

Wylie City Council Special Called Emergency Meeting

February 20, 2021 – 10:00 AM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



EMERGENCY NOTICE

The Wylie City Council will hold a Special Called Emergency Meeting at 10:00 a.m., on February 20, 2021, in the Council Chambers at the Wylie City Hall, located at 300 Country Club Road, Wylie, Texas. This meeting is open to the public and subject to the open meeting laws of the State of Texas.

Pursuant to Section 551.045 of the Texas Government Code and due to the urgent public necessity and imminent threat to public health and safety from the 2021 winter storm, which has resulted in accumulations of snow and ice, power outages and traffic problems, among other things, immediate action is required by the City of Wylie City Council.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Council regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Council requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

REGULAR AGENDA

1. Consider, and act upon, Ordinance No. 2021-12 of the City of Wylie, Texas extending the Mayor's Declaration of Local Disaster for Winter Weather Emergency due to a Severe Winter Storm; providing the consent of the City Council to the Continuation of the Declaration for a period of thirty (30) days; providing authority for the Mayor to terminate the Disaster Declaration; and providing an effective date.

READING OF ORDINANCES

Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on February 18, 2021 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

Stephanie Storm, City Secretary

Date Notice Removed

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020. Hearing impaired devices are available from the City Secretary prior to each meeting.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

- § 551.071 – Private consultation with an attorney for the City.
- § 551.072 – Discussing purchase, exchange, lease or value of real property.
- § 551.074 – Discussing personnel or to hear complaints against personnel.
- § 551.087 – Discussing certain economic development matters.
- § 551.073 – Discussing prospective gift or donation to the City.
- § 551.076 – Discussing deployment of security personnel or devices or security audit.



Wylie City Council

AGENDA REPORT

Department: City Manager

Account Code: _____

Prepared By: City Secretary

Subject

Consider, and act upon, Ordinance No. 2021-12 of the City of Wylie, Texas extending the Mayor's Declaration of Local Disaster for Winter Weather Emergency due to a Severe Winter Storm; providing the consent of the City Council to the Continuation of the Declaration for a period of thirty (30) days; providing authority for the Mayor to terminate the Disaster Declaration; and providing an effective date.

Recommendation

Motion to approve Ordinance No. 2021-12 of the City of Wylie, Texas extending the Mayor's Declaration of Local Disaster for Winter Weather Emergency due to a Severe Winter Storm; providing the consent of the City Council to the Continuation of the Declaration for a period of thirty (30) days; providing authority for the Mayor to terminate the Disaster Declaration; and providing an effective date.

Discussion

Pursuant to Section 418.018(b) of the Government Code, the declaration of local disaster, if continued with the approval of the motion above, would be in effect for thirty (30) days from the date of the ordinance, provided, however, that the declaration may be terminated before the expiration of thirty (30) days by subsequent order of the Mayor, and may be continued or renewed beyond thirty (30) days from the date of the ordinance only with the consent of the City Council of the City of Wylie.

ORDINANCE NO. 2021-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, EXTENDING THE MAYOR'S DECLARATION OF LOCAL DISASTER FOR WINTER WEATHER EMERGENCY DUE TO A SEVERE WINTER STORM; PROVIDING THE CONSENT OF THE CITY COUNCIL TO THE CONTINUATION OF THE DECLARATION FOR A PERIOD OF THIRTY (30) DAYS; PROVIDING AUTHORITY FOR THE MAYOR TO TERMINATE THE DISASTER DECLARATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in February 2021, a severe winter storm occurred across the State of Texas; and

WHEREAS, severe winter weather poses an imminent threat of widespread and severe property damage, injury, and loss of life due to prolonged freezing temperatures, heavy snow, and freezing rain in Wylie; and

WHEREAS, on February 12, 2021, Texas Governor Greg Abbott declared a state of disaster in all 254 counties due to the severe winter storm; and

WHEREAS, on February 13, 2021, Mayor Matthew Porter issued a declaration of local disaster for winter weather emergency for the City of Wylie for a period of seven (7) days; and

WHEREAS, on February 14, 2021, President Joseph R. Biden, Jr. declared that an emergency exists in the State of Texas and ordered federal assistance to supplement state and local response efforts due to the emergency conditions resulting from the severe winter storm beginning on February 11, 2021; and

WHEREAS, the conditions necessitating declaration of local state of disaster continue to exist and are anticipated to continue to exist for at least thirty (30) days; and

WHEREAS, Section 418.108(b) of the Texas Government Code provides that a declaration of local disaster may not be continued for a period of more than seven days without the consent of the governing body of the political subdivision; and

WHEREAS, the City Council has determined that the declaration of local disaster should be continued to help abate the widespread and severe property damage, injury, and loss of life threat.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Wylie, Texas:

SECTION 1. Pursuant to Section 418.018(b) of the Government Code, the declaration of local disaster issued by Mayor Porter on February 13, 2021, is hereby continued and shall be in effect for thirty (30) days from the date of this ordinance, provided, however, that the declaration may be terminated before the expiration of thirty (30) days by subsequent order of the Mayor, and may be continued or renewed beyond thirty (30) days from the date of this ordinance only with the consent of the City Council of the City of Wylie.

SECTION 2. The City Council hereby finds that while in a state of disaster, there is a public purpose in maintaining the City workforce and ensuring continuity in staffing while continuing the City's services but recognizing that certain facilities and/or operations may need to be temporarily closed or suspended and/or certain personnel may encounter disaster-related events that prevent them from working at full capacity intermittently during the winter weather emergency. The City Council hereby authorizes the City Manager to make any staffing and compensation-related decisions necessary to adapt to the rapidly changing environment created by the winter weather emergency to meet the objectives stated herein and authorizes the expenditure of City funds to accommodate the same. Any expenditure of funds beyond that approved in the FY 20-21 budgets must come to the City Council for ratification at a City Council meeting, though the expenditure may be made prior to City Council ratification due to the winter weather emergency.

SECTION 3. The City Council hereby finds that for the duration of this disaster declaration, immediate procurement directly related to the disaster may be necessary to preserve and protect public health and safety, and authorizes the City Manager to purchase goods or services as necessary for ratification by the City Council at a later date as long as the procurement is in compliance with state law requirements.

SECTION 4. The City Council hereby authorizes the City Manager to temporarily waive any City Code regulations that are difficult or impossible to comply with during the term of this declaration of disaster as long as it is not inconsistent with state law.

SECTION 5. Pursuant to Section 418.108(c) of the Government Code, the declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION 6. Pursuant to Section 418.108(d) of the Government Code, the City of Wylie Emergency Management Plan shall remain active through the duration of this disaster declaration.

SECTION 7. The City of Wylie will activate the Emergency Operations Center and will operate on an as needed basis throughout the duration of this Ordinance.

SECTION 8. All provisions of the Code of Ordinances of the City of Wylie, codified or uncoded, in conflict with the provisions of this Ordinance are hereby temporarily superseded by this Ordinance for the duration of this declaration. Should any section, subsection, sentence, clause

or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 9. This Ordinance shall take effect immediately from and after its passage. This Declaration shall be effective for 30 days, or until it is either rescinded, superseded, or amended pursuant to applicable law.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas,
on this 20th day of February, 2021.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary