



CITY COUNCIL SPECIAL SESSION
Saturday, June 01, 2024, 12:00 PM

CITY HALL LIBRARY - 8 MORGAN'S POINT BOULEVARD

1. Call to Order

2. Agenda

- a. Resolution 2024.14 - Consider adopting a resolution authorizing an extension to the declaration of local disaster issued by the Mayor on May 24, 2024, including any requisite retroactive approvals necessary to provide continuity of disaster declaration coverage due to the significant disastrous weather event.

3. Adjourn

I certify that a copy of the _6-1-2024_ agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the _5-29-2024__ at 12:00PM and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-742-3206 for further information.

Camille Bowser, City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

ITEM DESCRIPTION: Consider adopting a resolution authorizing an extension to the declaration of local disaster issued by the Mayor on May 24, 2024, including any requisite retroactive approvals necessary to provide continuity of disaster declaration coverage, due to the significant disastrous weather event.

BACKGROUND: On May 22, 2024, Morgan's Point Resort, Texas experienced a significant disastrous weather event consisting of severe thunderstorms, which produced hail, hazardous damaging wind gusts, heavy rainfall, and flash flooding. These storms produced widespread and severe property damage, left many without power, and some without shelter. On May 24, 2024, Mayor Dennis Green issued a proclamation declaring a state of local disaster as extraordinary measures were, and continue to be, necessary to minimize property damage, injury, loss of life, and to protect the health and safety of residents of Morgan's Point Resort. The City of Morgan's Point Resort activated its Emergency Operations Center and has begun remediation efforts in conjunction with other governmental entities, non-profits, and volunteer organizations.

In the following days, the City has implemented its emergency management plan and begun recovery efforts, and because of the significant widespread damage throughout Morgan's Point Resort, it is necessary to extend the disaster declaration as recovery and remediation measures continue. The City continues to work towards rehabilitation and recovery efforts, debris and brush removal, furnishing aid and other assistance needs for its residents. This extension of the disaster declaration is intended to be retroactive for all intents and purposes to provide seamless continuity from the storm event and the issuance of the mayor's May 24, 2024, declaration of a local state of disaster. The declaration shall be effective immediately and retroactively and will continue all aspects of the City's emergency management plan, and will incorporate by reference the most current orders, declarations, and directives issued by the Bell County Judge and/or Bell County Commissioner's Court, and any requirements or prohibitions in those directives will be enforced by the City as if written in the City's declaration verbatim.

Staff requests that the City Council issue a disaster declaration that is effective immediately and retroactively and until such time as terminated or rescinded by the Mayor.

STAFF RECOMMENDATION: Staff recommends Council authorize an extension to the Mayor's declaration of local disaster, issued May 24, 2024, including any retroactive authorization necessary to provide continuity of disaster declaration coverage.

FISCAL IMPACT: No fiscal impact from the issuance of the disaster declaration directly; however, there will be expenditures and reimbursements necessary due to rehabilitation, recovery, and assistance efforts.

ATTACHMENTS:

Resolution

Disaster Declaration

RESOLUTION NO. 2024.14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, RENEWING AND EXTENDING THE DECLARATION OF LOCAL DISASTER ISSUED BY THE MAYOR ON MAY 24, 2024, INCLUDING ANY REQUISITE RETROACTIVE APPROVALS NECESSARY TO PROVIDE CONTINUITY OF DISASTER DECLARATION COVERAGE, DUE TO THE SIGNIFICANT DISASTROUS WEATHER EVENT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on May 22, 2024, Morgan's Point Resort, Texas experienced a significant disastrous weather event consisting of severe thunderstorms which produced hail, hazardous damaging wind gusts, heavy rainfall, and flash flooding - these storms produced widespread and severe property damage, left many without power, and some without shelter;

Whereas, on May 24, 2024, Mayor Dennis Green issued a proclamation declaring a state of local disaster as extraordinary measures were, and continue to be, necessary to minimize property damage, loss of life, and to protect the health and safety of residents of the City - the City activated its Emergency Operations Center and has begun remediation efforts in conjunction with other governmental entities, non-profits, and volunteer organizations;

Whereas, this renewal and extension of the disaster declaration is intended to be retroactive for all intents and purposes to provide seamless continuity from the storm event and the issuance of the Mayor's May 24, 2024 declaration of a local state of disaster;

Whereas, the declaration shall be effective immediately and retroactively and will continue all aspects of the City's emergency management plan, and will incorporate by reference the most current orders, declarations, and directives issued by the Bell County Judge and/or Bell County Commissioner's Court, and any requirements or prohibitions in those directives will be enforced by the City as if written in the City's declaration verbatim - Staff requests that the City Council issue a disaster declaration that is effective immediately and retroactively and until such time as terminated or rescinded by the Mayor;

Whereas, in the following days, the City has implemented its emergency management plan and begun recovery efforts, and because of the significant widespread damage throughout the City, it is necessary to extend the disaster declaration as recovery and remediation measures continue - the City continues to work towards rehabilitation and recovery efforts, debris and brush removal, furnishing aid and other assistance needs for its residents;

Whereas, Staff recommends Council renew and extend the Mayor's declaration of local disaster, issued May 24, 2024, including any retroactive authorization necessary to provide continuity of disaster declaration coverage;

Whereas, while there is no direct fiscal impact from the issuance of the disaster declaration, there will be expenditures and reimbursements necessary due to rehabilitation, recovery, and assistance efforts; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Morgan's Point Resort, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council, pursuant to § 418.108(b) of the Texas Government Code, hereby renews and extends the declaration of local disaster issued by the Mayor on May 24, 2024 and such renewal and extension shall be retroactively applicable.

Part 3: Pursuant to § 418.108(d) of the Texas Government Code, this renewal and extension of the declaration of the local state of disaster continues in effect the City's emergency management plan.

Part 4: This renewal and extension of the declaration of local disaster incorporates by reference the most current orders, declarations, and directives issued by the Bell County Judge and/or Bell County Commissioners Court, and any requirements or prohibitions included in those directives will be enforced by the City of Morgan's Point Resort, Texas as if written in said declaration verbatim.

Part 5: Pursuant to § 418.108 (c) of the Texas Government Code, this renewal and extension shall be given prompt and general publicity and shall be filed promptly with the City Secretary as well as posted on the City of Morgan's Point Resort, Texas website.

Part 6: Any City ordinance or regulation imposing a time requirement for payment, filing, or appealing a decision may be extended by the Mayor without further confirmation by the City Council.

Part 7: The Mayor may issue directives at any time as deemed necessary, suspend or modify any other ordinance or regulation of the City of Morgan's Point Resort, Texas, and suspend or discontinue any fines or fees without further confirmation by the City Council.

Part 8: The City Manager, or her designee, is authorized, without further approval of the City Council, to:

- a. Make application for local, state, and federal assistance as necessary and/or applicable;
- b. Accept, on behalf of the City, services, gifts, grants, equipment, supplies, and/or materials whether from private, non-profit, or government sources; and
- c. Increase the contracting and purchasing authority from \$50,000 to \$250,000 for each emergency expenditure.

Part 9: Although not required by law and out of an abundance of caution, the City Manager or the designee of the City Manager is authorized to (and any prior acts are ratified):

- a. Close any City of Morgan's Point Resort, Texas offices, facilities, or properties, including a closure to the public; and
- b. Provide City services by means other than in-person delivery, such as accepting permit applications online or by mail only, and/or to cease any City services that are not required by state or federal law.

Part 10: Any ordinances, rules, or regulations of the City of Morgan's Point Resort, Texas that conflict with this Resolution are hereby suspended, such suspension to remain in effect until the state of disaster is terminated by the Mayor.

Part 11: The terms and provisions of this Resolution shall be deemed to be severable and, if any section, subsection, sentence, clause, or phrase of this Resolution shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this Resolution and the remainder of such Resolution shall continue in full force and effect the same as if such invalid or unconstitutional provision had ever been a part hereof.

Part 12: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

Part 13: This declaration shall take effect immediately and retroactively from its issuance and shall continue in full effect until terminated by the Mayor.

PASSED AND APPROVED this the 1st day of **June, 2024**.

THE CITY OF MORGAN'S POINT RESORT, TEXAS

DENNIS GREEN, Mayor

ATTEST:

APPROVED AS TO FORM:

Camille Bowser
City Secretary

Neale Potts
City Attorney



ORDER OF LOCAL STATE OF DISASTER

WHEREAS, Mayor Dennis Green declared state of local disaster due to the severe storms that occurred on May 22, 2024, and that included heavy rainfall, flash flooding, large hail, and hazardous wind gusts exceeding 80+ miles per hour, and which caused widespread and severe property damage and loss;

WHEREAS, the damage sustained throughout the city has been widespread and significant, with some areas experiencing total loss;

WHEREAS, the storm caused significant wind damage, many downed trees and downed power lines, and many residents and businesses were without power for multiple days and many homes and businesses experienced significant structural damage and loss;

WHEREAS, the City of Morgan's Point Resort activated its emergency management plan and Emergency Operations Center on May 22, 2024, however, the city's needs and recovery efforts are ongoing and it will take an unspecified amount of time to complete rehabilitation and rebuilding efforts;

WHEREAS, the City of Morgan's Point Resort has coordinated with multiple area agencies, non-profits and volunteer organizations to assist its citizens and continues to assist in resource distribution, recovery efforts, debris and brush cleanup and emergency assistance;

WHEREAS, Bell County has also issued a disaster declaration and the State of Texas has included our area in the existing state disaster declaration for earlier storms that occurred in Texas;

WHEREAS, the City anticipates receiving approval for "Individual Assistance from the Federal Emergency Management Agency (FEMA), which will provide support and grants for private residences affected by the storm; and

WHEREAS, it is the City of Morgan's Point Resort's desire and intent to extend the state of local disaster for the period of time necessary to support recovery and rehabilitation efforts and that the extension and continuation of the same be issued immediately and applicable retroactively to provide continuity in coverage for the state of local disaster;

NOW, THEREFORE, IT IS ORDERED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS:

SECTION 1. The local state of disaster declared for the City of Morgan's Point Resort, Texas, pursuant to §418.108(a) of the Texas Government Code by the Mayor on May 24, 2024, is extended, effective immediately and it is the City Council's intent that this extension of the disaster declaration be applicable retroactively in order to provide seamless continuity of coverage of said declaration.



SECTION 2. Pursuant to §418.108(b) of the Government Code, the state of disaster issued by the Mayor on May 24, 2024, is hereby renewed and extended by the City Council of the City of Morgan's Point Resort and such renewal and extension shall be retroactively applicable.

SECTION 3. Pursuant to §418.108(c) of the 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.

SECTION 4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster activates and continues the City's emergency management plan.

SECTION 5. This declaration incorporates by reference the most current orders, declarations, and directives issued by the Bell County Judge and/or Bell County Commissioners Court, and any requirements or prohibitions included in those directives will be enforced by the City of Morgan's Point Resort as if written in this declaration verbatim.

SECTION 6. That the City Manager, or his designee, is authorized, without further approval of the City Council to:

- a. Make application for local, state, and federal assistance as necessary and/or applicable;
- b. Accept, on behalf of the City, services, gifts, grants, equipment, supplies, and/or materials, whether from private, non-profit, or governmental sources;
- c. Increase the contracting and purchasing authority for each emergency expenditure from \$50,000 to \$250,000.

SECTION 7. That although not required by law, and out of an abundance of caution, the City Manager or his designee, is authorized to:

- a. Close any facilities, offices, or properties, including a closure to the public, and
- b. Provide City services by means other than in-person delivery, such as accepting permit applications online or by mail only, and/or to cease any City services that are not required by state or federal law.

SECTION 8. That directives may be issued by the Mayor at any time as deemed necessary and the Mayor may suspend or modify any other ordinance or regulation of the City of Morgan's Point Resort, Texas or suspend or discontinue any fines or fees without further confirmation by the City Council and that any ordinances, rules, or regulations of the City of Morgan's Point Resort, Texas that conflict with this declaration of local disaster are hereby suspended, and any such suspension shall remain in effect until the local state of disaster is terminated by the Mayor.

SECTION 9. That this declaration shall take effect immediately and retroactively from its issuance and shall continue in full effect until terminated by the Mayor.

SECTION 10. This Declaration shall be filed in the Office of the City Secretary and posted on the City of Morgan's Point Resort website. In addition, every owner, manager, or operator of any facility that is impacted by this Declaration is encouraged to post a copy of this Declaration on-site.



ORDERED this the 1st day of June 2024.

DENNIS GREEN, Mayor

ATTEST:

Camille
Bowser

APPROVED AS TO FORM:

Neale Potts
City Attorney