



**NOTICE OF AN EMERGENCY SPECIAL MEETING  
THE BRENHAM CITY COUNCIL  
THURSDAY, MARCH 19, 2020 AT 12:30 P.M.  
SECOND FLOOR CITY HALL  
COUNCIL CHAMBERS  
200 W. VULCAN ST.  
BRENHAM, TEXAS**

- 1. Call Meeting to Order**
- 2. Discuss and Possibly Act Upon Resolution No. R-20-014 Providing for the Continuation of the Mayoral Declaration of Local Disaster Due to Public Health Emergency Related to the COVID-19 (Coronavirus) Pandemic and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 1-5**

**Executive Sessions:** The City Council for the City of Brenham reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, including but not limited to §551.071 – Consultation with Attorney, §551.072 – Real Property, §551.073 – Prospective Gifts, §551.074 - Personnel Matters, §551.076 – Security Devices, §551.086 - Utility Competitive Matters, and §551.087 – Economic Development Negotiation

**Adjourn**

**This notice is posted pursuant to the authority provided in Texas Government Code Section 551.045 in that an emergency and/or urgent public necessity exists and immediate action is required by the governing body of the City of Brenham to address the imminent threats to public health and safety associated with the impact of COVID-19 on the public health, safety and welfare of the citizens of the City of Brenham, Texas.**

***CERTIFICATION OF EMERGENCY SPECIAL MEETING***

I certify that a copy of the March 19, 2020 agenda of items to be considered by the City of Brenham City Council was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on March 19, 2020 at **9:30 AM**.

***Kacey A. Weiss, TRMC***

Deputy City Secretary I

|                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Disability Access Statement:</b> This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 at \_\_\_\_\_ AM PM.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title



## AGENDA ITEM 2

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                             |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------|------------------------|-------------------|----------------------------------|-----------------------------------------|--------------------------------------------------|---------------------------------------------|----------------------------------|--------------------------------------------------|--------------------------------------------|---------------------------------------------|------------------------------------------------|--|---------------------------------------|--|
| <b>DATE OF MEETING:</b> March 19, 2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>DATE SUBMITTED:</b> March 18, 2020       |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <b>DEPT. OF ORIGIN:</b> Administration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>SUBMITTED BY:</b> James Fisher           |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"><b>MEETING TYPE:</b></td> <td style="width: 33%; vertical-align: top;"><b>CLASSIFICATION:</b></td> <td style="width: 33%; vertical-align: top;"><b>ORDINANCE:</b></td> </tr> <tr> <td><input type="checkbox"/> REGULAR</td> <td><input type="checkbox"/> PUBLIC HEARING</td> <td><input type="checkbox"/> 1<sup>ST</sup> READING</td> </tr> <tr> <td><input checked="" type="checkbox"/> SPECIAL</td> <td><input type="checkbox"/> CONSENT</td> <td><input type="checkbox"/> 2<sup>ND</sup> READING</td> </tr> <tr> <td><input type="checkbox"/> EXECUTIVE SESSION</td> <td><input checked="" type="checkbox"/> REGULAR</td> <td><input checked="" type="checkbox"/> RESOLUTION</td> </tr> <tr> <td></td> <td><input type="checkbox"/> WORK SESSION</td> <td></td> </tr> </table> |                                             | <b>MEETING TYPE:</b>                             | <b>CLASSIFICATION:</b> | <b>ORDINANCE:</b> | <input type="checkbox"/> REGULAR | <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> 1 <sup>ST</sup> READING | <input checked="" type="checkbox"/> SPECIAL | <input type="checkbox"/> CONSENT | <input type="checkbox"/> 2 <sup>ND</sup> READING | <input type="checkbox"/> EXECUTIVE SESSION | <input checked="" type="checkbox"/> REGULAR | <input checked="" type="checkbox"/> RESOLUTION |  | <input type="checkbox"/> WORK SESSION |  |
| <b>MEETING TYPE:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>CLASSIFICATION:</b>                      | <b>ORDINANCE:</b>                                |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <input type="checkbox"/> REGULAR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/> PUBLIC HEARING     | <input type="checkbox"/> 1 <sup>ST</sup> READING |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <input checked="" type="checkbox"/> SPECIAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/> CONSENT            | <input type="checkbox"/> 2 <sup>ND</sup> READING |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <input type="checkbox"/> EXECUTIVE SESSION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> REGULAR | <input checked="" type="checkbox"/> RESOLUTION   |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/> WORK SESSION       |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Resolution No. R-20-014 Providing for the Continuation of the Mayoral Declaration of Local Disaster Due to a Public Health Emergency Related to the COVID-19 (Coronavirus) Pandemic                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                             |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <b>SUMMARY STATEMENT:</b> On Wednesday, March 18, 2020, Mayor Tate signed a Declaration of Local Disaster, related to the COVID-19 (Coronavirus) public health emergency.<br><br>Pursuant to Section 418.108(b) of the Texas Government code, the Mayor can only designate a local disaster for a period of seven (7) days; however, due to the uncertainty of this pandemic, staff is requesting that the City Council consider extending this declaration until May 31, 2020. The Resolution provides for the Declaration to be extended and/or cancelled at any time upon action of the City Council.                                                                                                                                                                                                                                                                       |                                             |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b><br><br><div style="margin-left: 20px;"> <b>A. PROS:</b><br/><br/> <b>B. CONS:</b> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                             |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <b>ALTERNATIVES (In Suggested Order of Staff Preference):</b> N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                             |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <b>ATTACHMENTS:</b> (1) Resolution No. R-20-014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                             |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <b>FUNDING SOURCE (Where Applicable):</b> N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                             |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <b>RECOMMENDED ACTION:</b> Approve Resolution No. R-20-014 providing for the continuation of the Mayoral Declaration of Local Disaster Due to a Public Health Emergency related to the COVID-19 (Coronavirus) pandemic.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                             |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |
| <b>APPROVALS:</b> James Fisher                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                             |                                                  |                        |                   |                                  |                                         |                                                  |                                             |                                  |                                                  |                                            |                                             |                                                |  |                                       |  |

## RESOLUTION NO. R-20-014

### A RESOLUTION PROVIDING FOR THE CONTINUATION OF THE MAYORAL DECLARATION OF LOCAL DISASTER DUE TO A PUBLIC HEALTH EMERGENCY RELATED TO THE COVID-19 (CORONAVIRUS) PANDEMIC

**WHEREAS**, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

**WHEREAS**, said state of disaster require that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, codified in Chapter 418 of the Texas Government Code; and

**WHEREAS**, in an effort to prevent the spread of this potentially devastating disease into our community, on March 18, 2020 the Mayor of the City of Brenham issued a declaration of local state of disaster due to public health emergency; and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Brenham, Texas as follows:

**Section 1:** That the recitals set forth above are incorporated herein for all purposes as if fully set forth in the body of this Resolution.

**Section 2:** That the City Council of the City of Brenham hereby continues the Mayoral Declaration of Local Disaster Due to Public Health Emergency (“Declaration”) to be effective until May 31, 2020, said Declaration being attached hereto as Exhibit “A” and incorporated herein for all purposes. This Declaration may be terminated prior to May 31, 2020 by subsequent action of the City Council and may be continued or renewed beyond May 31, 2020 only by consent of the City Council.

**Section 3:** That this Resolution shall be in full force and effect immediately after its passage and approval according to law.

**PASSED and APPROVED** this the 19<sup>th</sup> day of March 2020.

**ATTEST:**

---

Milton Y. Tate, Jr.  
Mayor

---

Jeana Bellinger, TRMC, CMC  
City Secretary

## **Exhibit "A"**

### **MAYORAL DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY**

---

**WHEREAS**, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

**WHEREAS**, COVID-19 virus mainly 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 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

**WHEREAS**, the City of Brenham, Texas, is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

**WHEREAS**, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, codified in Chapter 418 of the Texas Government Code.

**NOW THEREFORE, BE IT PROCLAIMED AND DECLARED BY THE MAYOR OF THE CITY OF BRENHAM, TEXAS:**

**SECTION 1.** That a local state of disaster for public health emergency is hereby declared for the City of Brenham, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

**SECTION 2.** That pursuant to Section 418.108(b) of the Texas Government Code the declaration of a local state of disaster for public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration, unless continued or renewed by consent of the City Council of the City of Brenham, Texas.

**SECTION 3.** That pursuant to Section 418.108(c) of the Texas Government Code this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

**SECTION 4.** That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Brenham, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration as well as all other applicable powers and functions as set forth therein.

- SECTION 5.** That this declaration authorizes the City, acting through the Mayor, to take any actions as authorized by Chapter 418, Texas Government Code or other applicable law, necessary to promote the public health, safety and welfare and suppress the COVID-19 virus, including but not limited to establishing curfews; regulating occupation of and/or closing of food establishments; regulating occupation of and/or closing of common bar spaces open to the public (“bar” means a holder of a wine and beer retailer's permit or mixed beverage permit) and prohibition of alcohol consumption on the bar premises; regulating occupation of and/or closing of event venues, entertainment facilities, festivals, sports venues, museums, tourist attractions, recreation facilities, and other similar facilities where people gather.
- SECTION 6.** That this declaration authorizes the City, acting through the Mayor (unless action of the City Council is expressly required by applicable law), to take any actions necessary to promote health and suppress disease, including but not limited to the COVID-19 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; and insuring compliance for those who do not comply with the City’s rules, pursuant to Section 122.006 of the Health and Safety Code.
- SECTION 7.** That this declaration hereby limits the size of gatherings to not more than ten (10) people and mandates the cancellation of all such gatherings with ten (10 or more persons until further notice. A “gathering” refers generally to a scheduled event or common endeavor where ten (10) persons are present, indoor or outdoor, public or private, in a confined space, room, or area.
- SECTION 8.** That this declaration, pursuant to Texas Government Code §418.016(a), hereby orders that the deadlines imposed on hoteliers by Chapter 24 Taxation, Article II Hotel Occupancy Tax for the filing of required monthly tax reports and monthly payment of local hotel occupancy taxes to the City of Brenham, Texas shall be extended by ninety (90) days according to the following schedule:

| <b>Collection Month</b> | <b>Regular Due Date</b> | <b>Extended Due Date</b> |
|-------------------------|-------------------------|--------------------------|
| February, 2020          | March 31, 2020          | June 29, 2020            |
| March, 2020             | April 30, 2020          | July 29, 2020            |
| April, 2020             | June 1, 2020            | August 30, 2020          |
| May, 2020               | June 30, 2020           | September 28, 2020       |

- SECTION 9.** In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this declaration commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.

**SECTION 10.** That this declaration hereby authorizes the use of all lawfully available enforcement tools.

**SECTION 11.** That this declaration shall take effect immediately from and after its issuance.

**DECLARED** this the 19<sup>th</sup> day of March 2020.



Milton Y. Tate, Jr.  
Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

Jeanne Bellinger  
Jeanne Bellinger, TRMC, CMC  
City Secretary