

AGENDA ITEM 24

Consider authorizing County Judge to sign Memorandum of Understanding to allow the cities of Jarrell and Granger to work under the Williamson County Emergency Management Plan.

Moved: **Commissioner Hays**

Seconded: **Commissioner Limmer**

Motion: To authorize the County Judge to sign Memorandum of Understanding to allow the cities of Jarrell and Granger to work under the Williamson County Emergency Management Plan.

Vote: **5 - 0**

< Attachment >

CITY OF JARRELL
P.O. BOX 828
JARRELL, TEXAS 76537

December 18, 2001

RESOLUTION NUMBER 2001-014

A RESOLUTION OF THE CITY OF JARRELL, TEXAS, TO
ESTABLISH AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF
JARRELL AND WILLIAMSON COUNTY TO COORDINATE PROGRAMS OF
COMPREHENSIVE EMERGENCY MANAGEMENT.

WHEREAS, the City Council of the City of Jarrell, Texas, is responsible for providing a safe environment for the citizens of Jarrell, and for the judicious use of City resources; and

WHEREAS, the City of Jarrell, Texas, and Williamson County have a requirement for similar programs of comprehensive emergency management which include the mitigation, preparedness response, and recovery phases of emergency management; and

WHEREAS, the City of Jarrell, Texas, and Williamson County find that many potential hazards vulnerability is shared in common by residents of Jarrell and the unincorporated portions of Williamson County; and

WHEREAS, the City of Jarrell, Texas, and Williamson County further find that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County.

NOW THEREFORE:

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

SECTION 1. There is hereby established the Williamson County Emergency Management Organization which shall consists of the officers and employees of the City and of the County as designated in an interjurisdictional emergency management plan, together with such organized volunteer groups as that plan may specify.

SECTION 2. The Mayor of the City of Jarrell, Texas, and the Williamson County Judge shall mutually appoint an Emergency Management Coordinator to coordinate all aspects of the Jarrell/Williamson County program of comprehensive emergency management including the preparation and maintenance of an interjurisdictional emergency management plan for the City of Jarrell, Teas, and Williamson County in accordance with this resolution.

PASSED AND APPROVED this 18th day of December, 2001.

WE Cavalier

WAYNE E. CAVALIER, Mayor

John C. Doerfler 12-28-01

JOHN C. DOERFLER, Judge
Williamson County

ATTEST:

Alanna G. Hoffman

Alanna G. Hoffman, City Secretary

ORDINANCE NO. 121100

AN ORDINANCE ESTABLISHING A PROGRAM INCLUDING MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR; AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF GRANGER, TEXAS; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK WITH OTHER CITIES OR COUNTIES AND FOR RELATED PURPOSES; PROHIBITING UNAUTHORIZED WARNING AND ALL-CLEAR SIGNALS AND MAKING VIOLATIONS A MISDEMEANOR PUNISHABLE BY FINE NOT TO EXCEED \$200.00.

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

WHEREAS, the City Council of the City of Granger, Texas finds that the identification of potential hazards and the prevention or mitigation of their effects must be an on-going concern of the City if the lives and property of the populace are to be protected; and

WHEREAS, the City Council of the City of Granger, Texas has determined that the preparation of a Comprehensive Emergency Management plan, and provision of means for its implementation, is essential for the protection of lives and property in the City of Granger, Texas from natural or man-caused disasters or threat thereof; and

WHEREAS, the City Council has further determined that, in times of disasters which may imperil the safety of the inhabitants of the City or their property, it is necessary to effectuate and place into operation a Comprehensive Emergency Management Plan with a minimum of delay; and

WHEREAS, the City Council has found that the preparation and implementation of a Comprehensive Emergency Management Plan is now imperative;

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

SECTION 1. Organization

There is hereby established an office of Emergency Management Director of the City of Granger, Texas, which office shall be held by the Mayor of the City, in accordance with state law.

- (a) An Emergency Management Coordinator may be appointed by and serve at the pleasure of the Director.
- (b) The Director shall be responsible for establishing a program of comprehensive emergency management within the City and for carrying out the duties and responsibilities set forth in this ordinance. The Director may delegate authority for execution of these duties to the coordinator, but ultimate responsibility for such execution shall remain with the Director.
- (c) The operational Emergency Management organization of the City of Granger, Texas shall consist of the officers and employees of the City so designated by the Director in the City's emergency

management plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers, employees and volunteer groups in accordance with the terms of the City's emergency management plan.

SECTION 2. Emergency management Director - Powers and Duties

The duties and responsibilities of the Emergency Management Director shall include the following:

- (a) Conduct an on-going survey of actual or potential hazards, which threaten life and property within the City, and an on-going program of identifying and requiring or recommending the implementation of measures, which would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur.
- (b) Supervision of the development and approval of an emergency management plan for the City of Granger, Texas, and recommending, or adoption by the City Council, all mutual aid arrangements deemed necessary for the implementation of such plan.
- (c) Authority to declare local state of disaster. Such a declaration may not be continued or renewed for a period in excess of seven (7) Days except with the consent of the City Council. Any order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- (d) Issuance of proclamations, regulations, or directives which are necessary for carrying out the purposes of this ordinance. Such proclamations, regulations, or directives shall be disseminated promptly by means calculated to bring their content to the attention of the general public and, unless circumstances related to a disaster prevent or impede such action, promptly filed with the City Secretary.
- (e) Direction and control of the operations of the City of Granger Emergency Management organization, as well as of the training of Emergency Management personnel.
- (f) Determination of all questions of authority and responsibility that may arise within the Emergency Management organization of the City.
- (g) Maintenance of communications with other municipal, county, district, state, regional or federal Emergency Management organizations.
- (h) Marshaling of all personnel, equipment, or supplies from any department of the City which may be necessary to aid in the implementation of the provisions of the City's Emergency Management plan.
- (i) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the state and of other local political subdivisions of the state, and of the drafting and execution, if deemed desirable, of an agreement with the county in which said City is located and with other

municipalities within the County, for county-wide coordination of Emergency Management efforts.

- (j) Supervision of, and final authorization for the procurement of, all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving Emergency Management within the City.
- (k) Authorizing agreements, after approval by the City Attorney, for use of private property for public shelter and other purposes.
- (l) Determining the availability of existing personnel, equipment, supplies, and services, which could be used during a disaster, as provided herein.
- (m) Other duties and responsibilities as specified in the Texas Disaster Act of 1975, Vernon's Texas Codes Annotated, Government Code Chapter 418.

SECTION 3. Emergency Management Plan.

A comprehensive Emergency Management Plan shall be developed and maintained by the City. The plan shall set forth the form of organization; establish and designate divisions and functions; assign responsibilities, tasks, duties, and powers; and designate officers and employees to carry out the provisions of this ordinance. As provided by state law, the plan shall follow the standards and criteria established by the State Division of Emergency Management of the State of Texas. Insofar as possible, the form of organization, titles, and terminology shall conform to the recommendations of the State Division of Emergency Management. When such plan is approved, it shall be the duty of all City departments and agencies to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The City's Emergency Management plan shall be considered supplementary to this ordinance and have the effect of law during the time of a disaster.

SECTION 4. Interjurisdictional Program.

The Mayor is hereby authorized to join with the County Judge of the County of Williamson and the mayors of the other cities in said County in the formation of an interjurisdictional emergency management program for the County of Williamson, and to cooperate in the preparation of an interjurisdictional emergency management plan and in the appointment of a joint Emergency Management Coordinator. The Mayor is further granted such powers as may be necessary for the City to participate in a county-wide program of emergency management insofar as said program may affect the City of Granger.

SECTION 3. Override

At all times when the orders, rules, and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede and override all existing ordinances, orders, rules, and regulations insofar as the letter may be inconsistent therewith.

SECTION 4. Liability

This ordinance is an exercise by the City of its governmental functions

for the protection of the public peace, health, and safety and neither the City of Granger, the agents and representatives of said City, nor any individual, receiver, firm, partnership, corporation, associations, or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule, or regulation liable for any damage sustained to persons as the result of said activity. Any person owning or controlling real estate or other premises who voluntarily and without compensations grants to the City of Granger a license of privilege, or otherwise permits the City to inspect, designate, and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending, or practice enemy attack or natural or man-made disaster shall, together with his successors in interest, if any, not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission or for loss of, or damage to, the property of such person.

SECTION 7. Commitment of Funds

No person shall have the right to expend any public funds of the City in carrying out any Emergency Management activity authorized by this ordinance without prior approval by the City Council, nor shall any person have any right to bind the City by contract, agreement, or otherwise without prior and specific approval of the City Council unless during a declared disaster. During a declared disaster, the Mayor may expend and/or commit public funds of the City when deemed prudent and necessary for the protection of health, life, or property.

SECTION 8. Offenses; Penalties

- (a) It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the Emergency Management organization in the enforcement of any rule or regulation issued pursuant to this ordinance.
- (b) It shall likewise be unlawful for any person to wear, carry, or display any emblem, insignia, or any other means of identification as a member of the Emergency Management organization of the City of Granger, unless authority to do so has been granted to such person by the proper officials.
- (c) Any unauthorized person who shall operate a siren or other device so as to simulate a warning signal, or the termination of a warning, shall be deemed guilty of a violation of this ordinance and shall be subject to the penalties imposed by this ordinance.
- (d) Convictions for violations of the provisions of this ordinance shall be punishable of a fine not to exceed Two Hundred and No/100 Dollars (\$200.00)

SECTION 9. Severability

If any portion of this ordinance shall for any reason be declared invalid, such invalidity shall not affect the remaining provisions thereof.

SECTION 10. Limitations

This ordinance shall not be construed so as to conflict with any state

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... of federal statute or with any military or naval order, rule, or regulation.

SECTION 11. Publication

In accordance with Section 52.01 of the Local Government Code, the caption of this Ordinance shall be published in the next available issue of the official newspaper of the City.

SECTION 12. Effective Date


This Ordinance shall be effective upon publication of the caption in accordance with section 12 hereof.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRANGER this 11th day of December, 2000.

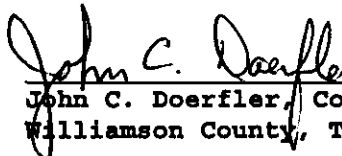
THE CITY OF GRANGER, TEXAS


Gilbert Strmiska, Mayor Pro Tem

ATTEST:


Kathleen Vrana, City Secretary

APPROVED:

 10-23-01
John C. Doerfler, County Judge
Williamson County, Texas

512-859-2753

*****Judge Doerfler announced that an item had inadvertently been left off the agenda regarding the receipt of bids for property that the county owns at 301 E. 15th Street. He acknowledged that three bids were received on Tuesday, October 23, 2001, and that the item will be placed on the October 30, 2001 agenda for action.***

AGENDA ITEM 25

Hold public hearing for the vacation of a right-of-way easement known as Kobuk Drive in Breakaway Park, Section 3.

Judge Doerfler announced the public hearing open at 10:10 a.m. on Tuesday, October 23, 2001.

The following persons addressed the court regarding the vacation of the easement:

Tony Rusho, Breakaway Park resident
Walter Yates, Developer of Breakaway Park
Chuck Iskra, Breakaway Park resident
Jane McAdams, Planning Director, City of Cedar Park
David Hutton, Senior Planner, City of Cedar Park
Barbara Wells, City Attorney, City of Cedar Park
Gary Brown, surrounding landowner
Leonor White, Breakaway Park resident
Kirby Watson, Breakaway Park resident
John Sneed, Williamson County EMS Director

Judge Doerfler announced the public hearing closed at 11:05 a.m. on Tuesday, October 23, 2001.

AGENDA ITEM 26

Discuss and consider approving vacation of a right-of-way easement known as Kobuk Drive in Breakaway Park, Section 3.

Commissioner Heiligenstein questioned whether the court had jurisdiction over this matter.

Assistant County Attorney Dale Rye will research the issue, and come back to the court with recommendations on jurisdictional and platting issues.

No action was taken on this agenda item, which will be added to the October 30, 2001.

< Attachment >