

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, RATIFYING AND EXTENDING THE DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY SIGNED BY MAYOR RUDY DURHAM ON MARCH 13, 2020 UNTIL 11:59 P.M. ON APRIL 6, 2020; SUSPENDING THE APPLICATION OF SECTION 16-327 OF THE CITY CODE; APPROVING FUNDING TO THE UNITED WAY OF DENTON COUNTY COVID-19 RELIEF FUND; ADOPTING AND APPROVING THE EMERGENCY PAID SICK LEAVE ACT (COVID-19) LEAVE POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 13, 2020, Mayor Rudy Durham, acting in accordance with authority granted to him under the City Charter and Code of Ordinances and under section 418.108(a) of the Texas Government Code, declared a local state of disaster for public health emergency for the City due to concerns related to the novel coronavirus, now designated SARS-CoV2 (COVID-19) (the “Disaster Declaration”); and

WHEREAS, Section 418.108(b) of the Texas Government Code provides that such a declaration of disaster may not be continued for a period of more than seven (7) days except with the consent of the governing body of the political subdivision; and

WHEREAS, the conditions necessitating the Disaster Declaration have and will continue to exist for a period of more than seven (7) days; and

WHEREAS, the City Council ratifies and supports the Disaster Declaration signed by Mayor Rudy Durham on March 13, 2020, and consents to its continuation for a period of more than seven (7) days; and

WHEREAS, by Executive Order dated March 19, 2020, Texas Governor Greg Abbott has ordered that every person in the State of Texas shall avoid social gatherings in groups of more than ten (10) people; that people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors; and that people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance; and

WHEREAS, Denton County Judge Andy Eads, by virtue of an Order dated March 18, 2020, has prohibited community gatherings of fifty (50) or more persons; has prohibited recreational gatherings of ten (10) or more persons; has ordered the closure of bars, lounges, taverns, private clubs, arcades and gyms; has ordered that restaurants, microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed

by law; has imposed restrictions on visitation to nursing homes, retirement and long-term care facilities; and has ordered persons to isolate at home in households where a member is infected with COVID-19 for all of Denton County; and

WHEREAS, Dallas County Judge Clay Jenkins, by virtue of an Order dated March 18, 2020, has prohibited community gatherings of fifty (50) or more persons; has prohibited recreational gatherings of ten (10) or more persons; has ordered the closure of bars, lounges, taverns, private clubs, arcades and gyms; has ordered that restaurants, microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law; has imposed restrictions on visitation to nursing homes, retirement and long-term care facilities; and has ordered persons to isolate at home in households where a member is infected with COVID-19 for all of Dallas County; and

WHEREAS, the City of Lewisville is located in both Denton and Dallas Counties; and

WHEREAS, the City Council finds that it is in the public interest to implement additional measures as stated herein to ensure the protection of the general public in the City of Lewisville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2

The City Council hereby ratifies the Disaster Declaration signed by Mayor Rudy Durham on March 13, 2020, and consents to its continuation until 11:59 p.m. on April 6, 2020, and such Disaster Declaration is hereby continued until April 6, 2020, unless it is rescinded, superseded or amended in accordance with applicable law.

SECTION 3

Pursuant to sections 121.003 and 122.006 of the Texas Health and Safety Code, section 418.108 of the Texas Government Code, and such other powers the City may have under the City Charter, Code of Ordinances, and other laws, the City Council hereby orders that any person, including employees and members of the public, entering a City of Lewisville public facility may have their temperature taken and will not be allowed access to the facility if the person has a temperature or exhibits symptoms of COVID-19.

SECTION 4

Pursuant to sections 121.003 and 122.006 of the Texas Health and Safety Code, section 418.108 of the Texas Government Code, and such other powers the City may have under the City Charter, Code of Ordinances, and other laws, the City Council hereby orders that the enforcement of section 16-327 (Discontinuation for nonpayment) of the Lewisville City Code shall be suspended during the term of this Resolution.

SECTION 5

Pursuant to a request from the United Way of Denton County, the City Council approves funding, up to forty thousand dollars (\$40,000.00), to the United Way of Denton County COVID-19 Relief Fund to be used for eviction avoidance for Lewisville residents who have experienced income or job loss directly resulting from COVID-19. The City Manager is authorized to execute an agreement with the United Way of Denton County related to said funding.

SECTION 6

Pursuant to the powers the City has under the City Charter, Code of Ordinances, and other laws, the City Council adopts and approves the Emergency Paid Sick Leave Act (COVID-19) leave policy, attached hereto as Exhibit "A".

SECTION 7

This Resolution shall take effect immediately from and after its passage.

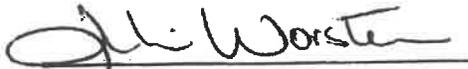
DULY PASSED AND APPROVED by the City Council of the City of Lewisville, Texas this 20th day of March, 2020.

CITY OF LEWISVILLE, TEXAS



Rudy Durham, Mayor

ATTEST:



Julie Worster, City Secretary

Approved as to form:



Lizbeth Plaster, City Attorney

EXHIBIT "A"

Effective Date: 3/20/2020

Approval: _____

CITY OF LEWISVILLE POLICY STATEMENTS

TOPIC: 2.0 – HUMAN RESOURCES
REFERENCE: SECTION XVI – EMERGENCY PAID SICK LEAVE ACT (COVID-19)
EFFECTIVE: March 20, 2020 through December 31, 2020

I. PAID LEAVE – EMERGENCY PAID SICK LEAVE – COVID-19 LEAVE

- A. All regular full-time employees will receive 480 hours (12 weeks) of paid COVID-19 Leave to be available for use for reasons related to COVID-19. Sworn fire employees who average 56 hours a week will receive 720 hours (12 weeks) of COVID-19 Leave.
- B. Part-time employees will receive a number of COVID-19 Leave hours equal to the number of hours the employee works, on average, over a two-week period.
- C. Employees will not receive pay for any unused COVID -19 Leave when they separate from the City. Any remaining balances of COVID-19 Leave will expire on December 31, 2020 and will have no financial value.
- D. Public Safety Employees defined as a Detention Officer, Detention Officer II, Detention Supervisor, Public Safety Dispatcher, Public Safety Dispatcher II, Communication Supervisor, Property and Evidence Technician, Property and Evidence Supervisor, Crime Scene Technician, Fire Inspector and all rank positions in the Police and Fire Departments are exempt from the ability to use COVID-19 leave to care for a son or daughter under 18 years of age because a school or place of care has been closed or the childcare provider who receives compensation for providing childcare services on a regular basis is unavailable due to the COVID-19 public health emergency.
- E. Public Safety Employees are eligible to use COVID 19 Leave when they or a member of their immediate family is experiencing COVID-19 symptoms or is quarantined or isolated due to COVID-19.

II. GENERAL PROVISIONS

The City of Lewisville reserves the right to change, modify, amend, revoke, or rescind all or part of this policy in the future.