MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: May 22, 2020

SUBJECT: City Council Meeting

Attached is your information packet for the Tuesday, May 26, 2020, City Council Meeting. If you have any questions about a particular item, please contact me.

The meeting will be conducted by conference call beginning at 6:00 pm on Tuesday, May 26th.

Toll Free Number – 1-888-453-4395
Participant Passcode – 828159
NOTICE OF SPECIAL MEETING
VIA TELEPHONE CONFERENCE
OF THE CITY COUNCIL OF THE
CITY OF LA GRANGE, TEXAS

In accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code and in accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of La Grange will conduct its Special Meeting scheduled for 6:00 p.m. on the 26th day of May, located at City Hall Council Chambers, 155 E. Colorado Street, La Grange, Texas, by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). There will be no public access to the location described above.

This Meeting Agenda, and the Council Packet, are posted online at www.cityoflg.com.

The public toll-free dial-in number to participate in the telephonic meeting is hosted through TELECONFERENCE SERVICES, LLC. The dial in number is: 1-888-453-4395. When prompted, enter Participant Passcode: 828159.

For individuals wishing to offer public comments on a non-public hearing item, they may address the Council telephonically during the Petitions portion of the meeting or when the item is considered by the City as provided by the agenda and as permitted by the presiding officer during the meeting.

A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

INVOCATION – Councilmember Violet Zbranek
ROLL CALL
PETITIONS
SUBJECTS TO BE CONSIDERED FOR DISCUSSION AND/OR ADOPTION, APPROVAL, AMENDMENT, RATIFICATION OR OTHER ACTION AT SUCH MEETING INCLUDE:

CONSENT AGENDA
(The Consent Agenda includes non-controversial and routine items that the Council may act on with one single vote. The Mayor or a Councilmember may pull any item from the Consent Agenda in order that the Council discuss and act upon it individually as part of the Regular agenda.)

REGULAR AGENDA
1. Issue a Proclamation recognizing the service and dedication of John Eilert as City Councilmember declaring May 26, 2020, as John Eilert Day. Pg. 1
2. Administer Oath of Office to newly elected city officers. Pg. 2
3. Discuss and or Consider selection of Mayor Pro tem. Pg. 4
4. Discuss and or Consider authorization of modifications to the Utility billing policy adopted on April 13, 2020 in response to COVID-19. Pg. 5
5. Discuss and or Consider Final replat request for property located at 333 W Northline St. owned by Ron Dishman and Don Dishman. Pg. 6
6. Discuss and or Consider authorizing the City Manager to engage the services of the Bojorquez Law Firm to assist in the review of the Home Rule Charter, including related ballot preparation and election issues.  
7. Discuss and or Consider extending the Resolution of the City Council of La Grange, Texas, ratifying, reinstating, continuing and renewing the Declaration of Disaster and approved by Council effective March 23, 2020 attached hereto, to continue in effect until the date of a Presidential Declaration of Disaster for the City of La Grange, Texas or the expiration of thirty (30) days from and after May 23, 2020, whichever occurs sooner.  

**CHIEF OF POLICE UPDATE**  
Review of Current issues and projects  

**CITY MANAGER UPDATE**  
Review of Current issues and projects  

**CITY SECRETARY**  

The Council will meet in closed Executive Session as authorized by the listed section(s) of The Open Meetings Act, Section 551, Texas Government Code, to discuss the following matters:  

The Council may take final action on any of the before mentioned matters while convened in open session pursuant to Chapter 551 of the Texas Government Code and this notice of meeting by telephone conference pursuant to gubernatorial order; it may also take certain action in executive session on competitive electric matters pursuant to Section 551.086. The Council may also meet in closed Executive Session, pursuant to Section 551.071, to receive advice from legal counsel (consultation with attorney) on any items listed in this notice. All sessions, whether regular or executive, shall be by telephone conference; however, all members of the public who have dialed in to participate in the regular session will be disconnected during any executive session.  

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact, Janet Bayer at 979/968-5805 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.  

More information on the above listed matters is available from the City of La Grange - Office of the City Manager at 979/968-5805.  

Posted at 2:00 P.M. on this the 22nd day of May, 2020.  

Janet Bayer, City Secretary
PROCLAMATION

WHEREAS, we are here today to express our appreciation to John Eilert and honor him for his distinguished 12+ years of service for the City of La Grange and dedicated service to the residents of La Grange; and

WHEREAS, John began his City Council service with the City of La Grange on August 13, 2007; and

WHEREAS, John serves as a board member on the La Grange Economic Development Corporation Board. Currently, John serves as the chair of the Tourism Partnership Grant Committee, and as a member of the General Services Committee; and

WHEREAS, on behalf of the entire City Council, I want to express our sincere appreciation to John for his loyalty to the City of La Grange and wish him much happiness as he begins this exciting new chapter in his life.

NOW, THEREFORE, I, Janet Moerbe, Mayor of the City of La Grange, do hereby proclaim Tuesday, May 26, 2020, as:

“JOHN EILERT DAY”

in the City of La Grange, and urge all residents and employees to join me and the City Council in congratulating John on his outstanding service to the City of La Grange and wishing him many continued years of happiness and good health.

PROCLAIMED this 26th day of May 2020.

CITY OF LA GRANGE, TEXAS

Janet Moerbe, Mayor
MEMORANDUM

TO: Mayor and City Council
FROM: Janet Bayer, City Secretary
DATE: May 26, 2020
SUBJECT: Administer Oath of Office to newly elected city officers.

Kathy Weishuhn-Councilmember Ward 1
Violet “Patsy” Zbranek-Councilmember Ward 2
Jan Dockery-Councilmember Ward 3
Quenten Gonzalez-Councilmember Ward 4
IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, ____________________________, do solemnly swear (or affirm), that I will faithfully
execute the duties of the office of City Councilmember - Ward _________, City of La Grange _________ of
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws
of the United States and of this State, so help me God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of ______________________________
County of ______________________________
Sworn to and subscribed before me on this ____________ day of ________________, 20___.

(Affix Notary Seal, only if oath administered by a notary.)

Signature of Notary Public or Signature of Other Person Authorized to Administer An Oath

Printed or Typed Name
MEMORANDUM

TO: Mayor and City Council

FROM: Janet Bayer, City Secretary

DATE: May 26, 2020

SUBJECT: Discuss and or Consider selection of Mayor Pro tem.

Following the election, the City Council shall elect from among its members a Mayor Pro tem who shall serve at the pleasure of the City Council. The current Mayor Pro tem for the City of La Grange City Council is John J. Cernosek. In the absence or inability of the Mayor to perform the duties of office, the Mayor Pro tem shall perform the duties of office and in this capacity, shall be vested with all of the powers conferred on the Mayor.
MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: May 19, 2020

SUBJECT: Discuss and or Consider authorization of modifications to Utility billing for the month of June.

In April, the council approved the waiving of the 10% penalty for the payment of utility bills after the 15th day of the month. The council also suspended utility disconnections for the months of March, April, May and June.

Staff is requesting council authorization to adjust the disconnect policy for the month of June to require that the impacted customers contact the utility office to establish a payment plan or be subject to disconnection of service after June 25th. The majority of our impacted customers are working with staff in meeting their obligations but we have a few that have not made any effort to respond to our requests to establish a payment plan. We have less than 10 customers who are not working with us in establishing a payment plan.

The cost to waive the disconnect fee and late fees has resulted in a loss of $15,167 in utility billing charges since March. This is in line with our initial estimate of $20,000 to implement the modifications to utility billing during COVID-19. We are planning to resume normal utility penalty and disconnect policies on July 1st.
MEMORANDUM

To: Mayor and City Council

From: Mary Goerig, Assistant City Secretary

Date: May 20, 2020

Re: Discuss and or consider Final Replat request at 333 W Northline St owned by Ron Dishman and Don Dishman.

A request was received from Ron Dishman and Don Dishman to subdivide the property into four separate lots located at 333 W Northline St. The First Lot will be measuring approximately 95' wide x 225.29 'depth, the Second Lot will be measuring 114' w x 214.46 'depth with a single-family home, the third lot measuring 74.68 'wide and 192.91’ depth and the fourth lot will be 1.528 acre and being sold to the adjoining owner and continued to be use for hay production. The three lots will be having the driveways exiting on Hanacek Lane. All lots meet the minimum size requirements required by City of La Grange Ordinances.

There were 20 letters sent to property owners within a 200’ radius of this address asking if the owners are in favor of or opposed to the subdivision request. There were nine (9) letters returned in favor of granting this request, two (2) letters that were opposed to granting this request, and nine (9) letters not returned.

Attachments: 1) Final Replat
MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: May 21, 2020

SUBJECT: Discuss and or Consider authorizing the City Manager to engage the services of the Bojorquez Law Firm to assist in the review of the Home Rule Charter, including related ballot preparation and election issues.

At the initial meeting of the General Services Committee on March 10, 2020, to begin the review of the City Charter it was proposed that we have a legal review of the current charter to see what may need to be modified based on current state statutes. Staff is requesting council authorization to engage the legal services of the Bojorquez Law Firm to assist in the review of the current Home Rule Charter which also include related ballot preparation and election issues. Mr. Bojorquez is currently working on the review of the City of Bryan Charter and the City of Nolanville Charter at this time. The estimated fee for this service is a wide range based on the total hours involved. I estimate that we should be able to accomplish the review for between $5,000 - $10,000, but is only an estimate at this time.
MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: May 21, 2020

SUBJECT: Discuss and or Consider extending the Resolution of the City Council of La Grange, Texas, ratifying, reinstating, continuing and renewing the Declaration of Disaster and approved by Council effective March 23, 2020 attached hereto, to continue in effect until the date of a Presidential Declaration of Disaster for the City of La Grange, Texas or the expiration of thirty (30) days from and after May 23, 2020, whichever occurs sooner.

Staff is requesting council authorization to extend the council Resolution declaring a Local State of Disaster Due to Public Health Emergency issued on March 23, 2020 which is set to expire on May 23rd for an additional 30 days. A copy of the Disaster Declaration is attached.

The purpose of extending the Disaster Declaration is to make sure we will continue to be eligible for current and future COVID-19 funding.

Attachments:

1. Resolution under consideration
2. Resolution approved on March 23, 2020
3. Mayoral Declaration of Local State of Disaster Due to Public Health Emergency – March 19, 2020
4. Governor’s Executive Order GA-23 (May 18, 2020)
DISCUSS AND OR CONSIDER EXTENDING THE RESOLUTION OF THE CITY COUNCIL OF LA GRANGE, TEXAS, RATIFYING, REINSTATING, CONTINUING AND RENEWING THE DECLARATION OF DISASTER AND APPROVED BY COUNCIL EFFECTIVE MARCH 23, 2020 ATTACHED HERETO, TO CONTINUE IN EFFECT UNTIL THE DATE OF A PRESIDENTIAL DECLARATION OF DISASTER FOR THE CITY OF LA GRANGE, TEXAS OR THE EXPIRATION OF THIRTY (30) DAYS FROM AND AFTER MAY 23, 2020, WHICHEVER OCCURS SOONER.

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 La Grange, 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, pursuant to Chapter 418 of the Texas Government Code.

WHEREAS, the declaration by the Mayor was approved by the City Council of the City of La Grange, Texas on March 23, 2020 for sixty days.

WHEREAS, the City Council of the City of La Grange, Texas, a municipal corporation in Fayette County, Texas, met at a regular meeting of the City Council of the City of La Grange on May 26, 2020 after proper notice and posting required by the Texas Open Meetings Act, Chapter 551, Texas Government Code; and

WHEREAS, a quorum of the City Council of the City of La Grange, Texas were present at a regular meeting of the City Council held on May 26, 2020; and
WHEREAS, upon motion duly made and seconded, the following resolution was unanimously adopted at said regular meeting:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LA GRANGE, TEXAS:

1. That the Declaration of Disaster, attached hereto and incorporated herein for all purposes as if fully set forth verbatim, dated March 23, 2020, be and it is hereby ratified, reinstated, continued and renewed effective May 23, 2020.

2. That said Declaration of Disaster continue in effect for a period of thirty (30) days from May 23, 2020 or until the City of La Grange, Texas is part of a Disaster Declaration by the President of the United States, whichever occurs sooner.

This resolution shall be effective immediately upon passage.

PASSED AND APPROVED this ___ day of May 2020.

CITY OF LA GRANGE, TEXAS

By: __________________________________________
Janet Moerbe, Mayor

ATTEST:

Janet Bayer, City Secretary

APPROVED:

Maria Angela Flores Beck
City Attorney
A RESOLUTION OF THE CITY COUNCIL OF LA GRANGE, TEXAS, RATIFYING, REINSTATING, CONTINUING AND RENEWING THE DECLARATION OF DISASTER SIGNED BY THE MAYOR OF THE CITY OF LA GRANGE, TEXAS ON MARCH 19, 2020, ATTACHED HERETO, TO BE EFFECTIVE MARCH 23, 2020 AND TO CONTINUE IN EFFECT UNTIL THE DATE OF A PRESIDENTIAL DECLARATION OF DISASTER FOR THE CITY OF LA GRANGE, TEXAS OR THE EXPIRATION OF SIXTY (60) DAYS FROM AND AFTER MARCH 23, 2020, WHICHEVER OCCURS SOONER.

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 La Grange, 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, pursuant to Chapter 418 of the Texas Government Code.

WHEREAS, the declaration by the Mayor must be continued or renewed by the City Council of the City of La Grange, Texas.

WHEREAS, the City Council of the City of La Grange, Texas, a municipal corporation in Fayette County, Texas, met at a regular meeting of the City Council of the City of La Grange on March 23, 2020 after proper notice and posting required by the Texas Open Meetings Act, Chapter 551, Texas Government Code; and
WHEREAS, a quorum of the City Council of the City of La Grange, Texas were present at a regular meeting of the City Council held on March 23, 2020; and

WHEREAS, upon motion duly made and seconded, the following resolution was unanimously adopted at said regular meeting:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LA GRANGE, TEXAS:

1. That the Declaration of Disaster, attached hereto and incorporated herein for all purposes as if fully set forth verbatim, dated March 19, 2020, be and it is hereby ratified, reinstated, continued and renewed effective March 23, 2020.

2. That said Declaration of Disaster continue in effect for a period of sixty (60) days from March 23, 2020 or until the City of La Grange, Texas is part of a Disaster Declaration by the President of the United States, whichever occurs sooner.

This resolution shall be effective immediately upon passage.
PASSED AND APPROVED this ____ day of March 2020.

CITY OF LA GRANGE, TEXAS

By: ____________________________

Janet Moerbe, Mayor

ATTEST:

_______________________________

Janet Bayer, City Secretary

APPROVED:

_______________________________

Maria Angela Flores Beck
City Attorney
CITY OF LA GRANGE, TEXAS
MAYORAL DECLARATION OF LOCAL STATE OF 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 La Grange, 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, pursuant to Chapter 418 of the Texas Government Code.

NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF LA GRANGE, TEXAS:

SECTION 1. That a local state of disaster for public health emergency is hereby declared for the City of La Grange, 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 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 the City Council of the City of La Grange, 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 La Grange, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

SECTION 5. That this declaration authorizes the City to take any actions necessary to promote health and suppress the 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 6. That this declaration hereby limits the size of gatherings to not more than 50 people and mandates the cancellation of all such gatherings until further notice. A “gathering” refers generally to a scheduled event or common endeavor where 50 persons are present in a confined space, room, or area.

SECTION 7. 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 8. That this declaration hereby authorizes the use of all lawfully available enforcement tools.

SECTION 9. That this declaration shall take effect immediately from and after its issuance.

DECLARED this 19th day of March, 2020.

Janet Moerbe, Mayor
City of La Grange, Texas
May 18, 2020

The Honorable Ruth R. Hughes
Secretary of State
State Capitol Room 1E.3
Austin, Texas 78701

Dear Secretary Hughes:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

   Executive Order No. GA-23 relating to the expanded opening of Texas in response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

[Signature]

Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment
May 18, 2020

The Honorable Ruth R. Hughes
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughes:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-23 relating to the expanded opening of Texas in response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment
WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, I issued proclamations renewing the disaster declaration for all counties in Texas on April 12 and May 12, 2020; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined on March 19, April 17, and May 15, 2020, that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating certain obligations for Texans in accordance with the President’s Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC) on March 16, 2020, which called upon Americans to take actions to slow the spread of COVID-19 for 15 days; and

WHEREAS, I issued Executive Order GA-14 on March 31, 2020, based on the President’s announcement that the restrictive Guidelines should extend through April 30, 2020, in light of advice from Dr. Anthony Fauci and Dr. Deborah Birx, and also based on guidance by DSHS Commissioner Dr. Hellerstedt and Dr. Birx that the spread of COVID-19 can be reduced by minimizing social gatherings; and

WHEREAS, Executive Order GA-14 superseded Executive Order GA-08 and expanded the social-distancing restrictions and other obligations for Texans, aimed at slowing the spread of COVID-19 and protecting public health and safety; and

WHEREAS, after more than two weeks of having in effect the heightened restrictions like those required by Executive Order GA-14, which had saved lives, it was clear that the disease still presented a serious threat across Texas that could persist in certain areas, but also that COVID-19 had wrought havoc on many Texas businesses and workers affected by the restrictions that were necessary to protect human life; and
WHEREAS, on April 17, 2020, I therefore issued Executive Order GA-17, creating the Governor’s Strike Force to Open Texas to study and make recommendations on safely and strategically restarting and revitalizing all aspects of the Lone Star State—work, school, entertainment, and culture; and

WHEREAS, also on April 17, 2020, I issued Executive Order GA-16 to generally continue through April 30, 2020, the same social-distancing restrictions and other obligations for Texans according to federal guidelines, but also to offer a safe, strategic first step to Open Texas; and

WHEREAS, I subsequently issued Executive Orders GA-18 and GA-21 on April 27 and May 5, 2020, respectively, to expand the services that are reopened in Texas; and

WHEREAS, as normal business operations resume, everyone must act safely, and to that end Executive Orders GA-18 and GA-21, as well as this executive order, provide that all persons should follow the health protocols recommended by DSHS, which wherever achieved will mean compliance with the minimum standards for safely reopening, but which should not be used to fault those who act in good faith but can only substantially comply with the standards in light of scarce resources and other extenuating COVID-19 circumstances; and

WHEREAS, in coping with the COVID-19 disaster, and especially as services are being reopened in Texas, government officials should look for the least restrictive means of combatting the threat to public health; and

WHEREAS, on May 7, 2020, I issued Executive Order GA-22 to remove confinement in jail as an available penalty for non-compliance with any state or local executive order issued in response to COVID-19; and

WHEREAS, Texas must continue to protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, the “governor is responsible for meeting ... the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders ... hav[ing] the force and effect of law;” and

WHEREAS, under Section 418.016(a), the “governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;” and

WHEREAS, under Section 418.017(a), the “governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster;” and

WHEREAS, under Section 418.018(c), the “governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;” and
WHEREAS, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed $1,000, and may be subject to regulatory enforcement;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately, and continuing through June 3, 2020, subject to extension based on the status of COVID-19 in Texas and the recommendations of the Governor's Strike Force to Open Texas, the White House Coronavirus Task Force, and the CDC:

In accordance with guidance from DSHS Commissioner Dr. Hellensiedt, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in Texas shall, except where necessary to provide or obtain Covered Services, minimize social gatherings and minimize in-person contact with people who are not in the same household. People over the age of 65, however, are strongly encouraged to stay at home as much as possible; to maintain appropriate distance from any member of the household who has been out of the residence in the previous 14 days; and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.

"Covered Services" shall consist of everything listed by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.0 or any subsequent version, plus religious services conducted in churches, congregations, and houses of worship. These covered services are not subject to the conditions and limitations, including occupancy or operating limits, set forth below for other covered services.

"Covered Services" shall also consist of the following to the extent they are not already CISA services or religious services, subject to the conditions and limitations set forth below:

1. Retail services that may be provided through pick-up, delivery by mail, or delivery to the customer’s doorstep.
2. In-store, non-CISA retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment.
3. Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant, effective until 12:01 a.m. on Friday, May 22, 2020, when this provision is superseded by the provision set forth below for expanded dine-in restaurant services; provided, however, that
   a. this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages; and
   b. any components of the restaurants that have interactive functions or exhibits, including child play areas, interactive games, and video arcades, must remain closed.
4. Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening; provided, however, that components of the movie theaters that have video arcades or interactive games must remain closed.
5. Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food-court dining areas, play areas, video arcades, and interactive displays and settings must
remain closed.

6. Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that
   a. local public museums and local public libraries may so operate only if permitted by the local government; and
   b. any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed.

7. Golf course operations.

8. Local government operations, including county and municipal governmental operations relating to licensing (including marriage licenses), permitting, recordation, and document-filing services, as determined by the local government.

9. Wedding venues and the services required to conduct weddings; provided, however, that for weddings held indoors other than at a church, congregation, or house of worship, the facility may operate at up to 25 percent of the total listed occupancy of the facility.

10. Wedding reception services, for facilities that operate at up to 25 percent of the total listed occupancy of the facility.

11. Cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade; provided, however, that all such salons, shops, and establishments must ensure at least six feet of social distancing between operating work stations.

12. Tanning salons; provided, however, that all such salons must ensure at least six feet of social distancing between operating work stations.

13. Swimming pools, as determined by each pool owner; provided, however, that
   a. indoor swimming pools may operate at up to 25 percent of the total listed occupancy of the pool facility; and
   b. outdoor swimming pools may operate at up to 25 percent of normal operating limits as determined by the pool owner.

14. Non-CISA services provided by office workers in offices that operate at up to the greater of (i) ten individuals, or (ii) 25 percent of the total office workforce; provided, however, that the individuals maintain appropriate social distancing.

15. Non-CISA manufacturing services, for facilities that operate at up to 25 percent of the total listed occupancy of the facility.

16. Gyms and exercise facilities and classes that operate at up to 25 percent of the total listed occupancy of the gym or exercise facility; provided, however, that locker rooms and shower facilities must remain closed, but restrooms may open.

17. Starting immediately for all Texas counties except Deaf Smith, El Paso, Moore, Potter, and Randall counties:
   a. Massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; provided, however, that all such facilities must ensure at least six feet of social distancing between operating work stations.
   b. Personal-care and beauty services that have not already been reopened, such as tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services; provided, however, that (i) all such facilities must ensure at least six feet of social distancing between operating work stations; and (ii) to the extent such services are licensed or otherwise regulated by Texas law such services may operate only as permitted by Texas law.
   c. Child-care services other than youth camps as described below; provided, however, that to the extent such services are licensed or otherwise regulated by Texas law, such services may operate only as permitted by Texas law.

18. Starting at 12:01 a.m. on Friday, May 22, 2020, for all Texas counties except Deaf
Smith, El Paso, Moore, Potter, and Randall counties:

a. Dine-in restaurant services, for restaurants that operate at up to 50 percent of the total listed occupancy of the restaurant, provided, however that (i) this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages; and (ii) any components of the restaurants that have interactive functions or exhibits, including child play areas, interactive games and video arcades, must remain closed.

b. Bars and similar establishments that are not restaurants as defined above, that hold a permit from the Texas Alcoholic Beverage Commission, and that are not otherwise expressly prohibited in this executive order, for such establishments that operate at up to 25 percent of the total listed occupancy of the establishment; provided, however, that any components of the establishments that have interactive functions or exhibits, including child play areas, interactive games, and video arcades, must remain closed.

c. Aquariums, natural caverns, and similar facilities (excluding zoos) that operate at up to 25 percent of the total listed occupancy or, for outdoor areas, at up to 25 percent of the normal operating limits as determined by the facility owner; provided, however, that (i) local public facilities may so operate only if permitted by the local government; and (ii) any components of the facilities that have interactive functions or exhibits, including child play areas, must remain closed.

d. Bowling alleys, bingo halls, simulcast racing to the extent authorized by state law, and skating rinks that operate at up to 25 percent of the total listed occupancy of the establishment; provided, however, that (i) bowling alleys must ensure at least six feet of social distancing between operating lanes; and (ii) components of the establishments that have video arcades must remain closed.

e. Rodeos and equestrian events that operate at up to 25 percent of the total listed occupancy or, for outdoor areas, at up to 25 percent of the normal operating limits as determined by the facility owner; provided, however, that this authorizes only the rodeo or equestrian event and not larger gatherings, such as county fairs, in which such an event may be held.

f. Drive-in concerts, under guidelines that facilitate appropriate social distancing, that generally require spectators to remain in their vehicles, and that minimize in-person contact between people who are not in the same household or vehicle.

g. Amateur sporting events (i) at which there is no access to the general public allowed; and (ii) for which all participants have tested negative for COVID-19 prior to the event, are quarantined for the duration of the event, are temperature-checked and monitored for symptoms daily, and are tested again for COVID-19 at the end of the event.

19. Starting at 12:01 a.m. on Friday, May 29, 2020, for Deaf Smith, El Paso, Moore, Potter, and Randall counties:

a. All services that were restored for other Texas counties on Monday, May 18 and Friday, May 22, 2020, in numbers 17 and 18 above.

20. Starting at 12:01 a.m. on Friday, May 29, 2020, for all Texas counties:

a. Outdoor areas of zoos that operate at up to 25 percent of the normal operating limits as determined by the zoo owner; provided, however, that (i) indoor areas of zoos, other than restrooms, must remain closed; (ii) any components of the zoos that have interactive functions or exhibits, including child play areas, must remain closed; and (iii) local public zoos may so operate only if permitted by the local government.

21. Starting at 12:01 a.m. on Sunday, May 31, 2020, for all Texas counties.
a. Professional basketball, baseball, softball, golf, tennis, football, and car racing events, with no spectators physically present on the premises of the venue, as approved on a league-by-league basis by DSHS, in consultation with the Office of the Governor and any recommendations by the advisory Strike Force to Open Texas, based on whether the league has submitted a plan that applies to all events and that meets the minimum health and safety standards; provided, however, that each league must submit, along with a request for approval in the manner prescribed by DSHS, a plan that incorporates applicable minimum standard health protocols recommended by DSHS, as applicable, and such additional measures as are needed to ensure safe plan for conducting the event.

b. Youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths.

c. Youth sports programs; provided, however, that practices may begin, but games and similar competitions may not begin until June 15, 2020.

22. For Texas counties that have filed with DSHS, and are in compliance with the requisite attestation form promulgated by DSHS regarding five or fewer cases of COVID-19, those services, establishments, and facilities listed above with 25 percent occupancy or operating limits may, as otherwise defined and limited above, operate at up to 50 percent.

23. Such additional services as may be enumerated by future executive orders or proclamations by the governor.

For the Covered Services listed above with limits based on “total listed occupancy,” the total listed occupancy limits refer to the maximum occupant load set by local or state law, but for purposes of this executive order, staff members are not included in determining operating levels except for non-CISA manufacturing service providers and non-CISA services provided by office workers. The “total listed occupancy” limits do not apply to outdoor areas, events, facilities, or establishments. Additionally, valet services are prohibited except for vehicles with placards or plates for disabled parking.

Notwithstanding anything herein to the contrary, the governor may by proclamation identify any county or counties in which Covered Services other than CISA services and religious services are thereafter prohibited, in the governor’s sole discretion, based on the governor’s determination in consultation with medical professionals that only CISA services and religious services should be permitted in the county, including based on factors such as an increase in the transmission of COVID-19 or in the amount of COVID-19-related hospitalizations or fatalities.

In providing or obtaining Covered Services, all persons (including individuals, businesses and other organizations, and any other legal entity) should use good-faith efforts and available resources to follow the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus. All persons should also follow, to the extent not inconsistent with the DSHS minimum standards, the Guidelines from the President and the CDC, as well as other CDC recommendations. Individuals are encouraged to wear appropriate face coverings, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering. Nothing in this executive order or the DSHS minimum standards precludes requiring a customer wishing to obtain services to follow additional hygiene measures.
Religious services should be conducted in accordance with the joint guidance issued and updated by the attorney general and governor. Nothing in this executive order, the DSHS minimum standards, or the joint guidance issued and updated by the attorney general and governor precludes churches, congregations, and houses of worship from using school campuses for their religious services or other allowed services.

Except as specifically allowed above, people shall avoid visiting interactive amusement venues such as video arcades, amusement parks, or water parks, unless these enumerated establishments or venues are specifically added as a Covered Service by proclamation or future executive order of the governor. Notwithstanding anything herein to the contrary, the governor may by proclamation add to this list of establishments or venues that people shall avoid visiting. To the extent any of the establishments or venues that people shall avoid visiting also offer Covered Services permitted above, such as restaurant services, these establishments or venues can offer only the Covered Services and may not offer any other services.

This executive order does not prohibit people from accessing Covered Services or engaging in safe daily activities, such as going to the grocery store or gas station; providing or obtaining other Covered Services; visiting swimming pools, parks, beaches, rivers, or lakes; hunting or fishing; attending youth club meetings or events; or engaging in physical activity like jogging, bicycling, or other outdoor sports, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.

In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities whenever possible.

In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance by students for the 2019-2020 school year, except for the following:

1. Public education students (accompanied by an adult if needed) may, as allowed by the school consistent with the minimum standard health protocols found in guidance issued by the Texas Education Agency (TEA), visit his or her school campus (a) for limited non-instructional administrative tasks such as cleaning out lockers, collecting personal belongings, and returning school items like band instruments and books; or (b) for graduating seniors, to complete post-secondary requirements that cannot be accomplished absent access to the school facility and its resources, excluding any activity or assessment which can be done virtually.

2. Beginning June 1, 2020, public school districts may offer, and public education students may accordingly visit school campuses for, in-person classroom instructional activities and learning options, such as summer school programs, special education evaluations, specialized assessments, and individualized tutoring, under the minimum standard health protocols found in guidance issued by the TEA.

3. Public education teachers and staff are encouraged to continue to work remotely
from home if possible, but may return to schools to conduct remote video instruction, to perform administrative duties, and, beginning June 1, 2020, to provide in-person classroom instructional activities and learning options as permitted and offered by school districts, under the minimum standard health protocols found in guidance issued by the TEA.

4. Private schools and institutions of higher education may reopen campuses and are encouraged to establish similar standards to allow students, teachers, and staff to return to schools for the limited purposes set forth above.

5. Notwithstanding anything herein to the contrary, schools may conduct graduation ceremonies consistent with the minimum standard health protocols found in guidance issued by the TEA.

This executive order, as it pertains to cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade, is retroactive to April 2, 2020, to the extent necessary to supersede and nullify the existence of any prior or existing state or local executive order, the violation of which could form the basis for confinement in jail. To the extent any order issued by local officials in response to COVID-19 would allow confinement in jail of a person inconsistent with this executive order or any prior state executive order, that order is superseded retroactive to April 2, 2020.

All existing state executive orders relating to COVID-19 are amended to eliminate confinement in jail as an available penalty for any violation of the executive orders. No jurisdiction can confine a person in jail as a penalty for violating any executive order, or any order issued by local officials, in response to the COVID-19 disaster. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail, that order is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any order issued in response to the COVID-19 disaster. This amendment and suspension operates retroactively to April 2, 2020, and supersedes any contrary local or state order.

This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts Covered Services allowed by this executive order, allows gatherings prohibited by this executive order, or expands the list or scope of Covered Services as set forth in this executive order. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

This executive order supersedes Executive Orders GA-21 and GA-22, but does not supersede Executive Orders GA-10, GA-13, GA-17, GA-19, or GA-20. This executive order shall remain in effect and in full force until 11:59 p.m. on June 3, 2020, unless it is modified, amended, rescinded, or superseded by the governor.
Given under my hand this the 18th day of May, 2020.

GREG ABBOTT
Governor

ATTESTED BY:

RUTH R. HUGHS
Secretary of State
MEMORANDUM

TO: Mayor and City Council
FROM: Shawn Raborn, City Manager
DATE: May 22, 2020
SUBJECT: Report on COVID-19

I will give a report on the process of reopening city facilities in accordance with the current mandates. The information is current as of Friday, May 22nd.

Library Operations
The facility opened May 12th with shortened hours of operation. We are open Tuesday – Friday 10:00 am – 3:00 pm. The number of public computers is limited due to social distancing requirements. All programs have been suspended and the meeting rooms are closed. We will continue curbside service for our customers Tuesday – Friday 10 -12:30.

Casino Hall
The facility opened on May 6th with social distancing procedures in place. We are limiting the number of visitors to 10 at a time. We are open to the public 9-5 weekdays and 10-5 on Saturday.

City Hall
The facility will reopen on May 26th with social distancing procedures in place. We will continue to encourage our customers to utilize the drive thru window as much as possible.

Recreation Center
We are preparing for the opening of summer camp on June 1st.

Playscapes
In accordance with CDC guidelines, the playscapes will remain closed until June 1st. We are reviewing ways to reopen and be in accordance with social distancing requirements.

Splashpad
We are planning to open the facility on June 1st with a limit on the number of visitors in order to maintain social distancing.

Swimming Pool
We are planning to open the city pool on Saturday, June 6th with COVID-19 protocols in place. On opening weekend, the pool will be in operation from 3-7 both days. We will be limiting pool capacity for the first few weeks. Beginning on June 10th the pool will be open from 9am – noon and then from 3pm – 7pm Wednesday – Saturday and 3-7 on Sunday.
Municipal Court
The court will reopen on the next scheduled court date which is June 11th. We have completed the required COVID-19 Operating Plan for the Municipal Court, procedures will be in place to ensure the health and safety of everyone associated with the City of La Grange Municipal Court.

Police Station Lobby
The lobby will remain closed at this time. We will continue to encourage our customers to utilize the drive thru window as much as possible.