

RESOLUTION NO. R21-534**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLAINVIEW
TEXAS EXTENDING THE DECLARATION OF LOCAL DISASTER TO
DECEMBER 9, 2021**

WHEREAS, a novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

WHEREAS, COVID-19 continues to spread and to pose an increasing, imminent threat of disaster throughout City of Plainview and beyond; and

WHEREAS, on March 19, 2020, pursuant to the authority provided him by Texas Government Code § 418.108, the Mayor of the City of Plainview issued a Declaration of Local Disaster, placing certain restrictions and procedures in place in order to protect and preserve the public health, safety and welfare and consistent with the national and state declarations of emergency that was renewed and extended by the City Council through Resolution No. R20-470 on March 24, 2020, Resolution No. R20-471 on April 14, 2020, Resolution No. R20-477 on May 7, 2020, Resolution No. R20-478 on May 20, 2020, Resolution No. R20-482 on June 9, 2020, Resolution R20-486 on July 14, 2020, Resolution R20-490 on August 11, 2020, Resolution R20-492 on September 8, 2020; Resolution R20-493 on September 22, 2020; Resolution R20-494 on October 13, 2020; Resolution R20-500 on November 10, 2020; Resolution R20-501 on December 8, 2020; Resolution R21-503 on January 7, 2021; Resolution R21-508 on February 4, 2021; Resolution R21-509 on March 4, 2021; Resolution R21-511 on April 8, 2021; Resolution R21-514 on May 6, 2021; Resolution R21-516 on June 3, 2021; Resolution R21-518 on June 22, 2021; Resolution R21-524 on July 22, 2021; Resolution R21-526 on August 19, 2021; Resolution 21-531 on September 14, 2021; Resolution 21-533 on October 12, 2021 and

WHEREAS, on March 2, 2021, the Governor of the State of Texas issued Executive Order GA-34, superseding Executive Order GA-32, further expanding the reopening of businesses, activities, nursing homes and related facilities, and services throughout most of Texas; and

WHEREAS, the Governor of the State of Texas has stated that there has been a steady decline in hospitalizations and the rate of new COVID-19 cases due to the millions of Texans who have voluntarily been vaccinated, including many within the City of Plainview, the natural immunity of many within the community, improved medical treatments for COVID-19 patients, abundant supplies of testing and personal protective equipment, and Texans' adherence to safe practices like social distancing, hand sanitizing, and use of face coverings; and

WHEREAS, the Trauma Service Area B, which includes Hale County, is not considered an area of high hospitalization and the hospitalization rates have consistently been below the fifteen percent (15%) high hospitalization rate threshold Trauma Service

Area B is still experiencing a significant number of positive COVID-19 cases and hospitalizations; and

WHEREAS, on July 29, 2021, the Governor of the State of Texas issued Executive Order GA-38 further clarifying that no local governmental entity, including municipalities, can mandate anyone to wear a face covering or obtain the COVID-19 vaccine; and

WHEREAS, in areas where the COVID-19 transmission rate is high, individuals are encouraged to follow safe practices such as wearing face coverings over the nose and mouth when social distancing is impossible or impractical; and

WHEREAS, on October 28, 2021, the Governor of the State of Texas renewed his state-wide disaster proclamation certifying that COVID-19 poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, the Declaration of Local Disaster extended in R21-533 is set to expire at 11:59 p.m., Saturday, November 13, 2021; and

WHEREAS, the City of Plainview, in an effort to continue to combat the spread of COVID-19 and to continue to support the improvement of local economic conditions while still maintaining the ability to protect against COVID-19 and pursuant to Texas Government Code §418.108, the City Council believes it to be in the best interest of the City and its citizens, in order to protect and preserve the public health, safety and welfare, to continue the extension of the Declaration of Local Disaster, and adopt the measures outlined herein;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PLAINVIEW, TEXAS, HEREBY RESOLVES, DECLARES AND ORDERS:

1. **THAT** the recitals outlined above are found to be true and correct and are incorporated as if fully set forth herein.
2. **THAT** all terms and conditions of of the Governor's Executive Order GA-34 as adopted by Resolution R21-524 and continued in Resolution R21-533, and Executive Order GA-38, is hereby adopted and the Mayoral Declaration of Local Disaster initially signed and executed by the Mayor on March 19, 2020 and extended by the City Council by successive resolution is renewed and extended to the extent it does not directly conflict with this resolution.
3. **THAT** pursuant to §418.108(c) of the Texas Government Code, this resolution shall be given prompt and general publicity and shall be filed promptly with the City Secretary of the City of Plainview.

4. **THAT** this resolution and order shall go into effect immediately upon passage and continue until 11:59 p.m., Thursday, December 9, 2021, unless renewed, extended, amended or cancelled by the Mayor or City Council of the City of Plainview.

5. **THAT** that this resolution and order authorizes the Mayor, pursuant to applicable provisions of Texas Government Code Chapter 418 and Texas Health and Safety Code § 122.006, on behalf of the City of Plainview, to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals, and other hospitals, enforcing applicable orders issued by the Hale County Judge, the Governor of the State of Texas or the Texas Department of State Health Services related to suppressing the COVID-19 virus, and insuring compliance for those who do not comply with the City's rules and directives.

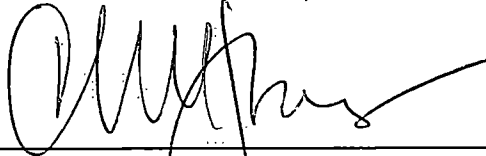
6. **THAT** to the extent permitted by law, any local ordinance or administrative rule prescribing the procedures for conduct of City business or any local ordinance or administrative rule that would in any way prevent, hinder, or delay necessary action in coping with this disaster, including any local ordinance or administrative rule regarding contracting or procurement which would impede the City's emergency response necessary to cope with this declared disaster, are hereby suspended, but only for the duration of this declared local disaster and only for that limited purpose.

7. **THAT** to the extent this resolution conflicts with the Governor's Executive Order GA-34 or GA-38, Executive Order GA-34 and GA-38 controls and the Mayor may comport and amend this resolution and order and any subsequent order to be consistent with Executive Order GA-34 or Executive Order GA-38.

8. **THAT** the Mayor is authorized to use all available resources of the City of Plainview reasonably necessary to comply with this resolution.


Approved by the City Council this 9th day of November, 2021.

CITY OF PLAINVIEW, TEXAS



Charles Starnes, Mayor

ATTEST:



Belinda Hinojosa, City Secretary