

Ordinance No. 21-010

An ordinance continuing the proclamation of a local state of disaster, and declaring an emergency

- WHEREAS, on approximately February 12, 2021, the City of Arlington, Texas (City) began experiencing severe winter weather that resulted in prolonged freezing temperatures, heavy snow and freezing rain; and
- WHEREAS, this severe weather impacted the entire State of Texas and due to the record low temperatures, the Texas power system faced unprecedented demand for electricity, and
- WHEREAS, as a result of such demand, the Electric Reliability Council of Texas (ERCOT) requested utilities across the State to implement controlled power outages to reduce high demand and protect the integrity of the electric grid; and
- WHEREAS, the length of the controlled outages resulted in citizens not having power for extended periods of time; and
- WHEREAS, these conditions impacted water service provided by the City and resulted in the issuance of a boil water notice; and
- WHEREAS, on February 12, 2021, Texas Governor Greg Abbott issued a Disaster Declaration for all 254 counties in the State due to the threat imposed by the severe winter weather; and
- WHEREAS, on February 14, 2021, President Joseph Biden, Jr. issued a Federal Emergency Declaration for the State of Texas in response to the severe winter weather; and
- WHEREAS, on February 15, 2021, Tarrant County Judge B. Glen Whitley issued a Disaster Declaration for Tarrant County due to the severe winter weather; and
- WHEREAS, on February 15, 2021, Governor Abbott announced that the State is deploying maximum resources to local officials throughout the State to respond to the severe winter weather and to restore power to communities, and he has deployed the Texas National Guard across Texas to conduct welfare checks and assist local authorities in transitioning Texans in need to local warming centers; and
- WHEREAS, Article IV, Section 4.01 of the Emergency Management Chapter of the Ordinances of the City of Arlington authorizes the Mayor to declare by proclamation a local state of disaster and to promulgate, as a result thereof, such regulations as he deems necessary to protect life and property and preserve critical resources; and

WHEREAS, on February 16, 2021, Mayor W. Jeff Williams, acting in accordance with authority granted to him under the Charter and the Codes of the City of Arlington, and under Section 418.108(a) of the Texas Government Code, declared a local state of disaster for the City of Arlington due to the severe winter weather; and

WHEREAS, Section 418.108(b) of the Texas Government Code provides that a local state of disaster may not be continued or renewed for a period in excess of seven days without the consent of the governing body of the political subdivision; and

WHEREAS, on February 23, 2021, the City Council passed Ordinance No. 21-009 ratifying and consenting to the continuation of the proclamation of a local state of disaster through March 2, 2021 (hereafter referred to as “the local state of disaster declaration”); and

WHEREAS, the impacts of the severe winter weather continue; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the City Council hereby extends the local state of disaster declaration for the City of Arlington through March 31, 2021.

2.

That the City’s Emergency Management Plan will continue to be executed.

3.

That this declaration of disaster authorizes the City of Arlington to temporarily or permanently acquire, by lease, purchase, or other means, sites required for temporary housing units, warming stations, or emergency shelters for those impacted by the severe winter weather.

4.

That the City Manager is hereby authorized to execute any and all contracts and agreements related to this emergency regardless of the dollar amount.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of the

ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.


7.

This is an ordinance for the immediate preservation of the public peace, property, health and safety, and is an emergency measure within the meaning of Article VII, Sections 11 and 12, of the City Charter; and the City Council, by the affirmative vote of all of its members present and voting, hereby declares that this ordinance is an emergency measure, and the requirement that it be read at two (2) meetings, as specified in Section 11, is hereby waived.

8.

That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Arlington, and it is accordingly so ordained.

PRESENTED, FINALLY PASSED AND APPROVED, AND EFFECTIVE on the 2nd day of March, 2021, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.


W. JEFF WILLIAMS, Mayor

ATTEST:


ALEX BUSKEN, City Secretary

APPROVED AS TO FORM:
TERIS SOLIS, City Attorney

BY 

RECEIVED

- City Secretary's Office
MAR 22 2021 - 7:15 p.m.