



Legislation Details (With Text)

File #: Res. 2023-98R **Version:** 1 **Name:**

Type: Resolution **Status:** Individual Consideration

File created: 5/4/2023 **In control:** City Council

On agenda: 5/16/2023 **Final action:**

Title: Consider approval of Resolution 2023-98R, ending the declaration of a local state of disaster in the City due to the COVID-19 pandemic, and declaring an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution, 2. Eviction Delay Ordinance, 3. Mayor's Disaster Declaration, 4. Resolution 2020-74 Continuation of Declaration

| Date | Ver. | Action By | Action | Result |
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AGENDA CAPTION:

Consider approval of Resolution 2023-98R, ending the declaration of a local state of disaster in the City due to the COVID-19 pandemic, and declaring an effective date.

Meeting date: May 16, 2023

Department: City Manager's Office & Emergency Management

Amount & Source of Funding

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: During a discussion item on May 2, 2023, Council provided direction to staff to bring forward a resolution at the next agenda for possible action related to the disaster declaration.

City Council Strategic Initiative: [Please select from the dropdown menu below]

Public Safety, Core Services & Fiscal Excellence

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu]

below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☒ Core Services
- ☐ Not Applicable

Master Plan: *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

Background Information:

Mayor Hughson issued an emergency disaster declaration on March 15, 2020 related to the COVID-19 pandemic. This declaration was approved and extended by the City Council via resolution on March 17, 2020 and directed that it remain in place until subsequent action is taken by Council to rescind it.

On April 7, 2020 the City Council adopted an ordinance requiring that landlords provide tenants a 90-day notice to cure before filing for eviction if the tenant's inability to pay rent is related to the impacts of COVID-19. This ordinance remains in effect until such time as the local disaster declaration is rescinded by future action of the Council.

On April 15, 2023, Texas Governor Greg Abbott signed a proclamation renewing the state disaster declaration related to the COVID-19 pandemic citing as justifications the need to continue prohibiting local governments from imposing restrictions like mask mandates and vaccine mandates. A copy of that proclamation is attached to this item.

On April 10, 2023, President Biden signed a bill ending the national emergency related to COVID-19.

On May 2, 2023, Council held discussion about the necessity to continue the local disaster declaration related to COVID-19. At the end of that discussion, Council directed staff to bring back a resolution at the May 16, 2023 meeting for consideration of rescinding the disaster declaration and in effect also rescinding the eviction delay ordinance. **THE RESOLUTION IN THE AGENDA PACKET PROVIDES AN EFFECTIVE DATE OF**

JUNE 30, 2023. THIS DATE MAY BE CHANGED BY THE CITY COUNCIL IF ANOTHER DATE IS PREFERRED BY A MAJORITY OF THE MEMBERS.

If approved, this resolution will end the local state of disaster related to the pandemic and will also end the requirements of the eviction delay ordinance. Renters will still be afforded the due process prescribed in State law.

Copies of both the disaster declaration and eviction delay ordinance are attached to this Agenda Request Form.

Council Committee, Board/Commission Action:

N/A

Alternatives:

Council may elect to pass this resolution or deny it which would in effect allow the state of disaster and the eviction delay ordinance to remain in effect.

Recommendation:

Consider and take action on the resolution