

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 uncodified, 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