



**TOWN OF LAKESIDE
SPECIAL / EMERGENCY CITY COUNCIL MEETING
9830 CONFEDERATE PARK ROAD
LAKESIDE, TX 76108**



Mayor Patrick Jacob - 2021

Place 1 Don Pitts - 2020

Place 2 Kathy Livingston - 2021

Place 3 Wesley Hearn -2020

Place 4 Amy Robinson – Mayor Pro-Tem - 2021

Place 5 Rona Stratton Gouyton - 2020

Pursuant to the provisions of Chapter 551 Texas Government Code, NOTICE is hereby given of a Special City Council Meeting, Town of Lakeside, to be held on Tuesday, May 5, 2020 at 1:00 PM via telephonic / videoconference. This meeting is being called as an emergency meeting and being held electronically only due to the COVID-19 epidemic/pandemic disaster, for considering the following items. Telephonic number for the meeting is 1-877-309-2073 access code 622-305-069# or computer audio meeting <https://global.gotomeeting.com/join/622305069>

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

Pledge of Allegiance – Mayor Patrick Jacob
Roll Call

II. CITIZENS PARTICIPATION AND COMMENTS

An opportunity for citizens to address the City Council on matters which are not scheduled for consideration. In order to address the Council, please complete a Public Meeting Appearance Card and present it to the City Secretary prior to the start of the Council Meeting. The Texas Open Meetings Act prohibits deliberation by the Council of any subject which is not on the posted agenda, therefore the Council will not be able to discuss or take action on items brought up during the citizen's participation.

III. PROCLAMATION, RESOLUTION AND PRESENTATION

(a) Resolution 2020-009 agenda item 1.

IV. PUBLIC HEARING

None

V. ITEMS OF COMMUNITY INTEREST

None

VI. STAFF REPORTS

None

VII. CONSENT AGENDA

None

VIII. REGULAR AGENDA



If you have a disability that requires special arrangements and you plan to attend this public meeting, please contact the Town Administrator at (817) 237-1234 EXT. 303 within 72 hours of the meeting. Reasonable accommodations will be made to meet your needs at the meeting.

ITEM 1. DISCUSSION/ACTION: Council to consider Resolution 2020-009 A Resolution of the Town Council of the Town of Lakeside, Texas, continuing and amending the declaration of local disaster due to public health emergency declared by the Mayor of the Town of Lakeside, Texas in accordance with Section 30.066(C) of the Town Code of Ordinances and Texas Government Code Section 418.108 due to the Covid-19 pandemic. Council may take any action deemed necessary.

IX. EXECUTIVE SESSION

The City Council of the Town of Lakeside Texas, reserves the right to adjourn into Executive Session during the course of the meeting to seek legal advice from its attorney regarding any item on the posted agenda as authorized by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

X. CONSIDER AND TAKE ANY ACTION RESULTING FROM EXECUTIVE SESSION

XI. FUTURE AGENDA ITEMS

XII. ADJOURNMENT

This is to certify that a copy of the Notice of the Special / Emergency City Council agenda for Tuesday May 5, 2020, was posted on the Town of Lakeside website (www.lakesidetexas.us), in compliance with Chapter 551, of the Texas Government Code on Tuesday May 5, 2020 one hour prior to 1:00 PM.



Norman Craven

Town Administrator/City Secretary



If you have a disability that requires special arrangements and you plan to attend this public meeting, please contact the Town Administrator at (817) 237-1234 EXT. 303 within 72 hours of the meeting. Reasonable accommodations will be made to meet your needs at the meeting.



FOURTH AMENDED DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY DECLARED BY THE MAYOR OF THE TOWN OF LAKESIDE, TEXAS IN ACCORDANCE WITH SECTION 30.066(C) OF THE TOWN CODE OF ORDINANCES AND TEXAS GOVERNMENT CODE SECTION 418.108, DUE TO COVID-19.

WHEREAS, On January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing, and prevention of onward spread of the disease; and

WHEREAS, COVID-19 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 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, continuous spread of the disease presents an imminent threat of widespread illness or loss of life resulting from a global pandemic and other public calamity resulting therefrom, which requires emergency action; and

WHEREAS, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020; and

WHEREAS, County Judge Glen Whitley issued a Declaration of Local Disaster Due to Public Health Emergency for Tarrant County for COVID-19 on March 13, 2020; on March 18, 2020, Judge Whitley issued a First Amended Declaration of Local Disaster Due to Public Health Emergency; on March 21, 2020, Judge Whitley issued a Second Amended Declaration of Local Disaster Due to Public Health Emergency; on March 24, 2020, Judge Whitley issued an Executive Order requiring all persons within the county to remain in their residence, except as allowed by the Order on March 27, 2020, Judge Whitley modified his Executive Order to provide additional guidance on the required shelter in place order; on April 3, 2020, Judge Whitley further modified his Executive Order, to the extent possible, to harmonize the Executive Orders of Governor Greg Abbott, and the cities of Tarrant County; and on April 21, 2020, Judge Whitley modified his order to provide additional consistency with Governor Abbott's Executive Orders, which Judge Whitley's Executive Order expires on April 30, 2020; and

WHEREAS, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 on March 13, 2020, and on March 19, 2020, Governor Abbott subsequently issued an Executive Order imposing restrictions on citizens and businesses in the State of Texas to prevent further spread of COVID-19; on March 31, 2020, Governor Abbott subsequently issued Executive Order GA-14 ("Order GA-14"), providing further guidance on COVID-19 restrictions; and on April 17, 2020 Governor Abbott issued Executive Orders GA-15, GA-16, and GA-17 (referred to herein as "Order GA-15," "Order GA-16," and "Order GA-17"), in which Order GA-16 supersedes Order GA-14, providing additional guidance and clarification on COVID-19 restrictions; and on April 27, 2020, after determining that additional measures and guidelines are still needed to address the COVID-19 pandemic, Governor Abbott issued Executive Orders GA-18 and GA-19 (referred to herein as "Order GA-18" and "Order GA-19" respectively) to provide for statewide measures

to address the spread of COVID-19 and to implement Phase I of the Open Texas strategic plan ("Open Texas Plan"); and

WHEREAS, pursuant to the Texas Government Code Section 418.108(a), the Mayor of the Town of Lakeside is authorized to declare a local state of disaster if a disaster has occurred or is imminent; and

WHEREAS, I, Patrick Jacob, the Mayor of the Town of Lakeside has determined that due to the global outbreak of COVID-19, extraordinary measures must be taken to prevent and to alleviate the suffering of the citizens of Lakeside and to protect the public health and safety; and

WHEREAS, the Tarrant County Emergency Management Plan should be activated and continued to provide for disaster mitigation, preparedness, response and recovery; and

WHEREAS, I, Patrick Jacob issued a Declaration of Local Disaster Due to Public Health Emergency on March 17, 2020 and the Lakeside Town Council issued a Renewal (Resolution 2020-005) of Declaration of Local Disaster due to Public Health Emergency on March 19, 2020. On March 21, 2020, the Mayor issued a First Amended Declaration of Local Disaster Due to Public Health Emergency and on March 23, 2020 the Lakeside Town Council issued a Renewal (Resolution 2020-006) of Declaration of Local Disaster due to Public Health Emergency. On March 24, 2020 the Mayor issued a Second Amended Declaration of Local Disaster Due to Public Health Emergency to implement additional measures to ensure the protection of the residents of the Town of Lakeside; and on March 24, 2020, Lakeside Town Council issued a Renewal (Resolution 2020-007) of Second Amended Declaration of Local Disaster due to Public Health Emergency. On April 3, 2020 the Mayor issued a Third Amended Declaration of Local Disaster Due to Public Health Emergency to implement additional measures to ensure the protection of the residents of the Town of Lakeside; and on April 6, 2020, Lakeside Town Council issued a Renewal (Resolution 2020-008).

THEREFORE, Pursuant to Texas Government Code Chapter 418, Be It Proclaimed and **ORDERED** by the Mayor Patrick Jacob that:

WHEREAS, the number of confirmed cases of COVID-19 continue to rise on a local, state and national level, and Governor Abbott has indicated that he intends to issue executive orders to implement additional phases of his Open Texas Plan as certain metrics are met on a statewide basis related to containing the spread of COVID-19; and

WHEREAS, I, Patrick Jacob, find it necessary to hereby issue this Fourth Amended Declaration of Local Disaster Due to Public Health Emergency amending, continuing and restating the declaration to adopt Orders GA-18 and GA-19, which supersede all local disaster declarations related to COVID-19 in order to provide consistency throughout the state, to ensure the protection of the general public, and for the health and safety of the citizens of the Town of Lakeside

NOW THEREFORE, BE IT DECLARED AND PROCLAIMED BY THE MAYOR OF THE TOWN OF LAKESIDE, TEXAS:

SECTION 1. That a state of local disaster for public health emergency is hereby declared for the Town of Lakeside pursuant to § 418.108(a) of the Texas Government Code.

SECTION 2. That this declaration of local disaster shall be in effect for a period not to exceed seven days from this date, unless terminated or continued by action of the City Council of the Town of Lakeside, Texas.

SECTION 3. That this declaration activates the Tarrant County Emergency Plan, and further authorizes the furnishing of all aid and assistance as deemed necessary or desirable by those administering such plans and activates the preparedness and response aspects of such plans as provided therein.

SECTION 4. That this declaration authorizes the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving emergency management within the City.

SECTION 5. That this declaration authorizes agreements, after approval by the City Attorney, for the City to use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelter or evacuees, subject to compensation requirements, pursuant to Texas Government Code 418.020.

SECTION 6. That this declaration authorizes the Mayor to order the evacuation of all or part of the population from a stricken or threatened area under his/her authority if the Mayor considers the action necessary for the preservation of life or other disaster mitigation, response or recovery.

SECTION 7. That this declaration authorizes the Mayor to control ingress and egress from a disaster area under his/her jurisdiction or authority and to control the movement of persons and the occupancy of premises in that area.

SECTION 8. Nothing in this Executive Order is intended to restrict “essential services” as such term is defined in Governor Abbott’s Executive Order GA-14 (Order GA-14), nor is it intended to allow gatherings prohibited by Order GA-14. To the extent that the Texas Division of Emergency Management approves additions to “essential services”, those additions will be treated as an Essential Business in the Town of Lakeside. Nothing herein is intended to impose restrictions inconsistent with Order GA- 14 or any other order issued by the Governor currently in effect relating to COVID-19 (a COVID Order). To the extent that this Executive Order conflicts with a COVID Order, the provisions in a COVID Order prevail.

SECTION 9. All businesses operating in the Town of Lakeside, except Essential Businesses as defined herein, shall not allow members of the public to occupy business premises. Non-essential businesses may continue Minimum Basic Operations, as outlined below, so long as the businesses strictly adhere to the following:

- (a) minimize in-person contact with people who are not in the same household.
- (b) maintain Social Distancing.
- (c) utilize remote teleworking to the greatest extent possible; and
- (d) minimize the number of employees needed to operate at a basic level.

Minimum Basic Operations allows the minimum necessary activities to:

Maintain the value of the business’s inventory or equipment, process payroll and employee benefits, maintain the premises and the security of the premises, equipment or inventory , including quarantine rules to protect the residents against communicable disease, provide for the establishment of quarantine stations, and hospitals, and authorizes the fining of those who do not comply with this order pursuant to Health and Safety Code 122.006.

SECTION 10. That this declaration adopts the provisions of Orders GA-18 and GA-19 issued by Governor Greg Abbott on April 27, 2020, as may be amended or superseded by subsequent executive orders related to the Open Texas Plan issued by the Governor (collectively “Executive Orders”). The provisions of the Executive Orders are incorporated herein by reference as if written word for word.

SECTION 11. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this declaration commits an offense that is considered a class C misdemeanor and each day the violation continues shall be a separate offense punishable by a fine of not more than \$500. A culpable mental state is not required for the commission of an offense under this declaration and need not be proved. The penalty provided for in this declaration is in addition to any other remedies the City may have under City ordinances and state law, including but not limited

to, suspension or revocation of a permit, and said penalties outlined in the Executive Orders issued to address the spread of COVID-19.

SECTION 12. It is hereby declared to be the intention of the Mayor and the City Council that the phrases, clauses, sentences, paragraphs, and sections of this declaration are severable, and if any phrase, clause, sentence, paragraph or section of this declaration shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this declaration.

SECTION 13. That this declaration shall be filed promptly with the City Secretary and shall be given prompt and general publicity.

SECTION 14. That this declaration shall take effect at 12:01am, May 1, 2020.

SO, DECLARED AND ORDERED this 30th day of April 2020.

A handwritten signature in blue ink, appearing to read 'Patrick Jacob', is written over a horizontal line.

Patrick Jacob
Mayor



RESOLUTION NO. 2020-009

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKESIDE, TEXAS, CONTINUING FOURTH AMENDED DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY DECLARED BY THE MAYOR OF THE TOWN OF LAKESIDE, TEXAS IN ACCORDANCE WITH SECTION 30.066(C) OF THE TOWN CODE OF ORDINANCES AND TEXAS GOVERNMENT CODE SECTION 418.108, DUE TO COVID-19.

WHEREAS, On January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing, and prevention of onward spread of the disease; and

WHEREAS, COVID-19 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 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, continuous spread of the disease presents an imminent threat of widespread illness or loss of life resulting from a global pandemic and other public calamity resulting therefrom, which requires emergency action; and

WHEREAS, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020; and

WHEREAS, County Judge Glen Whitley issued a Declaration of Local Disaster Due to Public Health Emergency for Tarrant County for COVID-19 on March 13, 2020; on March 18, 2020, Judge Whitley issued a First Amended Declaration of Local Disaster Due to Public Health Emergency; on March 21, 2020, Judge Whitley issued a Second Amended Declaration of Local Disaster Due to Public Health Emergency; on March 24, 2020, Judge Whitley issued an Executive Order requiring all persons within the county to remain in their residence, except as allowed by the Order; on March 27, 2020, Judge Whitley modified his Executive Order to provide additional guidance on the required shelter in place order; on April 3, 2020, Judge Whitley further modified his Executive Order, to the extent possible, to harmonize the Executive Orders of Governor Greg Abbott, and the cities of Tarrant County; and on April 21, 2020, Judge Whitley modified his order to provide additional consistency with Governor Abbott's Executive Orders, which Judge Whitley's Executive Order expires on April 30, 2020; and

WHEREAS, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 on March 13, 2020, and on March 19, 2020, Governor Abbott subsequently issued an Executive Order imposing restrictions on citizens and businesses in the State of Texas to prevent further spread of COVID-19; on March 31, 2020, Governor Abbott subsequently issued Executive Order GA-14 ("Order GA-14"), providing further guidance on COVID-19 restrictions; and on April 17, 2020 Governor Abbott issued Executive Orders GA-15, GA-16, and GA-17 (referred to herein as "Order GA-15," "Order GA-16," and "Order GA-17"), in which Order GA-16 supersedes Order GA-14, providing additional

guidance and clarification on COVID-19 restrictions; and on April 27, 2020, after determining that additional measures and guidelines are still needed to address the COVID-19 pandemic, Governor Abbott issued Executive Orders GA-18 and GA-19 (referred to herein as “Order GA-18” and “Order GA-19” respectively) to provide for statewide measures to address the spread of COVID-19 and to implement Phase I of the Open Texas strategic plan (“Open Texas Plan”); and

WHEREAS, pursuant to the Texas Government Code Section 418.108(a), the Mayor of the Town of Lakeside is authorized to declare a local state of disaster if a disaster has occurred or is imminent; and

WHEREAS, I, Patrick Jacob, the Mayor of the Town of Lakeside has determined that due to the global outbreak of COVID-19, extraordinary measures must be taken to prevent and to alleviate the suffering of the citizens of Lakeside and to protect the public health and safety; and

WHEREAS, the Tarrant County Emergency Management Plan should be activated and continued to provide for disaster mitigation, preparedness, response and recovery; and

WHEREAS, I, Patrick Jacob issued a Declaration of Local Disaster Due to Public Health Emergency on March 17, 2020 and the Lakeside Town Council issued a Renewal (Resolution 2020-005) of Declaration of Local Disaster due to Public Health Emergency on March 19, 2020. On March 21, 2020, the Mayor issued a First Amended Declaration of Local Disaster Due to Public Health Emergency and on March 23, 2020 the Lakeside Town Council issued a Renewal (Resolution 2020-006) of Declaration of Local Disaster due to Public Health Emergency. On March 24, 2020 the Mayor issued a Second Amended Declaration of Local Disaster Due to Public Health Emergency to implement additional measures to ensure the protection of the residents of the Town of Lakeside; and on March 24, 2020, Lakeside Town Council issued a Renewal (Resolution 2020-007) of Second Amended Declaration of Local Disaster due to Public Health Emergency. On April 3, 2020 the Mayor issued a Third Amended Declaration of Local Disaster Due to Public Health Emergency to implement additional measures to ensure the protection of the residents of the Town of Lakeside; and on April 6, 2020, Lakeside Town Council issued a Renewal (Resolution 2020-008).

THEREFORE, Pursuant to Texas Government Code Chapter 418, Be It Proclaimed and **ORDERED** by the Mayor Patrick Jacob that:

WHEREAS, the number of confirmed cases of COVID-19 continue to rise on a local, state and national level, and Governor Abbott has indicated that he intends to issue executive orders to implement additional phases of his Open Texas Plan as certain metrics are met on a statewide basis related to containing the spread of COVID-19; and

WHEREAS, I, Patrick Jacob, find it necessary to hereby issue this Fourth Amended Declaration of Local Disaster Due to Public Health Emergency amending, continuing and restating the declaration to adopt Orders GA-18 and GA-19, which supersede all local disaster declarations related to COVID-19 in order to provide consistency throughout the state, to ensure the protection of the general public, and for the health and safety of the citizens of the Town of Lakeside

NOW THEREFORE, BE IT DECLARED AND PROCLAIMED BY THE MAYOR OF THE TOWN OF LAKESIDE, TEXAS:

SECTION 1. That a state of local disaster for public health emergency is hereby declared for the Town of Lakeside pursuant to § 418.108(a) of the Texas Government Code.

SECTION 2. That this declaration of local disaster shall be in effect for a period not to exceed seven days from this date, unless terminated or continued by action of the City Council of the Town of Lakeside, Texas.

SECTION 3. That this declaration activates the Tarrant County Emergency Plan, and further authorizes the furnishing

of all aid and assistance as deemed necessary or desirable by those administering such plans and activates the preparedness and response aspects of such plans as provided therein.

SECTION 4. That this declaration authorizes the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving emergency management within the City.

SECTION 5. That this declaration authorizes agreements, after approval by the City Attorney, for the City to use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelter or evacuees, subject to compensation requirements, pursuant to Texas Government Code 418.020.

SECTION 6. That this declaration authorizes the Mayor to order the evacuation of all or part of the population from a stricken or threatened area under his/her authority if the Mayor considers the action necessary for the preservation of life or other disaster mitigation, response or recovery.

SECTION 7. That this declaration authorizes the Mayor to control ingress and egress from a disaster area under his/her jurisdiction or authority and to control the movement of persons and the occupancy of premises in that area.

SECTION 8. Nothing in this Executive Order is intended to restrict “essential services” as such term is defined in Governor Abbott’s Executive Order GA-14 (Order GA-14), nor is it intended to allow gatherings prohibited by Order GA-14. To the extent that the Texas Division of Emergency Management approves additions to “essential services”, those additions will be treated as an Essential Business in the Town of Lakeside. Nothing herein is intended to impose restrictions inconsistent with Order GA- 14 or any other order issued by the Governor currently in effect relating to COVID-19 (a COVID Order). To the extent that this Executive Order conflicts with a COVID Order, the provisions in a COVID Order prevail.

SECTION 9. All businesses operating in the Town of Lakeside, except Essential Businesses as defined herein, shall not allow members of the public to occupy business premises. Non-essential businesses may continue Minimum Basic Operations, as outlined below, so long as the businesses strictly adhere to the following:

- (a) minimize in-person contact with people who are not in the same household.
- (b) maintain Social Distancing.
- (c) utilize remote teleworking to the greatest extent possible; and
- (d) minimize the number of employees needed to operate at a basic level.

Minimum Basic Operations allows the minimum necessary activities to:

Maintain the value of the business’s inventory or equipment, process payroll and employee benefits, maintain the premises and the security of the premises, equipment or inventory , including quarantine rules to protect the residents against communicable disease, provide for the establishment of quarantine stations, and hospitals, and authorizes the fining of those who do not comply with this order pursuant to Health and Safety Code 122.006.

SECTION 10. That this declaration adopts the provisions of Orders GA-18 and GA-19 issued by Governor Greg Abbott on April 27, 2020, as may be amended or superseded by subsequent executive orders related to the Open Texas Plan issued by the Governor (collectively “Executive Orders”). The provisions of the Executive Orders are incorporated herein by reference as if written word for word.

SECTION 11. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this declaration commits an offense that is considered a class C misdemeanor and each day the violation continues shall

be a separate offense punishable by a fine of not more than \$500. A culpable mental state is not required for the commission of an offense under this declaration and need not be proved. The penalty provided for in this declaration is in addition to any other remedies the City may have under City ordinances and state law, including but not limited to, suspension or revocation of a permit, and said penalties outlined in the Executive Orders issued to address the spread of COVID-19.

SECTION 12. It is hereby declared to be the intention of the Mayor and the City Council that the phrases, clauses, sentences, paragraphs, and sections of this declaration are severable, and if any phrase, clause, sentence, paragraph or section of this declaration shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this declaration.

SECTION 13. That this declaration shall be filed promptly with the City Secretary and shall be given prompt and general publicity.

SECTION 14. That this declaration shall take effect at 12:01am, May 1, 2020 and shall remain in effect until 11:59 pm on May 15, 2020, unless terminated or modified by a subsequent Order.

PASSED AND APPROVED on this 5th day of May 2020.

TOWN OF LAKESIDE

By: _____
Patrick Jacob, Mayor

Norman Craven, Town Secretary