

**Regular Council Meeting January 19, 2021**

Mayor Dusty Cornelius called the regular meeting to order at 7:00 pm with the following council members present: Brad Thornhill, Alva Rodriguez, Doyle Parrish, Jim Justus, Abel Reyna, and Heidi Hays via ZOOM. Also present were: City Administrator Amy Wallace, City Secretary Cheyanne Flores, Public Works Director Chase Longo, and Chief of Police John Wilson.

**Approve December 15, 2020 Minutes:** Abel Reyna made a motion to approve the December 15, 2020 minutes. Jim Justus seconded the motion. Motion carried.

**Approve December Accounts Payable:** Brad Thornhill made a motion to approve the December Accounts Payable, excluding D&H Spraying and Landscape Accounts Payable. Jim Justus seconded the motion. Motion carried.

**Approve D&H Spraying and Landscape Accounts Payable:** Jim Justus made a motion to approve the D&H Spraying and Landscape Accounts Payable. Abel Reyna seconded the motion. Motion carried.

**Public Forum:** No one came forward.

**Police Report:** Chief of Police John Wilson presented the monthly police report.

**Public Works Report:** Public Works Director Chase Longo presented the monthly public works report.

**Consider and Take Action on an Order Regarding Substandard Structure and Public Nuisance at 221 N. Berkshire, Owned by Olga Barboza:** No action.

**Resolution 01-2021 Establishing Hours and Place for Three Alderman in City General Election to be Held on May 1, 2021:** Doyle Parrish made a motion to approve Resolution 01-2021 Establishing Hours and Place for Three Alderman in City General Election to be Held on May 1, 2021. Abel Reyna seconded the motion. Motion carried.

RESOLUTION NO. 01-2021

A RESOLUTION ESTABLISHING THE HOURS AND PLACE FOR HOLDING THE REGULAR ELECTION FOR THREE ALDERMAN, WARD 1, WARD 2, AND WARD 3 TO BE HELD MAY 1, 2021 AND OTHER MATTERS RELATIVE THERETO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROSBYTON, TEXAS:

That the Regular City Election to be held May 1, 2021 pursuant to laws of the State of Texas and the Charter of the City of Crosbyton, Texas shall be held between the hours of 7:00 a.m. and 7:00 p.m., at which time the Polls shall be opened and closed.

Said election shall be held in conjunction with Crosbyton Consolidated Independent School District at the following Polling Place within the City of Crosbyton, Texas:

City Hall  
221 W. Main  
Crosbyton, Texas

At the election hereby ordered, there shall be elected three (3) Alderman, one (1) Alderman for Ward 1, one (1) Alderman for Ward 2, and one (1) Alderman for Ward 3.

Alderman shall be elected by Wards, Alderman Ward one (1), Alderman Ward two (2), Alderman Ward three (3). Alderman will be two-year terms.

Applications shall be filed by sworn applications with the City Secretary prior to five o'clock (5:00) p.m. February 12, 2021.

The manner of holding said election shall be governed as near as may be by the General Election Laws of the State of Texas, and Charter of the City of Crosbyton, Texas. The Chief of Police is hereby directed and instructed to post a properly executed copy of this resolution at the City Hall, Crosbyton, Texas. Such posting shall be made at least twenty (20) days before the date of said election.

PASSED AND APPROVED this the 19<sup>th</sup> day of January 2021.

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Dusty Cornelius, Mayor

Attest:

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Cheyenne Flores, City Secretary

**Order of Election May 1, 2021:** Jim Justus made a motion to approve the Order of Election for May 1, 2021. Alva Rodriguez seconded the motion. Motion carried.

**Schedule Budget Workshop- FY 2021/2022 Budget:** Alva Rodriguez made a motion to approve the budget workshop- FY 2021/2022 Budget. Heidi Hays seconded the motion. Motion carried.

**Resolution 01-2021-01 Amending and Extending Mayor's Second Declaration of Local Disaster:** Brad Thornhill made a motion to approve Resolution 01-2021-01 Amending and Extending Mayor's Second Declaration of Local Disaster. Doyle Parrish seconded the motion. Motion carried.

**RESOLUTION NO. 01-2021-01**

**ADOPTING EXECUTIVE ORDER GA-32 AND  
EXTENDING DECLARATION OF LOCAL DISASTER**

**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 Crosbyton and beyond; and

**WHEREAS**, on March 17, 2020, the Mayor of the City of Crosbyton, Dusty Cornelius, declared a local state of disaster for public health emergency pursuant to Section 418.108(a) of the Texas Government Code, based upon the need for extraordinary measures to contain COVID-19 and to prevent its spread throughout the City of Crosbyton with such declaration being extended by Resolutions of the City Council of the City of Crosbyton; and

**WHEREAS**, on January 5, 2021, the Governor of the State of Texas renewed his state-wide disaster proclamation for an additional thirty (30) days, certifying that COVID-19 poses an imminent threat of disaster for all counties in the State of Texas; and

**WHEREAS**, the Governor of the State of Texas has stated that, due to improved medical treatments for COVID-19 patients, substantial increases in testing, abundant supplies of personal protective equipment, and Texans' adherence to safe practices like social distancing, hand sanitizing, and use of face coverings, the spread of COVID-19 and the number of new COVID-19 cases and hospitalizations have steadily and significantly declined since late July; and

**WHEREAS**, on October 7, 2020, the Governor of the State of Texas issued Executive Order GA-32, superseding Executive Order GA-30, further expanding the reopening of businesses, activities, nursing homes and related facilities, and services throughout most of Texas; and

**WHEREAS**, the Declaration of Local Disaster extended in the latest Resolution of the City Council expired at 11:59 p.m. on January 14, 2021; and

**WHEREAS**, due to the evolving circumstances and the issuance of Executive Order GA-32 and the desire of the City of Crosbyton to continue to safely re-open businesses in the City of Crosbyton due to evolving circumstances 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, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF CROSBYTON, TEXAS, THAT:**

**SECTION 1.** The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

**SECTION 2.** All terms and conditions of the Governor's Executive Order GA-32 are hereby adopted by reference and are incorporated herein as though set forth fully herein. Additionally, the guidelines and recommendations provided by the Governor in conjunction with issuing Executive Orders GA-32 are also adopted, to the extent they do not conflict with this Resolution, and all businesses, religious institutions and citizens are encouraged to review and follow said guidelines. A copy of Executive Order GA-32 is attached hereto and incorporated herein as though set forth fully herein.

**SECTION 3.** The Declaration of Local Disaster for public health emergency for the City of Crosbyton, which was signed and executed by the Mayor on March 17, 2020, in accordance with

section 418.108 of the Texas Government Code, as previously renewed and extended by the Mayor and City Council Resolutions, shall remain in full force and effect and are continued to the extent they do not directly conflict with this Resolution.

**SECTION 4.** All outdoor gatherings in excess of ten (10) people are prohibited unless such event has been previously approved by the Mayor, minimum standard health protocols as recommended by Texas Department of State Health Services are followed and they comply with any other restrictions, guidelines or protocols established by the Mayor not inconsistent with GA-32. Such additional restrictions and guidelines that the Mayor may impose include, but are not limited to, implementing additional sanitation and cleaning procedures, requiring social distancing, requiring event organizers to require all participants/spectators/attendees to wear face masks, limiting the number of participants/spectators/attendees at the event and/or additional reporting requirements.

**SECTION 5.** 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 Crosbyton.

**SECTION 6.** In accordance with Texas Government Code § 418.173, this resolution and order is being issued in City of Crosbyton's Emergency Management Plan and any person who knowingly or intentionally violates this resolution commits an offense, punishable by a fine up to \$1,000.00. However, in accordance with Executive Order GA-29, after first receiving a verbal or written warning for a first-time violator for failing to wear a face covering in violation of Executive Order GA-29, any person failing to wear a face covering in violation of Executive Order GA-29 commits an offense punishable by a fine up to \$250 per violation.

**SECTION 7.** This Resolution shall go into effect immediately upon approval and continue until 11:59 p.m., Tuesday, February 16, 2021, unless renewed, extended, amended or cancelled by the Mayor or City Council of the City of Crosbyton.

**SECTION 8.** This resolution, pursuant to applicable provisions of Texas Government Code Chapter 418 and Texas Health and Safety Code § 122.005, authorizes the Mayor to take any actions necessary to promote health and suppress 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, enforcing applicable orders issued by the Crosby County Judge, the Governor of the State of Texas or the Texas Department of State Health Services related to suppressing the COVID-19 virus, activating the emergency management plan for the City of Crosbyton in conjunction with Crosby County and insuring compliance of such actions.

**SECTION 9.** 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.

**SECTION 10.** That to the extent this resolution conflicts with the Governor's Executive Order GA-32, Executive Order GA-32 controls and the Mayor may comport and amend this resolution

and order and any subsequent order to be consistent with Executive Order GA-32, or any applicable executive order that may be issued by the Governor of the State of Texas.

**SECTION 11.** That the Mayor is authorized to use all available resources of the City of Crosbyton reasonably necessary to comply with this resolution.

READ, APPROVED AND ADOPTED by the City Council this the 19<sup>th</sup> day of January, 2021.

**CITY OF CROSBYTON**

By: \_\_\_\_\_  
Dusty Cornelius, Mayor

**ATTEST:**

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Cheyanne Flores, City Secretary

**Swimming Pool-Plumbing Budget:** Brad Thornhill made a motion to approve an additional \$10,000.00 for the plumbing at the swimming pool. Alva Rodriguez seconded the motion. Motion carried.

**Water Meters:** Brad Thornhill made a motion to approve the bid of \$156,453.00 by K.W. Sharp to purchase new Allegro meters and \$40,350 for the installation of the meters for a total of \$196,803. Doyle Parrish seconded the motion. Motion carried.

**Administrative Report:** City Administrator Amy Wallace updated the council on the status of city projects.

With no further business before the council, the meeting was adjourned at 8:58 p.m.

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Dusty Cornelius, Mayor

ATTEST:

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Cheyanne Flores, City Secretary