

RESOLUTION NO. 2020-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART EXTENDING THE CITY'S LOCAL DISASTER DECLARATION, INCORPORATING THE GOVERNOR'S EXECUTIVE ORDER GA-14 AND THE CALDWELL COUNTY JUDGE'S ORDER OF MARCH 24, 2020; ADDRESSING OTHER RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 17, 2020, the Mayor of the City of Lockhart, Texas, issued a Declaration of Local State of Disaster related to Coronavirus pandemic, effective for seven days, which declaration was amended on March 19, 2020; and

WHEREAS, on March 24, 2020 the City Council of Lockhart voted by minute order to extend the Mayor's Declaration (hereafter "the City's Local Disaster Declaration") until April 7, 2020; and

WHEREAS, on March 30, 2020, the County Judge of Caldwell County, Texas issued a "Stay Home/Stay Safe Order ("the County Order") in accordance with an order of a state of local disaster previously issued by the County Judge on March 14, 2020; and

WHEREAS, on March 31, 2020, the Governor of Texas Greg Abbott issued Executive Order GA-14 (the "Order"), a copy of which is attached hereto, ordering and providing guidance on essential services, remote telework from home and other issues and providing that the Order supersedes any local declaration that conflicts with the Order with regard to essential services; and

WHEREAS, the Council wishes to continue its local declaration indefinitely to abate the effects of the spread of the coronavirus and to incorporate both the Order and the County Order therein; and

WHEREAS, under Texas Local Government Code Section 552.001(b), the Council has broad authority to regulate water, sewer, gas, or electricity systems (collective, the "Utility Systems") in a manner that protects the interests of the municipality; and

WHEREAS, during this disaster, the Council wishes to delegate to the City Manager the authority to postpone Utility Systems payments and disconnections; and

WHEREAS, upon conclusion of the disaster, the Council shall rescind this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS:

SECTION 1: Findings Incorporated. The findings recited above are incorporated as if fully set forth in the body of this Resolution.

SECTION 2: Ratification, Extension, and Incorporation. The City Council hereby ratifies and extends the City's Local Disaster Declaration indefinitely and incorporates into this Resolution the provisions of Governor Greg Abbott's Executive Order GA-14 and the Caldwell County Judge's Stay Home/Stay Safe Order of March 30, 2020. Any conflict that is found to exist between the City's Local Disaster Declaration and either the Order or the County Order shall be resolved in favor of the Order or County Order, as applicable.


SECTION 3: Utility Systems Disconnections/Payments Suspended. The City Council hereby delegates to the City Manager the ability to suspend disconnection and collection of payments for Utility Systems for the duration of this Resolution.

SECTION 4: Ending Date. This Resolution shall remain in effect indefinitely, until the disaster has concluded or this Resolution is terminated by the City Council.

SECTION 5: Effective Dates. This Resolution shall be in force and effect immediately upon final passage until the ending date, and it is so resolved.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS on this the 7th day of April 2020.

CITY OF LOCKHART



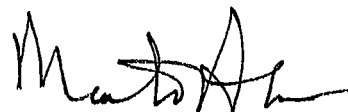
Lew White, Mayor

Attest:



Connie Constancio, TRMC, City Secretary

Approved as to form:



Monte Akers, City Attorney