



AGENDA

BARTONVILLE TOWN COUNCIL

NOTICE OF SPECIAL MEETING BY VIDEO CONFERENCE

April 29, 2020

7:00 PM

In accordance with order of the Office of the Governor issued March 31, 2020, the Bartonville Town Council will conduct a special meeting by video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The meeting agenda is posted online at www.townofbartonville.com.

The link to the video conference is www.townofbartonville.com/videmeeting *Please note there is an approximate 30 second delay.*

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. The public toll-free dial-in number to participate in public comment is 877 853 5257, the meeting ID number is 812 5487 2548 and the passcode is 740862. To request to speak at the appropriate time, enter *9.

The identity of each speaker must be clearly stated prior to speaking.

A. CALL TO ORDER

B. PUBLIC COMMENT

C. CLOSED SESSION

The Town Council to convene into a closed meeting pursuant to Texas Government Code Chapter 551, sections 551.071, to discuss matters relating to consultation with Town Attorney, and personnel as follows:

- a. Consultation with Town Attorney regarding Ordinance 685-20 declaring a local state of disaster due to a public health emergency.
- b. Consultation with Town Attorney regarding legal issues related to police operations.

D. RECONVENE OPEN MEETING

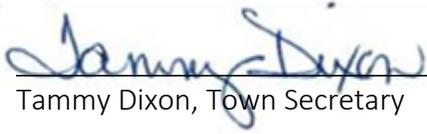
The Town Council to reconvene into an open meeting and consider action, if any, on items discussed in closed session.

E. ITEM

1. Discuss and consider and ordinance modifying or extending Ordinance No. 685-20 of the Town of Bartonville declaring a local state of disaster due to a public health emergency.

F. ADJOURNMENT

I do hereby certify the Notice of Meeting was posted on the bulletin board at Town Hall of the Town of Bartonville, Texas, a place convenient and readily accessible to the public at all times and said Notice was posted on the following date and time: Sunday, April 26, 2020, at 2:35 p.m. at least 72 hours prior to the time of said special meeting.



Tammy Dixon, Town Secretary

The City Council reserves the right to adjourn into a closed meeting or executive session as authorized by Texas Government Code, Sections 551.001, et seq. (the Texas Open Meetings Act) on any item on its open meeting agenda in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.088 of the Texas Open Meetings Act. Any final action, decision, or vote on a matter deliberated in a closed meeting will only be taken in an open meeting that is held in compliance with Texas Government Code, Chapter 551.

**TOWN OF BARTONVILLE, TEXAS
ORDINANCE NO. ____20**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, DECLARING A LOCAL STATE OF DISASTER DUE TO A PUBLIC HEALTH EMERGENCY AND INCORPORATING BY REFERENCE THE APPLICABLE REGULATIONS CONTAINED IN GOVERNOR ABBOTT'S EXECUTIVE ORDER(S) AND DENTON COUNTY'S ORDER(S); MAKING FINDINGS RELATED THERETO; REPEALING ORDINANCE NO. 685-20; PROVIDING AN EFFECTIVE DATE; PROVIDING AN EXPIRATION DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, beginning on or about December 2019, a novel coronavirus, now designated COVID-19, has spread through 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 Town of Bartonville is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

WHEREAS, the Town of Bartonville has established emergency protective measures, mitigation procedures, and emergency response plans for this type of health emergency; and

WHEREAS, on or about March 13, 2020, Texas Governor Greg Abbott declared a state of disaster in all Texas counties, and thereafter Denton County Judge Andy Eads has declared a local state of disaster due to a public health emergency; and

WHEREAS, on or about Tuesday, March 17, 2020, Mayor Bill Scherer issued a Disaster Declaration due to the COVID-19 public health emergency; and

WHEREAS, on or about Thursday, March 19, 2020, Texas Governor Greg Abbott issued Executive Order GA 08 providing further guidance in addressing COVID-19 preparedness and mitigation; and

WHEREAS, on or about Tuesday, March 24, 2020, the Town Council of the Town of Bartonville adopted Ordinance No. 685-20 declaring a local state of disaster through April 30, 2020, and it now is the desire of the Town Council to repeal said ordinance effective as of the effective date of this Ordinance and extend the local state of disaster referenced therein as set forth in this Ordinance; and

WHEREAS, on or about Tuesday, March 31, 2020, Texas Governor Greg Abbott issued Executive order GA-14, repealing Executive Order GA-08, and addressing and providing further for the continuity of essential services and activities during the COVID-19 disaster; and

WHEREAS, on or about Monday, April 27, 2020, Texas Governor Greg Abbott issued another Executive Order, addressing and providing, among others, for the continuity of essential services and activities during the COVID-19 disaster as well as permitting the limited reopening of certain non-essential businesses; and

WHEREAS, the Town Council seeks to adopt an ordinance that will extend the local state of disaster, incorporate by reference the various rules and regulations contained in Governor Abbott's applicable Executive Order(s) and in Denton County's applicable disaster declaration(s) and order(s), and be coterminous with said Executive Order(s) and Denton County order(s).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:

SECTION 1

All of the above findings are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

Ordinance No. 685-20, approved by the Town Council on Tuesday, March 24, 2020, is hereby repealed in its entirety, simultaneous with the effective time and date of this Ordinance.

SECTION 3

A local state of disaster due to public health emergency is hereby declared and extended for the Town of Bartonville, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

SECTION 4

Pursuant to Section 418.108(b) of the Texas Government Code, this state of disaster due to public health emergency shall continue from the time of adoption of this Ordinance, and thereafter shall expire on the date in which Texas Governor Greg Abbott repeals or otherwise concludes the state of disaster for the State of Texas, as same may relate to Denton County.

SECTION 5

Pursuant to Section 418.108(c) of the Texas Government Code, this Ordinance declaring a local state of disaster due to public health emergency shall be given prompt and general publicity and shall be filed promptly with the Town Secretary's Office.

SECTION 6

Pursuant to Section 418.108(d) of the Texas Government Code, this Ordinance declaring a local state of disaster has resulted in the following:

- this declaration of a local state of disaster continues the activation of the Town of Bartonville, Texas, emergency management plan and authorizes the furnishing of aid and assistance under the declaration, as was declared in Ordinance No. 685-20.
- All Town-sponsored programs, activities and classes are suspended through May __, 2020.
- Bartonville Municipal Court is delaying all Court proceedings until May __, 2020.

- All closures and cancellations will be reassessed and modified as conditions change.
- Regular Town Council and Board/Commission meetings are cancelled until [further notice] [May ____, 2020].
- All development applications are suspended until [further notice] [May ____, 2020].
- Town offices will remain closed to citizen traffic during normal operating hours, and for inquiries, please contact either the Town Administrator or the Town Secretary.

SECTION 7

Closures and cancellations referenced in this Ordinance may be extended, modified, or revoked until the threat posed by COVID-19 has passed, as determined by the Mayor.

SECTION 8

The Mayor is granted the authority to direct non-emergency Town personnel to work from home or to otherwise telecommute, as may be required, to mitigate community spread of COVID-19.

SECTION 9

This Ordinance hereby authorizes the Town to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, regulating ingress and egress from the Town, regulating ingress and egress to occupied structures, and insuring compliance for those who do not comply with the Town's rules, pursuant to Section 122.005 of the Texas Health and Safety Code.

SECTION 10

The Town hereby incorporates by reference, in its entirety, all applicable provisions of Governor Abbott's Executive Order(s) to date, and Denton County's disaster declaration(s) and order(s) to date, including the rules and regulations contained therein, with said rules and regulations terminating at the expiration of said Executive Order(s) and Denton County order(s), as determined by the Governor and Denton County Judge, as same may relate to Denton County.

SECTION 11

This Ordinance hereby authorizes the use of all lawfully available enforcement tools.

SECTION 12

This Ordinance shall become effective from and after its passage and publication.

DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, ON THIS 29TH DAY OF APRIL 2020.

Bill Scherer, Mayor

ATTEST:

Tammy Dixon, Town Secretary

DRAFT