and curbside options with minimal contact are permitted and highly encouraged.

The Texas Department of State Health Services will continue to provide the most current and practical advice on how to control the spread of COVID-19 and encourages all Texans to seek additional information from a trusted source such as <https://www.dshs.texas.gov/coronavirus/> or from the Centers for Disease Control and Prevention at <https://www.cdc.gov/coronavirus/>.

Adherence to these rules and the sound public health principles that support them will provide optimal protection for the people of Texas. These measures are necessary to advance the health and safety of all Texans.

Copies of this proclamation will be filed with applicable authorities.

Given under my hand this the

19 day of March, 2020.



JOHN W. HELLERSTEDT, M.D.  
Commissioner of Public Health

ATTESTED BY:



Ruth Hughs  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
11:45 AM O'CLOCK

FILED FOR RECORD  
SHELBY COUNTY, TEXAS

2020 MAR 20 PM 12: 14

JENNIFER L. FOUNTAIN  
COUNTY CLERK

COUNTY OF SHELBY, TEXAS  
COUNTY JUDGE DECLARATION OF LOCAL STATE OF DISASTER  
BY JD DEPUTY DUE TO PUBLIC HEALTH EMERGENCY

**WHEREAS**, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

**WHEREAS**, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

**WHEREAS**, on March 19, 2020, the Governor of the State of Texas issued Executive Orders, and Shelby County will enforce them to the best of our ability; and

**WHEREAS**, Shelby County, Texas, is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

**WHEREAS**, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code.

**NOW THEREFORE, BE IT PROCLAIMED BY THE COUNTY JUDGE OF SHELBY COUNTY, TEXAS:**

**SECTION 1.** That a local state of disaster for public health emergency is hereby declared for SHELBY COUNTY, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

**SECTION 2.** That pursuant to Section 418.108(b) of the Texas Government Code the state of disaster for public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration, unless approved by the Commissioners Court of Shelby County, Texas.

**SECTION 3.** That pursuant to Section 418.108(c) of the Texas Government Code this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the County Clerk.

**SECTION 4.** That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the Shelby County, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

**SECTION 5.** That this declaration authorizes the County to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the County, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals, and other hospitals, and insuring compliance for those who do not comply with the County's rules and directives.


**SECTION 6.** That this declaration hereby limits the size of gatherings to not more than 10 people and mandates the cancellation of all such gatherings of more than 10 people until further notice. A "gathering" refers generally to a scheduled event or common endeavor where 10 persons are present in a confined space, room, or area.

**SECTION 7.** In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this declaration 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.

**SECTION 8.** That this declaration hereby authorizes the use of all lawfully available enforcement tools.

**SECTION 9.** That this declaration shall take effect immediately from and after its issuance and, upon approval by the Commissioners Court, shall continue in effect until terminated by the County Judge. Pursuant to this declaration, additional directives may be issued by the County Judge at any time as deemed necessary.

DECLARED this 20<sup>th</sup> day of March, 2020.

  
ALLISON HARBISON  
Shelby County Judge  
Shelby County, Texas