



AGENDA MEMORANDUM

Action Item for the City Council Meeting May 12, 2020

DATE: May 7, 2020

TO: Peter Zanoni, City Manager

FROM: Miles Risley, City Attorney
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Ordinance Extending the Local State of Disaster Declared and Renewed by the Mayor of the City of Corpus Christi Texas; and declaring an emergency

CAPTION: Ordinance Extending the Local State of Disaster as related to Covid-19 Declared and Renewed by the Mayor of the City of Corpus Christi Texas; and declaring an emergency

SUMMARY: The Mayor of Corpus Christi issued a declaration of a local state of disaster on March 13, 2020, pursuant to 418.108 of the Texas Government Code due to this public health emergency. Texas Local Gov't Code 418.108 requires the City Council to consent to the continuation of a local state of disaster declared by the Mayor for a period in excess of 7 days. The City Council continued the declaration for 30 days on March 17, 2020. Following City Council's continued declaration, the mayor has renewed the declaration multiple times.

Furthermore, Texas Administrative Code, Title 37, § 7.41 provides:

"Requests for state or federal recovery assistance must be initiated by local government. The chief elected official of the jurisdiction must have declared a local State of Disaster before requesting disaster recovery assistance."

Although the City has already issued a declaration and submitted it to the governor, via the Texas Division of Emergency Management, the safest course is to extend the declaration of local disaster for the duration of the Texas Governor's disaster proclamation to avoid any future disputes for funding.

BACKGROUND AND FINDINGS: This provision will extend the following declarations to until the date the Texas Governor's disaster proclamation is terminated:

- Declaration of a Local State of Disaster Due to a Public Health Emergency by the Mayor of the City of Corpus Christi
- Ordinance Extending the Local State of Disaster Declared by the Mayor of the City of Corpus Christi Texas on March 13, 2020; providing for penalties; and declaring an emergency
- Renewals of Declaration of a Local State of Disaster Due to a Public Health Emergency by the Mayor of the City of Corpus Christi; and providing a penalty for

violation of Mayor's and Governor's Orders

ALTERNATIVES: To not Extend the Local State of Disaster Declared and Renewed by the Mayor.

FISCAL IMPACT:

Funding Detail:

Fund:

Organization/Activity:

Mission Element:

Project # (**CIP Only**):

Account:

RECOMMENDATION: To extend the Extending the Local State of Disaster Declared and Renewed by the Mayor.

LIST OF SUPPORTING DOCUMENTS: Ordinance