AGENDA
FLOWER MOUND TOWN COUNCIL
SPECIAL MEETING
MARCH 19, 2020
FLOWER MOUND TOWN HALL, 2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS
6:00 P.M.
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An agenda information packet is available online at www.flower-mound.com/AgendaCenter
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Please silence or turn off all electronic devices in Jody Smith Hall

A. CALL MEETING TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND TO THE TEXAS FLAG
   "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

D. PUBLIC COMMENT
   To speak to Council during public comment, please fill out a comment form.
   • Speakers are limited to 3 minutes, a tone will sound at 30 seconds left and when time has expired
   • Please state your name and address when speaking
   The purpose of this item is to allow the public an opportunity to address the Town Council on issues that are not indicated as a "Public Hearing" on this agenda. Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972-874-6000 during business hours.

E. TOWN MANAGER’S REPORT
   Update and discussion on:
   1. Temporary compensation and related guidelines for furloughed employees of the Town.

F. REGULAR ITEM
   1. Disaster Declaration - Consider approval of a resolution extending the disaster declaration.

G. CLOSED MEETING
   The Town Council to convene into closed meeting pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071 to discuss matters relating to consultation with attorney, as follows:
   a. Consultation with Attorney.

H. ADJOURN MEETING
   I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times and said Notice was also posted on the Town’s website in accordance with GC Section 551.056 on the following date and time: March 16, 2020, at 4:45 p.m., at least 72 hours prior to the scheduled time of said meeting.

Theresa Scott, Town Secretary

The Flower Mound Town Hall and Jody Smith Hall are wheelchair accessible. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting by contacting Theresa Scott, Town Secretary, at (972) 874-6076.
TOWN COUNCIL AGENDA ITEM NO. 01
REGULAR ITEM

DATE:  March 19, 2020
FROM:  Bryn Meredith
ITEM:  Consider approval of a resolution extending the disaster declaration.

BACKGROUND INFORMATION:  The Texas Disaster Act of 1975 is codified in Chapter 418 of the Texas Government Code (“Code”). On March 15, 2020, Mayor Steve Dixon executed a Declaration of Local Disaster, for the Town of Flower Mound pursuant to section 418.108(a) of the Code. The Mayor’s declaration may not be continued beyond seven days without the consent of the Town Council (pursuant to section 418.108(b) of the Code). This resolution consents to the continuation of the Disaster Declaration until a date certain, established by Council.

A Disaster Declaration empowers the Mayor with the following authority:

- The mayor of a municipality may order the evacuation of all or part of the population from a stricken or threatened area under the jurisdiction and authority of the mayor if the mayor considers the action necessary for the preservation of life or other disaster mitigation, response, or recovery.

- The mayor of a municipality may control ingress to and egress from a disaster area under the jurisdiction and authority of the mayor and control the movement of persons and the occupancy of premises in that area.

However, note that “to the extent of a conflict between decisions of the county judge and the mayor, the decision of the county judge prevails.”

BOARD REVIEW/CITIZEN FEEDBACK:  N/A

ALTERNATIVES/OPTIONS:  N/A

LEGAL REVIEW:  Bryn Meredith, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., drafted the resolution for form and legality.

ATTACHMENTS:
1. Draft resolution
2. Original Disaster Declaration

DRAFT MOTION:  Move to approve as presented in the agenda caption.
RESOLUTION NO. ______

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS, CONSENTING TO THE EXTENSION OF THE DECLARATION OF LOCAL DISASTER EXECUTED BY MAYOR STEVE DIXON ON MARCH 15, 2020, UNTIL ____________, 2020 AT 11:59 P.M. CENTRAL STANDARD TIME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on March 11, 2020 the World Health Organization (WHO) declared COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott issued a proclamation declaring a state of disaster for all counties within the State of Texas in response to the spread of COVID-19; and

WHEREAS, on March 15, 2020, Mayor Steve Dixon executed a Declaration of Local Disaster, for the Town of Flower Mound pursuant to section 418.108(a) of the Texas Government Code; and

WHEREAS, in order to extend the Declaration of Local Disaster for a period longer than seven days, the Town Council must consent to such an extension pursuant 418.108(b) of the Texas Government Code and

WHEREAS, by majority vote, the Town Council by this resolution, has consented to such an extension of the declaration of local disaster until ________________ at 11:59 p.m. central standard time.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS:

SECTION 1.

That, in accordance with Section 418.108(b) of the Texas Government Code, the Town Council hereby consents to allow the declaration of local disaster to be extended until ________________, 2020 at 11:59 p.m. central standard time.

That this resolution shall be effective immediately from and after its passage.

APPROVED:

______________________________

Steve Dixon, MAYOR

ATTEST:

______________________________

Theresa Scott, TOWN SECRETARY
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, symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

WHEREAS, the 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, the Town of Flower Mound is taking extraordinary measures to prevent the spread of this potentially devastating disease in our communities; and

WHEREAS, the Town of Flower Mound and the Denton County Department of Public Health have established emergency protective measures, mitigation procedures and emergency response plans for this type of health emergency; and

WHEREAS, this International Health Emergency has created a serious health emergency requiring the issuance of a Disaster Declaration and the implementation of the Flower Mound Emergency Operations Plan; 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 Texas Government Code Chapter 418; and

WHEREAS, the Town of Flower Mound will work collaboratively with Denton County to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19.
NOW, THEREFORE, this Disaster Declaration ("Order") shall take effect immediately upon issuance of this Order:

1. A local state of disaster is hereby declared for the Town of Flower Mound, pursuant to §418.108(a) of the Texas Government Code (the "Code").
2. The state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the Flower Mound Town Council, pursuant to §418.108(b) of the Code.
3. This declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the Town Secretary’s Office pursuant to §418.108(c) of the Code.
4. This declaration of a local state of disaster activates the Flower Mound Emergency Operations Plan, pursuant to §418.108(d) of the Code.
5. This Declaration shall take effect immediately from and after its issuance.
6. Recommendations to reduce the spread of infections, such as Coronavirus (COVID-19), include:
   • Avoid close contact with people who are sick.
   • Stay home when you are sick.
   • Cover your mouth and nose to reduce the spread of germs.
   • Wash hands thoroughly and often.
   • Avoid touching your eyes, nose, and mouth.
7. Continue the closure of the Town of Flower Mound Community Activity Center, Library, and Senior Center.
8. Suspend all public or private community gatherings over 250 people.
   A. For purposes of this Order, a “Community Gathering” is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, which brings together or is likely to bring together 250 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 this Order 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. This Order also does 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 two hundred and fifty (250) people are not present in any single space at the same time. This Order also does not prohibit the use of enclosed spaces where two hundred and fifty (250) or more people may be present at different times during the day, so long as two hundred and fifty (250) or more
people are not present in the space at the same time. For any gathering covered by this subsection (C), the Town of Flower Mound and the Denton County Department of Public Health strongly encourage compliance with social distancing recommendations, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces.

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:

- Spaces where two hundred and fifty (250) 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. In all such settings, the Town of Flower Mound and Denton County Department of Public Health recommend following social distancing recommendations, and personal hygiene measures such as hand sanitizer and tissues should be provided when possible.

9. Pursuant to Texas Health and Safety Code §122.006, the Town may adopt rules to protect the health of persons in the Town, and provide for the establishment of quarantine stations, emergency hospitals, and other hospitals.

10. In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this order commits an offense, punishable by a fine up to $1000.00 or confinement in jail for a term that does not exceed 180 days.

The purpose of this order is for emergency protective measures, mitigation procedures and response plans to this public health emergency.

ORDERED this the 15th day of March, 2020.

Mayor Steve Dixon, Town of Flower Mound