



**CITY OF MARSHALL, TEXAS  
REGULAR CITY COMMISSION MEETING  
COMMISSION CHAMBERS, CITY HALL, 401 SOUTH ALAMO  
THURSDAY, APRIL 23, 2020, 6:00 P.M.**

**This meeting will be conducted utilizing a video and audio conferencing tool, as well as, a standard conference call. Instructions and direct links to view the meeting or speak during Citizen Comment can be found at [www.marshalltexas.net](http://www.marshalltexas.net).**

\*\*\*\*\*  
**AGENDA INFORMATION PACKET IS AVAILABLE FOR THE  
PUBLIC TO REVIEW ON THE CITY’S WEB SITE AFTER 8:00 A.M.  
ON WEDNESDAY BEFORE THE MEETING AT  
[www.marshalltexas.net](http://www.marshalltexas.net)**  
\*\*\*\*\*

1. **CALL TO ORDER AND ROLL CALL**  
**Page 1**

2. **INVOCATION AND PLEDGES**  
**Page 2**

3. **CITIZEN COMMENTS**

House Bill 2840 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on an agenda the opportunity to do so before or during the body's consideration of the item. The “Citizens Comments” portion of the meeting meets the requirements of this law and is the public’s opportunity to speak on any item on the agenda. Those who wish to speak will have three minutes to do so unless additional time has been requested.

**Page 3**

4. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**  
**Page 4**

5. **CONSENT AGENDA**

The items on the Consent Agenda require little or no deliberation by the Commission. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations, a copy of which is filed with the minutes of the meeting. A Commissioner may remove items from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

- A. Consider approval of the minutes from the April 1, 2020 Special-Called meeting and April 9, 2020 Regular meeting.

**Page 5**

- B. Monthly financial report. (Finance Director)

**Page 12**

- C. Consider approval of an agreement with Dr. Jennifer Chandler for Physician Director Services for the Emergency Medical Services System. (Fire Chief)

**Page 16**

6. **PUBLIC HEARING AND ORDINANCES**

- A. Conduct a public hearing and consider an Ordinance amendment to Chapter 32 of the City of Marshall Code of Ordinances entitled “Zoning Ordinance” specifically related to Section 20 entitled “Zoning District Purposes and Prohibited Uses.” (Director of Community & Economic Development)

**Page 22**

- B. Conduct a public hearing and consider an Ordinance regarding a zoning map amendment of a 0.803 acre tract of land being all of Lots 1 and 2, and part of Lot 3 Block 1 Medill Bomar Heights from R-2 (Single Family Detached) to O (Office). The subject property is generally located on the south side of West Merritt Street and west of South Washington Avenue, more commonly known as 1103 South Washington Avenue. (Director of Community & Economic Development)

**Page 29**

- C. Conduct a public hearing and consider an Ordinance regarding a zoning map amendment of a 1.19 acre tract of land being all of Lots 1, 2, 10, and part of Lot 9 Block 6 Parkview Addition, and all of Outlot 200-A S. W. from R-2 (Single Family Detached) to PS (Public Service). The subject property is generally located on the south side of Medill Street, east side of Rosborough Springs Road, and on the north side of Nathan Street, more commonly known as 709 Nathan Street. (Director of Community & Economic Development)

**Page 38**

7. **ORDINANCE**

- A. Consider approval of an Ordinance consenting to the amended declaration of local disaster proclaimed for the City of Marshall by the Mayor on April 13, 2020, and any matters incidental or related to said declaration. (City Manager)  
**Page 48**

8. **SECOND READING OF ORDINANCES**

- A. Consider approval of an Ordinance amending the 2020 Annual Budget to provide for adjustments in selected departments and the establishment of a new Economic Development Fund. (Finance Director)  
**Page 73**
- B. Approval of an Ordinance amending the 2020 Annual Budget to appropriate funds from Reserves. (Finance Director)  
**Page 78**

9. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**  
**Page 83**

10. **ADJOURNMENT**  
**Page 84**

Posted: April 20, 2020  
5:00 p.m.  
Y. Graham

This meeting will be conducted in accordance with the Americans with Disabilities Act. Requests for sign interpretive services will be available with at least 48-hour notice prior to the meeting. To make arrangements for these services, please call Elaine Altman at 903-935-4519.

# **ITEM 1**

## **CALL TO ORDER AND ROLL CALL**

## **ITEM 2**

# **INVOCATION AND PLEDGES**

## **ITEM 3**

### **CITIZEN COMMENTS**

## **ITEM 4**

# **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

## **ITEM 5A**

### **CONSENT AGENDA**

**APPROVAL OF THE MINUTES FROM  
THE APRIL 1, 2020 SPECIAL-CALLED  
MEETING AND APRIL 9, 2020  
REGULAR MEETING**

MINUTES OF THE SPECIAL-CALLED MEETING OF THE  
CITY COMMISSION OF THE CITY OF MARSHALL  
WEDNESDAY, APRIL 1, 2020  
12:00 PM

---

Mayor Terri Brown called the Special-Called meeting to order in the Commission Chambers, City Hall at 12:00 p.m.

PRESENT:

MAYOR: Terri Brown, District 3

COMMISSIONERS:

Marvin Bonner, District 1  
Amy Ware, District 4  
Larry Hurta, District 6  
Leo Morris, District 2  
Vernia Calhoun, District 5  
Doug Lewis, District 7

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager  
Scott Rectenwald, Acting City Attorney  
Randy Pritchard, Support Services Superintendant  
Elaine Altman, City Secretary/Finance Director  
Stormy Nickerson, Management Analysis/Communications Coordinator

78. **CITIZEN COMMENTS**

There were no citizen comments.

**ORDINANCE**

79. **CONSIDER APPROVAL OF AN ORDINANCE CONSENTING TO THE CONTINUATION AND RENEWAL OF THE DECLARATION OF LOCAL DISASTER PROCLAIMED FOR THE CITY OF MARSHALL BY THE MAYOR ON MARCH 26, 2020, AND ANY MATTERS INCIDENTAL OR RELATED TO SAID DECLARATION.**

Mark Rohr, City Manager, asked for approval of an ordinance consenting to the continuation and renewal of the declaration of local disaster proclaimed for the City of Marshall by the Mayor on March 26, 2020. He stated this is a procedural matter and requires a unanimous vote.

Commissioners asked questions and discussed.

**Commissioner Hurta made a motion to pass the ordinance at its introduction pursuant to the Commissioner’s emergency powers. Commissioner Bonner seconded the motion, which passed with a vote of 7:0.**

80. **ADJOURNMENT**

**Commissioner Calhoun made a motion for adjournment. Commissioner Hurta seconded the motion, which passed with a vote of 7:0.**

**APPROVED:**

---

**Mayor of the City Commission  
of the City of Marshall, Texas**

**ATTEST:**

---

**City Secretary**

**Ordinances: O-20-08**

MINUTES OF THE REGULAR MEETING OF THE  
CITY COMMISSION OF THE CITY OF MARSHALL  
THURSDAY, APRIL 9, 2020  
6:30 PM

---

Mayor Terri Brown called the Regular meeting to order in the Commission Chambers, City Hall at 6:30 p.m.

PRESENT:

MAYOR: Terri Brown, District 3

COMMISSIONERS:

Marvin Bonner, District 1  
Amy Ware, District 4  
Larry Hurta, District 6

Leo Morris, District 2  
Vernia Calhoun, District 5  
Doug Lewis, District 7

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager  
Scott Rectenwald, Acting City Attorney  
Randy Pritchard, Support Services Superintendent  
Wes Morrison, Community & Economic Development Director  
Elaine Altman, City Secretary/Finance Director  
Stormy Nickerson, Management Analysis/Communications Coordinator

Cliff Carruth, Police Chief

INVOCATION & PLEDGE: Mayor Brown

82. **CITIZEN COMMENTS**

There were no citizen comments.

83. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

Item C was withdrawn from the Consent Agenda.

84. **CONSENT AGENDA**

**Commissioner Lewis made a motion to approve the Consent Agenda. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.**

- A. Consider approval of the minutes from the March 27, 2020 Special-Called meeting.
- B. Street Sweeping Activity Report.
- D. Consider approval of the engagement letter with Knuckols, Duvall, Hallum & Co. for audit services related to the audit of the 2019 fiscal year.

**ORDINANCE**

85. CONSIDER APPROVAL OF AN ORDINANCE CONSENTING TO THE AMENDED DECLARATION OF LOCAL DISASTER PROCLAIMED FOR THE CITY OF MARSHALL BY THE MAYOR ON MARCH 31, 2020, AND ANY MATTERS INCIDENTAL OR RELATED TO SAID DECLARATION.

Mark Rohr, City Manager, asked for approval of an ordinance consenting to the amended declaration of local disaster proclaimed for the City of Marshall by the Mayor on March 31, 2020. He stated press release information will provide further details going forward. It was decided to hold Commission meetings after the April 23<sup>rd</sup> meeting at 12 noon until the coronavirus pandemic has been resolved.

Scott Rectenwald, City Attorney, reminded the Commission if this ordinance is to be passed on the first reading it needs to be done under the emergency powers of the Commission.

Commissioners asked questions and discussed.

**Commissioner Lewis made a motion to pass the ordinance at its introduction pursuant to the Commissioner's emergency powers. Commissioner Ware seconded the motion, which passed with a vote of 7:0.**

86. CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE 2020 ANNUAL BUDGET TO PROVIDE FOR ADJUSTMENTS IN SELECTED DEPARTMENTS AND THE ESTABLISHMENT OF A NEW ECONOMIC DEVELOPMENT FUND.

Elaine Altman, Finance Director, asked for approval of an ordinance amending the 2020 Annual Budget to provide for adjustments in selected department and the establishment of a new Economic Development Fund.

Mark Rohr detailed some of the organizational changes provided for by this ordinance.

Commissioners asked questions and discussed.

**Commissioner Calhoun made a motion to approve an ordinance amending the 2020 Annual Budget to provide for adjustment in selected departments and the establishment of a new Economic Development Fund. Commissioner Morris seconded the motion, which passed with the following vote:**

**Ayes: 6, Mayor Brown, Commissioners Calhoun, Morris, Ware, Bonner and Hurta**

**Nays: 1, Commissioner Lewis**

87. APPROVAL OF AN ORDINANCE AMENDING THE 2020 ANNUAL BUDGET TO APPROPRIATE FUNDS FROM RESERVES.

Elaine Altman asked for approval of an ordinance amending the 2020 Annual Budget to appropriate funds from Reserves.

Commissioners asked questions and discussed.

**Commissioner Calhoun made a motion to approve an ordinance amending the 2020 Annual Budget to appropriate funds from Reserves. Mayor Brown seconded the motion, which passed with a vote of 7:0.**

## **RESOLUTION**

88. **DISCUSSION OF AND CONSIDERATION OF A RESOLUTION POSTPONING THE MAY 2, 2020 GENERAL ELECTION FOR DISTRICTS 6 & 7, SPECIAL ELECTION TO FILL A VACANCY IN DISTRICT 2, SPECIAL ELECTION FOR REAUTHORIZATION OF MUNICIPAL STREETS TAX, AND SPECIAL ELECTION FOR 16 PROPOSED CHARTER AMENDMENTS TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE.**

Elaine Altman presented a resolution postponing the May 2, 2020 General Election for Districts 6 & 7, special election to fill a vacancy in District 2, special election for reauthorization of municipal streets tax, and special election for 16 proposed Charter Amendments to the November 3, 2020 uniform election date.

Mark Rohr stated different avenues have been pursued and are still being researched to find the best response to holding the elections on non-uniform dates.

Scott Rectenwald informed the Commission of the latest TML information regarding special election dates.

Commissioners engaged in discussion.

**Commissioner Bonner made a motion to approve a resolution postponing the May 2, 2020 elections. Commissioner Ware seconded the motion, which passed with a vote of 7:0.**

## **CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION**

89. **CONSIDER APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT 5-YEAR CONSOLIDATED PLAN AND THE 2020 PROGRAM YEAR ANNUAL ACTION PLAN.**

Wes Morrison, Community & Economic Development Director, asked for approval of the Community Development Block Grant 5-year Consolidated Plan and the 2020 Program Year Annual Action Plan. He summarized the allocations for this program year.

Commissioners asked questions and discussed.

**Commissioner Hurta made a motion to approve the Community Development Block Grant 5-year Consolidated Plan and the 2020 Program Year Annual Action Plan. Mayor Brown seconded the motion, which passed with a vote of 6:0.**

90. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

C. Municipal Court Activity Report.

Commissioners asked questions and discussed.

**Commissioner Lewis made a motion to approve Item C from the Consent Agenda. Commissioner Ware seconded the motion, which passed with a vote of 7:0.**

91. **ADJOURNMENT**

**Commissioner Ware made a motion for adjournment. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.**

**APPROVED:**

---

**Mayor of the City Commission  
of the City of Marshall, Texas**

**ATTEST:**

---

**City Secretary**

**Ordinance: O-20-09  
O-20-10  
O-20-11  
Resolution: R-20-10**

## **ITEM 5B**

### **CONSENT AGENDA**

### **MONTHLY FINANCIAL REPORT**

## MEMORANDUM

To: Mark Rohr, City Manager

From: Elaine Altman, Finance Director

Date: April 16, 2020

Subject: March Revenue and Expense Report Summaries – General Fund and  
Water and Sewer Enterprise Fund

---

Attached is the Revenue and Expense Report Summaries for March. This report provides current month, year to date, and budgeted amounts for major revenue categories and expenditures by department. The report also provides a percent of current budget. On average, a department will expend approximately 8.33% of its budget on a monthly basis and this can be used as a benchmark when reviewing this report.

**CITY OF MARSHALL**  
**REV/EXP/BUD - SHORT REPORT - NEW**  
**PERIOD ENDING: MARCH 2020**

<b>GENERAL FUND</b>	<b>CURRENT MONTH</b>	<b>CURRENT YTD</b>	<b>PRIOR YTD</b>	<b>REVISED ADOPTED BUDGET</b>	<b>ADOPTED BUDGET</b>	<b>3/12 OF ADOPTED BUDGET</b>	<b>PERCENT OF ADOPTED</b>	<b>REMAINING BUDGET</b>
	<b>(3 MONTH NORM = 25%)</b>							
<b>REVENUES:</b>								
TAXES	683,173	4,155,425	3,922,596	12,467,306	12,467,306	3,116,827	33.33	8,311,881
LICENSES & PERMITS	11,658	39,160	40,423	178,000	178,000	44,500	22.00	138,840
INTERGOVERNMENTAL REVENUE	16,203	29,059	29,059	161,235	161,235	40,309	18.02	132,176
FEES	406,553	1,269,780	1,045,913	5,200,894	5,200,894	1,300,224	24.42	3,931,114
FINES & FORFEITURES	45,406	101,569	184,160	484,332	484,332	121,083	20.97	382,763
MISCELLANEOUS REVENUE	37,717	463,666	975,504	2,573,331	2,573,331	643,333	18.02	2,109,665
<b>TOTAL GENERAL FUND REVENUE</b>	<b>1,200,710</b>	<b>6,058,659</b>	<b>6,197,653</b>	<b>21,065,098</b>	<b>21,065,098</b>	<b>5,266,275</b>	<b>28.76</b>	<b>15,006,439</b>
<b>EXPENSES:</b>								
GENERAL GOVERNMENT	30,997	128,904	98,200	555,300	555,300	138,825	23.21	426,396
FINANCE	38,213	110,078	133,900	522,314	522,314	130,579	21.08	412,236
POLICE	351,619	1,049,088	1,636,132	5,153,135	5,153,135	1,288,284	20.36	4,104,047
FIRE	321,596	1,129,814	1,061,323	4,144,820	4,144,820	1,036,205	27.26	3,015,006
PUBLIC SERVICES	311,441	955,021	1,174,425	4,768,142	4,768,142	1,192,036	20.03	3,813,121
PLANNING	50,325	135,375	91,510	598,469	598,469	149,617	22.62	463,094
SUPPORT SERVICES	59,402	201,360	351,473	905,449	905,449	226,362	22.24	704,089
TOURISM & PROMOTIONS	90,793	280,235	95,611	1,206,297	1,206,297	301,574	23.23	926,062
PARKS & RECREATION	30,245	89,320	161,946	530,892	530,892	132,723	16.82	441,572
NON DEPARTMENTAL	125,317	502,456	517,620	2,045,370	2,045,370	511,343	24.57	1,542,914
APPRAISAL DISTRICT	23,327	46,654	23,372	97,910	97,910	24,478	47.65	51,256
INTERFUND TRANSFERS	0	0	0	537,000	537,000	134,250	0	537,000
CAPITAL OUTLAY	0	0	47,417	0	0	0	0	0
<b>TOTAL GENERAL FUND EXPENSES</b>	<b>1,433,275</b>	<b>4,628,305</b>	<b>5,392,929</b>	<b>21,065,098</b>	<b>21,065,098</b>	<b>5,266,275</b>	<b>21.97</b>	<b>16,436,793</b>
<b>TOTAL GENERAL FUND</b>	<b>(232,565)</b>	<b>1,430,354</b>	<b>804,724</b>	<b>0</b>	<b>0</b>	<b>0</b>		

**CITY OF MARSHALL**  
**REV/EXP/BUD - SHORT REPORT - NEW**  
**PERIOD ENDING: MARCH 2020**

	<b>CURRENT MONTH</b>	<b>CURRENT YTD</b>	<b>PRIOR YTD</b>	<b>REVISED ADOPTED BUDGET</b>	<b>ADOPTED BUDGET</b>	<b>3/12 OF ADOPTED BUDGET</b>	<b>PERCENT OF ADOPTED</b>	<b>REMAINING BUDGET</b>
<b>WATER &amp; SEWER ENTERPRISE FUND</b>								
<b>REVENUES:</b>								
PERMITS & FEES	200	1,952	2,409	11,400	11,400	2,850	17.12	9,449
WATER & SEWER CHARGES	765,040	2,282,018	2,365,325	10,301,854	10,301,854	2,575,464	22.15	8,019,836
MISCELLANEOUS REVENUES	4,273	10,873	18,069	72,000	72,000	18,000	15.10	61,128
<b>TOTAL W&amp;S REVENUE</b>	<b>769,513</b>	<b>2,294,842</b>	<b>2,385,802</b>	<b>10,385,254</b>	<b>10,385,254</b>	<b>2,596,314</b>	<b>22.10</b>	<b>8,090,412</b>
<b>EXPENSES:</b>								
ADMINISTRATION	26,048	84,171	55,513	398,310	398,310	99,578	21.13	314,139
WATER PRODUCTION	108,790	321,710	449,725	1,735,906	1,735,906	433,977	18.53	1,414,196
DISTRIBUTION/COLLECTION	119,219	351,767	288,259	2,483,027	2,483,027	620,757	14.17	2,131,260
WASTEWATER TREATMENT	94,523	262,633	371,929	1,718,056	1,718,056	429,514	15.29	1,455,423
WATER BILLING	36,778	110,242	109,815	512,884	512,884	128,221	21.49	402,642
ENGINEERING	2,306	8,392	14,439	31,576	31,576	7,894	26.58	23,184
NON DEPARTMENTAL	81,240	350,996	280,117	990,267	990,267	247,567	35.45	639,272
INTERFUND TRANSFERS		396,250	288,465	2,515,228	2,515,228	628,807	15.75	2,118,978
<b>TOTAL W&amp;S EXPENSES</b>	<b>468,904</b>	<b>1,886,160</b>	<b>1,858,263</b>	<b>10,385,254</b>	<b>10,385,254</b>	<b>2,596,314</b>	<b>18.16</b>	<b>8,499,094</b>
<b>TOTAL WATER &amp; SEWER FUND</b>	<b>300,609</b>	<b>408,681</b>	<b>527,539</b>	<b>0</b>	<b>0</b>	<b>0</b>		

## **ITEM 5C**

### **CONSENT AGENDA**

**APPROVAL OF AN AGREEMENT WITH  
DR. JENNIFER CHANDLER FOR  
PHYSICIAN DIRECTOR SERVICES FOR  
THE EMERGENCY MEDICAL SERVICES  
SYSTEM**



**City of Marshall**  
**Fire Department**  
**P.O. Box 698**  
**Marshall, Texas 75671**  
**903-935-4580 / FAX 903-935-3568**

---

REGINALD K. COOPER, EFO FIRE CHIEF

---

April 23, 2020

City Manager  
City Commissioners  
Marshall, Texas 75670

Dear Commissioners:

This letter is pertaining to our current agreement for Physicians Director Services for the Marshall Fire Department Emergency Medical Service

The operation of The Marshall Fire Department's quality Emergency Medical Service must be under the direction of a physician that allows us to provide the quality care received by our citizens. Due to the practicality and efficiency of a contractual agreement versus hiring a physician for this purpose, it has been our past practice of alternatively entering into an agreement with a physician for his/her services as Medical Director of the Fire Department's Emergency Medical Service. Dr. Chandler is our current Director and has done an outstanding job in directing, coaching and training our Firefighter/Medics.

It is our intentions to enter into a renewed contract with Dr. Jennifer Chandler M.D. Dr. Chandler is the Marshall Assistant Director for the Leading Edge Medical Associates (LEMA), and has already proven a valuable asset to our department with her educational style, accessibility, and willingness to take our department forward in quality and serviceability.

Except for the changes in the dates, the contract is the same in all respects as the contracts of our past Medical Director contracts. The amount of the contract is \$18,000 which is provided for in our annual budget.

Reginald Cooper, EFO

A handwritten signature in blue ink, circled in blue.

Fire Chief

**PHYSICIAN DIRECTOR CONTRACT  
EMERGENCY MEDICAL SERVICES SYSTEM**

The State of Texas  
County of Harrison

This agreement is made and entered into by and between the CITY OF MARSHALL, TEXAS, as GRANTEE and DR. JENNIFER CHANDLER, hereinafter referred to as CONTRACTOR, beginning May 1, 2020 and ending on April 30, 2021.

**WITNESSETH**

WHEREAS, CONTRACTOR has services and professional medical expertise which are needed by GRANTEE and desires to furnish and provide said service to GRANTEE; and

WHEREAS, Dr. JENNIFER CHANDLER, an Independent Contractor, serves as emergency department physician and has extensive experience in the practice of emergency medicine; and

WHEREAS, GRANTEE, desires to purchase said professional medical expertise of CONTRACTOR for the purpose of directing the Emergency Medical Services of the City of Marshall, Texas.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the GRANTEE and CONTRACTOR do hereby agree as follows:

**Scope of Services:** The said CONTRACTOR does hereby promise and agree that he shall and will for the consideration hereinafter mentioned, furnish all services as hereinafter stated;

**SECTION I**

For and in consideration of the payments and commitments to be made and performed by the GRANTEE, the CONTRACTOR agrees and promises to perform and provide the following:

1. Function as advisor and director concerning medical matters to the Fire Chief and EMS Coordinator.
2. Aid with the development and implementation of medical control.
3. Provide written guidelines or consult in the development of such concerning:
  - a. Patient Transfer Protocols
  - b. Patient Transfer Agreements

4. Coordinate and direct physicians and nurses in the development and documentation of:
  - a. Pre-hospital care and evaluation of Critical Care Plans, including but not limited to:
    - i. Spinal cord injuries
    - ii. Pre-natal problems
    - iii. Behavioral disturbances
    - iv. Burns
    - v. Cardiac Care
    - vi. Poisoning and drug abuse
    - vii. Multiple trauma
5. Develop and establish standing orders for EMT-Basic, EMT-Intermediate, and EMT-Paramedic to be used in the field in emergency situations.
6. Conduct on-going training programs for all EMT certification levels, evaluation and certifying their skills, providing post-response evaluations and providing continuing education, to consist of a minimum of six hours per month. Scheduling of continuing education classes to be determined by the Marshall Fire Department EMS Coordinator and CONTRACTOR.

## SECTION II

For and in consideration of the service furnished by the CONTRACTOR and described in SECTION I of this agreement, GRANTEE agrees to pay the CONTRACTOR a total of \$18,000.00 as follows:

1. \$1,500.00 each month in twelve (12) monthly installments beginning thirty (30) days after work begins.

## SECTION III

1. **Contractor Responsibility:** The CONTRACTOR will require the EMT-Basic, EMT-Intermediate and EMT-Paramedic to comply with applicable provisions of the Texas Medical Practice Act.
2. **Grantee Responsibility:** GRANTEE, under this Agreement, is not to be considered as engaging in a joint venture or partnership with CONTRACTOR for any purpose whatsoever, it being understood between the parties hereto that GRANTEE is merely a purchaser of services and is in no way authorized to make any contract agreement,

warranty or representation on behalf of CONTRACTOR or to create any obligation expressed or implied on behalf of CONTRACTOR.

3. **Successors and Assigns:** The CONTRACTOR and the GRANTEE each binds itself, himself and his partners, successors, executors, administrators and assigns of each party, with respect to all covenants of this agreement.
4. **Severability:** If any provision of this Agreement shall be construed to be illegal or invalid, it shall not affect the legality or validity of any of the other provisions hereof, and any illegal or invalid provision shall be deemed as if never incorporated herein, but all other provisions shall continue in full force and effect.
5. **Termination of Contract:** The contract term shall be for one year.

If, through any cause, the CONTRACTOR or GRANTEE shall fail to fulfill in timely and proper manner his obligation under this Agreement, or if the CONTRACTOR shall violate any of the covenants, agreements or stipulations of this Agreement, the CONTRACTOR and GRANTEE shall thereupon have the right to terminate this Agreement immediately by giving the other thirty (30) days written notice, specifying the reason for termination, and the effective date thereof. Either CONTRACTOR or GRANTEE may terminate this Agreement upon sixty (60) days notice without cause by giving the other not less than sixty (60) days written notice. If the contract is terminated, contractor should received compensation which is prorated to the final date of service.

6. **Summary Termination:** CONTRACTOR shall maintain residences within a 50-mile radius of Marshall, Texas and shall personally provide the service to be rendered herein. In the event CONTRACTOR ceases to maintain their residence, ceases to personally provide services as provided herein, GRANTEE shall have the option to terminate this Agreement immediately with notice as provided in Paragraph 5 herein.
7. **Technicians:** GRANTEE shall provide technicians known as Emergency Care Attendants (ECA), Emergency Medical Technicians (EMT), Emergency Medical Technician-Intermediate (EMT-I), and Emergency Medical Technician-Paramedic (EMT-P). Said technicians shall be employed and paid by GRANTEE.

CONTRACTOR has the authority to recommend removal of any technician from service, and to require further training or retraining of any technician. To the extent allowed under Texas State Law, CONTRACTOR may recommend and proceed with decertification by the Texas Department of Health in accordance with that agency's established revocation procedures.

8. **Audit or Records:**
  - a. The CONTRACTOR agrees that the GRANTEE, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access only to pertinent books, documents, papers, and records of the CONTRACTOR which are directly involved in the operation of EMS so long as the patient's medical confidentiality is respected and will be subject to the Texas Open Records Act.

b. All pertinent records as referenced in 8.a above shall be retained for a period of three (3) years by GRANTEE.

9. **Compliance with Laws:** GRANTEE shall comply with all applicable local and state laws, ordinances, and codes in implementation of programs provided by this Agreement as set forth in the Texas Medical Practice Act.

10. **Applicable Law:** This Agreement shall be construed according to the laws of the State of Texas. GRANTEE and CONTRACTOR stipulate, acknowledge and agree that the proper venue for any action to enforce or construe any of the provisions of this contract shall be in Harrison County, Texas.

11. **Compliance with Local Laws:** The parties shall comply with all applicable laws, ordinances and codes of state and local governments.

12. **Entire Agreement:** The GRANTEE and the CONTRACTOR mutually agree that this Agreement shall be subject to the provisions hereof and represent the entire Agreement between the GRANTEE and CONTRACTOR. This agreement may only be amended or repealed by a duly executed written instrument.

IN WITNESS WHEREOF, the parties have made and executed this Agreement on this day, \_\_\_\_\_:

GRANTEE:

CONTRACTOR:

CITY OF MARSHALL

JENNIFER CHANDLER

BY: \_\_\_\_\_  
City Manager

BY: \_\_\_\_\_  
JENNIFER CHANDLER, M. D.

ATTEST:

By: \_\_\_\_\_  
City Secretary

## **ITEM 6A**

### **PUBLIC HEARING & ORDINANCE**

**PUBLIC HEARING AND CONSIDER AN  
ORDINANCE AMENDMENT TO  
CHAPTER 32 OF THE CITY OF  
MARSHALL CODE OF ORDINANCES  
ENTITLED “ZONING ORDINANCE”**



## **Agenda Information Sheet**

**April 23, 2020**

### **Agenda Item**

Conduct a public hearing and consider an ordinance amending Chapter 32 of the City of Marshall Code of Ordinances entitled “Zoning Ordinance” specifically related to Section 20 entitled “Zoning District Purposes and Prohibited Uses”.

**The Planning & Zoning Commission recommended approval by a vote of 7-0-0.**

### **Background & Summary**

The Zoning Ordinance does not currently have a zoning district to serve public uses within the City such as schools, universities, parks, government uses and other uses typically managed by governments or nonprofits. It is typical that zoning ordinances provide such a district to ensure compatible development of such uses in conjunction with surrounding neighborhoods.

Staff determined the need in such a zoning district as the city has seen our universities and public spaces grow within the community. This district allows a wide range of uses by right with the condition that if there is a residentially zoned lot within 100 feet of the subject property then a special use permit will be required to ensure residential areas are protected.

If this item is approved, the amendment will go to the City Commission for final approval.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 32 SECTION 20 OF THE CITY OF MARSHALL, TEXAS CODE OF ORDINANCES ENTITLED “ZONING DISTRICT PURPOSES AND PROHIBITED USES” FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the proposed amend to the Zoning Ordinance is now before the City Commission after being acted upon by the Planning & Zoning Commission as required by state law and city ordinance and after legal notices, requirements, conditions, and prerequisites have been complied with; and

**WHEREAS**, the City Commission of the City of Marshall, Texas (the “City”) deems it necessary and proper and in the best interests of the citizens of the City to amend Chapter 32 Section 20 of the Marshall Code of Ordinances entitled “Zoning District Purposes and Prohibited Uses”;

**WHEREAS**, the City Commission finds that there is now public necessity for the adoption of this amendment to the Zoning Ordinance;

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MARSHALL:**

**Section 1.** That the findings set out in the preamble to this ordinance are hereby in all things approved.

**Section 2.** That Chapter 32 Section 20, in the City of Marshall’s Code of Ordinances a new zoning district shall be established as follows:

**“Chapter 32 Section 20.17.0 PS - Public Services District.**

*A. Purpose. The Public Services (PS) Zoning District is intended to provide area for buildings and facilities that are owned and operated by Federal, State, local governments, public utilities, special districts, or nonprofit organizations which are used to provide governmental or public services. The Public Services District provides for school sites, public park and recreational facilities, natural areas, trails, wetlands, and similar types of open space owned and managed by a local government, non-profits or special district.*

*B. Applicability. The PS Zoning District is identified on the City's official Zoning Map. The properties identified within the PS Zone shall comply with the provisions of this chapter.*

**20.17.01 Permitted and Special Use Permits.**

*A. Permitted Uses. The land uses listed in Table 20.01.0 are permitted by right or an approved special use permit in the PS Zoning District, subject to the provisions of this code.*

*B. Existing Uses. Uses and structures lawfully established within the Public Services Zone under previously effective land use regulations may continue subject to Chapter 32, Section 6, Non-Conforming Uses.*

**Table 20.01.0 – Permitted and Special Use Permits Uses**

<i>Land Use</i>	<i>PS</i>
<b><i>Education, Institutional, and Special Uses (21.06)</i></b>	
<i>Animal Shelter with or without outdoor kennels *<sup>1</sup></i>	<i>P</i>
<i>Art Gallery</i>	<i>S</i>
<i>Athletic Institution school</i>	<i>P</i>
<i>Boarding School- private</i>	<i>P</i>
<i>Business or commercial school</i>	<i>P</i>
<i>Child/Adult Care Centers (private, public or denominational) for more than four (4) people not related by blood.</i>	<i>P</i>
<i>Church</i>	<i>P</i>
<i>College or University</i>	<i>P</i>
<i>Convent or monastery</i>	<i>P</i>
<i>Convention Facilities</i>	<i>P</i>
<i>Correspondence School</i>	<i>P</i>
<i>Dance or baton School</i>	<i>P</i>
<i>Day Camp</i>	<i>P</i>
<i>Dormitory</i>	<i>P</i>
<i>Fair Ground Exhibit area*<sup>1</sup></i>	<i>P</i>
<i>Fraternal Lodge or membership organization</i>	<i>P</i>
<i>Halfway House</i>	<i>P</i>
<i>Institution of religious or philanthropic nature</i>	<i>P</i>
<i>Library</i>	<i>P</i>
<i>Museum</i>	<i>P</i>

**Table 20.01.0 – Permitted and Special Use Permits Uses**

<i>Land Use</i>	<i>PS</i>
<i>Orphanage/non-family foster home</i>	<i>S</i>
<i>Public, private or denominational kindergarten, elementary, secondary school</i>	<i>P</i>
<i>Sorority/fraternity house on college campus</i>	<i>P</i>
<i>Trade School</i>	<i>P</i>
<i>Fire Station</i>	<i>P</i>
<i>City Hall, County courthouse, or administrative buildings</i>	<i>P</i>
<i>Public parks, playgrounds, swimming pool, skateboard park, pedestrian/bicycle trails and similar public recreation facilities</i>	<i>P</i>
<i>Public utilities</i>	<i>P</i>
<i>Public/Private utility maintenance facilities and operation yards with outdoor storage of materials and supplies*<sup>1</sup></i>	<i>S</i>
<i>Wireless and broadcast communication facilities</i>	<i>See Section 25-106</i>
<i>Public solid waste disposal /transfer sites</i>	<i>S</i>
<i>Outdoor Entertainment Venues*<sup>1</sup></i>	<i>P</i>

**Key to Permitted Uses***P = Permitted**N = Not Permitted**S = Special Use Permit*\* *Special standards for certain uses subject Section 20.17.02 A.***20.17.02 Development Standards.***Development standards provide building separation for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation.***Table 20.3.0**

<i>Standard</i>	<i>PS</i>
<i>Lot Area</i>	<i>No Minimum Required</i>
<i>Lot Width</i>	<i>No Minimum Required</i>
<i>Lot Depth</i>	<i>No Minimum Required</i>
<i>Front Yard Setback</i>	<i>None</i>
<i>Side and Rear Yard Setback</i>	<i>Minimum 10 Feet</i>
<i>Building Height</i>	<i>4 stories</i>
<i>Lot Coverage</i>	<i>No maximum requirement</i>

*A. Additional Requirements.*

*1. Land uses outlined in Table 20.01.0 with the subscript 1 are permitted by right as long as they are located 100 feet from a residentially zoned lot. If land uses are closer than 100 feet to a residential zoning district, then a Special Use Permit shall be required.*

*2. Parking. In addition to the requirements in Chapter 32 Section 28, parking and loading areas abutting or directly across the street from a Residential Zone shall be set back the minimum of 25 feet. This setback area shall be landscaped along the residential street frontage in accordance with Chapter 32 Section 29.*

*3. Landscape in accordance with Chapter 32 Section 29. Buffer yard requirements as shown below:*

<i>Adjoining Development or District</i>									
<i>Proposed Development Providing Buffer</i>	<i>A-E, R-1, R-2, R-3, R-4, R-5</i>	<i>R-6</i>	<i>MF</i>	<i>O</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>I-1</i>	<i>I-2</i>
<i>PS</i>	<i>C</i>	<i>C</i>	<i>B</i>	<i>B</i>	<i>A</i>	<i>A</i>	<i>A</i>	<i>A</i>	<i>A</i>

“

**Section 3.** That the meeting at which this ordinance was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

**Section 4.** That all other prior ordinances or portions of ordinances of the City of Marshall in conflict with the terms and provisions of this ordinance are hereby repealed to the extent of such conflict only.

**Section 5.** That the amendment of any ordinance or portion of an ordinance by this ordinance shall not affect the validity of any pending enforcement action or fines outstanding and due and payable on or before the effective date of this ordinance.

**Section 6.** That if any section, paragraph, subdivision, clause, phrase or provision of this ordinance is hereafter determined to be invalid or in violation of the laws of the State of Texas or the Constitution of the United States by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision or provisions so determined to be invalid, it being the intent of the City Commission of the City of Marshall that all other terms and provisions of this ordinance not affected thereby shall remain in full force and effect.

**Section 7.** That this ordinance shall be effective from and after its passage and publication as required by law.

**Section 8.** The provisions of this ordinance shall be included and incorporated in the City of Marshall Code of Ordinances as an addition and/or amendment thereto.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAINED: \_\_\_\_\_

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAINED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR OF THE CITY COMMISSION OF  
THE CITY OF MARSHALL, TEXAS

Attest:

\_\_\_\_\_  
Elaine Altman, City Secretary

## **ITEM 6B**

### **PUBLIC HEARING & ORDINANCE**

**PUBLIC HEARING AND CONSIDER AN  
ORDINANCE REGARDING A ZONING  
MAP AMENDMENT FROM R-2 (SINGLE  
FAMILY DETACHED) TO O (OFFICE).  
THE SUBJECT PROPERTY IS MORE  
COMMONLY KNOWN AS 1103 SOUTH  
WASHINGTON AVENUE**



# Agenda Information Sheet

April 23, 2020

**Agenda Item Z-20-02-** Conduct a public hearing and consider an ordinance regarding a zoning map amendment of a 0.803 acre tract of land being all of Lots 1 and 2, and part of Lot 3 Block 1 Medill Bomar Heights from R-2 (Single Family Detached) to O (Office). The subject property is generally located on the south side of West Merritt Street and west of South Washington Avenue, more commonly known as 1103 South Washington Avenue.

**The Planning & Zoning Commission recommended approval by a vote of 7-0-0.**

Applicant:	Mickey Boles 11 Oak Creek Ridge Dr. Longview , Texas 75605
Property Owner	Mickey Boles 11 Oak Creek Ridge Dr. Longview , Texas 75605
Surrounding Property Notices	15 Notices Sent within 200 ft. of the Site 0 Responses back

**Location Map:**



**Background & Summary of Request:**

The property is currently utilized as a single family residence constructed in 1909, and zoned R-2 (Single-Family Detached). The owner is request the zoning be changed to O (Office).

**Picture of the Site:**



**Existing Conditions:**

The property is currently utilized as a single family residence constructed in 1909, and zoned R-2 (Single-Family Detached).

The table below outlines the surrounding zoning and land uses:

	<b>Zoning Classification</b>	<b>Land Use</b>
North of the Property	C-2 (Retail Business)	Nursing Home
East of the Property	R-2 (Single-family Residential)	Single Family Residence
South of the Property	R-2 (Single-family Residential)	Single Family Residence
West of the Property	C-2 (Retail Business)	Nursing Home Parking

Water and sewer service is provided to the site by existing 6” water and sewer lines located along South Washington Avenue.

**Zoning Classification Analysis:**

The applicant is requesting the zoning change in order to establish a Financial Services office space. The Office district is established to accommodate all types of office uses and to provide a district with specific restrictions to serve as a buffer and/or transition between residential areas and major thoroughfares or commercial developments, and which would not have objectionable or detrimental impacts or influences on adjacent residential areas such as evening hours of operation, bright lights, etc.

### **Comprehensive Plan and Future Land Use Map Analysis:**

The subject property is designated as “Low Density Residential” on the Future Land Use Map with the abutting property to the East designated as “Commercial/Office/Service” and the North designated as High Density Residential” Transitional Areas: Chapter 3, Objective 7b of the Comprehensive Plan states that “*Typical uses include low to moderate density residential, neighborhood-serving retail, restaurants, commercial and office.*”

The following questions should be answered when determining if a zoning change is appropriate:

1. Will the proposed change be in compliance with the goals of the Comprehensive Plan?  
*The request to change from R-2 to O would be in line with the Comprehensive plan is in compliance with the Future Land Use Plan.*
2. Will there be an adverse impact on surrounding property if the request is approved? In evaluating this question, consideration should be given to all permitted uses in the proposed new zoning and the impact it could have on surrounding property.  
*The Office District is designed to promote stability of office building developments; to strengthen the economic base of the City; to protect the character of the district and adjacent districts; to conserve the value of land and buildings; and to protect the city’s tax base.*
3. Is the property suitable for use as it is currently zoned or does the zoning need to be changed to allow the property to be put to use in a way that is in keeping with the surrounding activities.  
*The other buildings fronting S. Washington Ave. are predominately single family houses. However, the location of this property is a corner lot with frontage along E. Merritt St. as well. The building across the street is a Nursing Home and behind the subject property a parking lot. Changing the zoning to Office would serve as a buffer and/or transition between the residential areas.*
4. What is the relationship of the proposed change to the health, safety and welfare of the general community? In other words, will the change make the community better or is it merely for the convenience of the owner? Will surrounding property owners suffer or lose any enjoyment in the area of their property as a result of this change? Does the proposed change seem to be a logical extension of similar types of development?  
*It is not believed that the proposed change would negatively affect the surrounding property owners.*

### **Suggested Motions:**

1. Motion to approve case number Z-20-01 as requested.
2. Motion to deny case number Z-20-01.

### **Attachments:**

1. Aerial of Site
2. Pictures of the Site
3. 200 Foot Notification Map
4. Ordinance

Aerial Photograph Z-20-01



Please note, areas depicted on the above map just for representation purposes only and do not identify the exact boundaries of the property in question.

Z-20-01  
Site Pictures



Single-Family Residential to the south



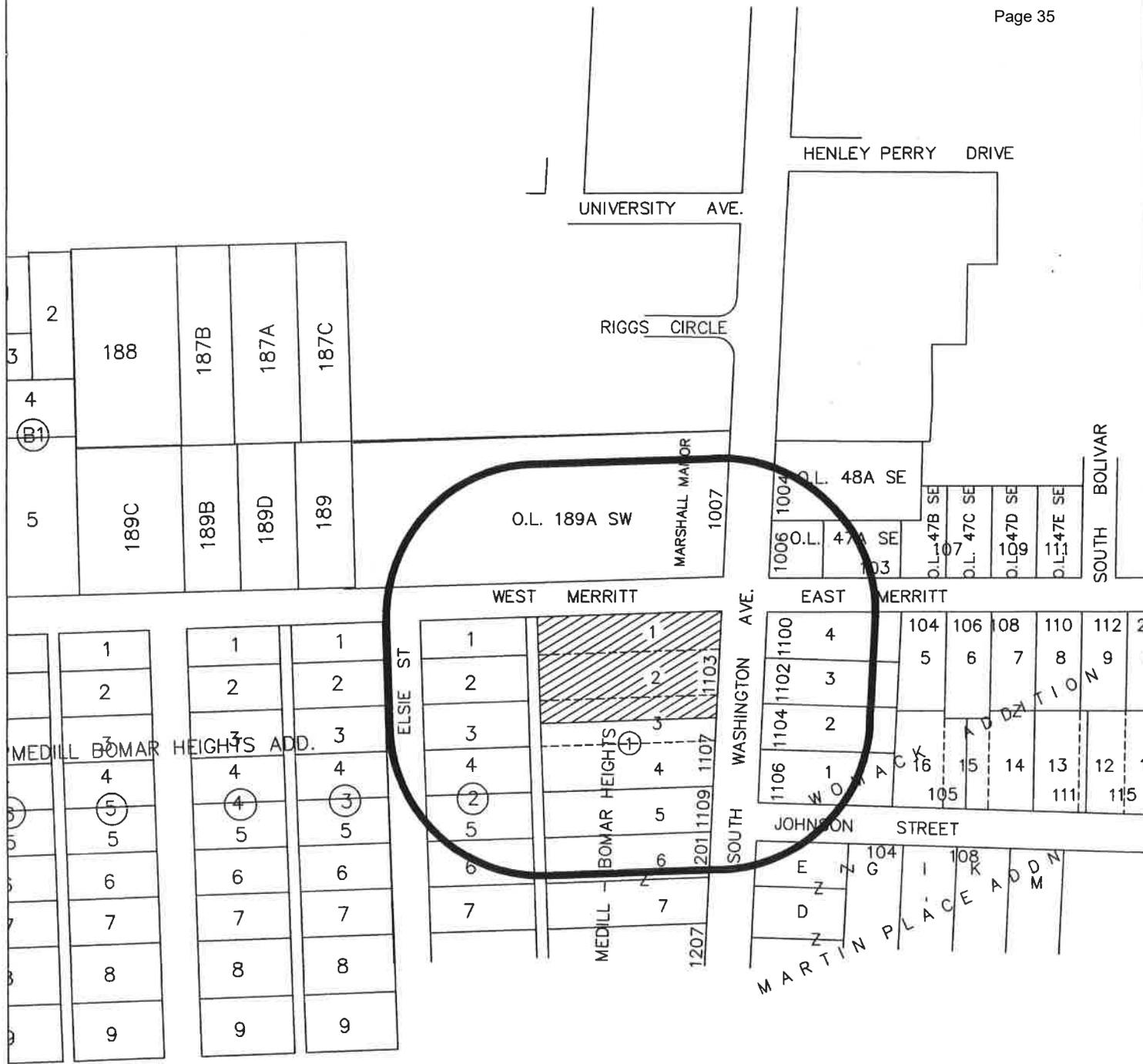
Single-Family Residential to the east



Commercial Development to the north (nursing home)



Nursing home Parking lot to the west



## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 0-87-13 TO REZONE A 0.803 ACRE TRACT OF LAND BEING ALL OF LOTS 1 AND 2, AND PART OF LOT 3 BLOCK 1 MEDILL BOMAR HEIGHTS FROM R-2 (SINGLE-FAMILY DETACHED) TO O (OFFICE). THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF WEST MERRITT STREET AND WEST OF SOUTH WASHINGTON AVENUE, MORE COMMONLY KNOWN AS 1103 SOUTH WASHINGTON AVENUE IN THE CITY OF MARSHALL, TEXAS.

WHEREAS, the City of Marshall enacted zoning on December 13, 1951 and amended said ordinance on July 7, 1963 and on March 26, 1987 repealed and replaced all ordinance with Ordinance No. 0-87-13 amending the Code of Ordinances of the City of Marshall to add Chapter 32 regarding Zoning; and

WHEREAS, a Zoning District Map was adopted as a part of Ordinance No. 0-87-13; and

WHEREAS, Chapter 32, Section 14 of the Code of Ordinances established a procedure for a property owner, his agent, or the City to request zoning district map amendments; and

WHEREAS, the Planning & Zoning Commission, after due and proper notice in the manner and for the length of time required by law, held a public hearing for the purpose of considering proposed changes to the Zoning District Map; and

WHEREAS, after the close of said public hearing and pursuant thereto, the Planning & Zoning Commission filed a written report with the City Commission, recommending changes in the Zoning District Map; and

WHEREAS, pursuant to said report and after notice in the manner and for the length of time required by law, the City Commission held a public hearing in Marshall, Texas at City Hall on the 23<sup>rd</sup> day of April, 2020, at 6:00pm for the purpose of considering the requested Zoning Map change, and at which hearing all property owners, interested parties, and interested citizens had an opportunity to be heard; and

WHEREAS, the City Commission, after considering the proposed changes and after hearing all parties and citizens desiring to be heard, deems that the following changes are necessary and for the best interest of the general welfare of the citizens of the City of Marshall, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. Rezone a 0.803 acre tract of land being all of Lots 1 and 2, and part of Lot 3 Block 1 Medill Bomar Heights from R-2 (Single Family Detached) to O (Office). The subject property is generally located on the south side of West Merritt Street and west of South Washington Avenue, more commonly known as 1103 South Washington Avenue in the City of Marshall, Texas.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on first reading the 23<sup>rd</sup> day of April, 2020.

AYES: \_\_

NOES: \_\_

ABSTAINED: \_\_

PASSED on second reading the 14<sup>th</sup> day of May, 2020.

AYES: \_\_\_\_

NOES: \_\_\_\_

ABSTAINED: \_\_\_\_

---

MAYOR OF THE CITY COMMISSION  
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

---

CITY SECRETARY

## **ITEM 6C**

### **PUBLIC HEARING & ORDINANCE**

**PUBLIC HEARING AND CONSIDER AN  
ORDINANCE REGARDING A ZONING  
MAP AMENDMENT FROM R-2 (SINGLE  
FAMILY DETACHED) TO PS (PUBLIC  
SERVICE). THE SUBJECT PROPERTY IS  
MORE COMMONLY KNOWN AS 709  
NATHAN STREET**



# P&Z Agenda Information Sheet

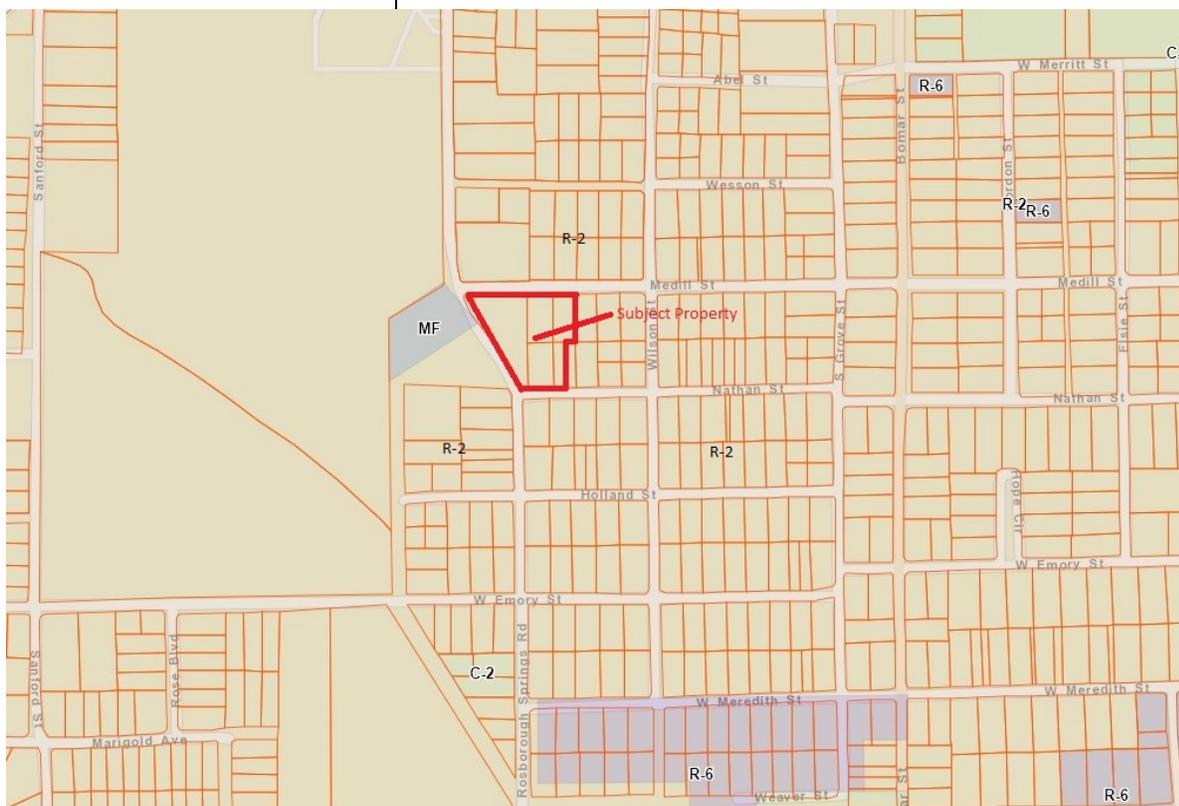
April 23, 2020

**Agenda Item Z-20-02-** Conduct a public hearing and consider an ordinance amending the official zoning map regarding a 1.19-acre tract of land. Being all of lots 1, 2, 10, and part of lot 9 block 6 Parkview Addition, and all of Outlot 200-A S. W. from R-2 (Single Family Detached) to PS (Public Service). The subject property is generally located on the south side of Medill Street, east of Rosborough Springs Road, and on the north side of Nathan Street, more commonly known as 709 Nathan Street.

**The Planning & Zoning Commission recommended approval by a vote of 7-0-0.**

Applicant:	Wiley College 711 Wiley Avenue Marshall Texas 75670
Property Owner	Wiley College 711 Wiley Avenue, Marshall Texas 75670
Surrounding Property Notices	17 Notices Sent within 200 ft. of the Site 0 Responses back

**Location Map:**



**Background & Summary of Request:**

The owner is requesting the zoning be changed to PS (Public Service). The applicant is requesting the zoning change in order to construct a welcome center.

**Picture of the Site:**



**Existing Conditions:**

The property is currently vacant and zoned R-2 (Single-Family Detached).

The table below outlines the surrounding zoning and land uses:

	<b>Zoning Classification</b>	<b>Land Use</b>
North of the Property	R-2 (Single-family Residential)	Wiley College
East of the Property	R-2 (Single-family Residential)	Single Family Residence
South of the Property	R-2 (Single-family Residential)	Single Family Residence
West of the Property	R-2 (Single-family Residential) and MF (Multi-family )	Single Family Residence and Multi-family

Water service is provided to the site by an existing 6” water main along Rosborough Springs Road and a 2” water main located along Nathan Street. Sewer is provided by 6” mains along Medill Street, Rosborough Springs Road and Nathan Street.

**Zoning Classification Analysis:**

The applicant is requesting a zoning change to Public Services zoning district. The purpose of the Public Services district is to “... provides for school sites, public park and recreational facilities, natural areas, trails, wetlands, and similar types of open space owned and managed by a local government, non-profits or special district.”

**Comprehensive Plan and Future Land Use Map Analysis:**

The subject property is designated as “Low Density Residential” on the Future Land Use Map and is located adjacent to the University Activity Center.

The Comprehensive Plan defines University Activity Center as an area that “... provides a gradual transition in scale, use, character, and intensity between the universities and surrounding neighborhoods.”

The following questions should be answered when determining if a zoning change is appropriate:

1. Will the proposed change be in compliance with the goals of the Comprehensive Plan?  
*The property is located on the perimeter of the University Activity Center, since the areas on the future land use plan are loosely defined it is believed that this request meets the goals and objectives of the Comprehensive Plan and Future Land Use Plan.*
2. Will there be an adverse impact on surrounding property if the request is approved? In evaluating this question, consideration should be given to all permitted uses in the proposed new zoning and the impact it could have on surrounding property.  
*The purpose of the Public Services district is to provide for uses that protect the neighboring residential uses. No adverse impacts on the surrounding property is anticipated.*
3. Is the property suitable for use as it is currently zoned or does the zoning need to be changed to allow the property to be put to use in a way that is in keeping with the surrounding activities.  
*Wiley College is an anchor of the neighborhood, the Public Services zoning designation is designed to allow the college to expand while protecting the neighborhood.*
4. What is the relationship of the proposed change to the health, safety and welfare of the general community? In other words, will the change make the community better or is it merely for the convenience of the owner? Will surrounding property owners suffer or lose any enjoyment in the area of their property as a result of this change? Does the proposed change seem to be a logical extension of similar types of development?  
*It is not believed that the proposed change would negatively affect the surrounding property owners.*

**Suggested Motions:**

1. Motion to approve case number Z-20-02 as requested.
2. Motion to deny case number Z-20-02.

**Attachments:**

1. Aerial of Site
2. Pictures of the Site
3. 200 Foot Notification Map
4. Ordinance

Z-20-02  
Aerial Photograph



Please note, areas depicted on the above map just for representation purposes only and do not identify the exact boundaries of the property in question.

Z-20-02  
Site Pictures



Subject Property



Single-Family Residential to the east



Wiley College property to the north



Property to the west



Case No. Z-20-02  
 Scale: 1"=200'  
 Date: 3-09-2020

PLANNING DEPARTMENT  
 CITY OF MARSHALL, TEXAS

Remarks:



A request to rezone Lots 1,2,10, and part of 9 Block 6 Parkview Addition, and all of Outlot 200-A S. W. from R-2 Single Detached to Public Service.

Location: 709 Nathan Street  
 Applicant: Ivan White for Wiley College

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 0-87-13 TO REZONE A 1.19-ACRE TRACT OF LAND. BEING ALL OF LOTS 1, 2, 10, AND PART OF LOT 9 BLOCK 6 PARKVIEW ADDITION, AND ALL OF OUTLOT 200-A S. W. FROM R-2 (SINGLE FAMILY DETACHED) TO PS (PUBLIC SERVICE). THE SUBJECT PROPERTY IS GENERALLY LOCATED ON THE SOUTH SIDE OF MEDILL STREET, EAST OF ROSBOROUGH SPRINGS ROAD, AND ON THE NORTH SIDE OF NATHAN STREET, MORE COMMONLY KNOWN AS 709 NATHAN STREET AVENUE IN THE CITY OF MARSHALL, TEXAS.

WHEREAS, the City of Marshall enacted zoning on December 13, 1951 and amended said ordinance on July 7, 1963 and on March 26, 1987 repealed and replaced all ordinance with Ordinance No. 0-87-13 amending the Code of Ordinances of the City of Marshall to add Chapter 32 regarding Zoning; and

WHEREAS, a Zoning District Map was adopted as a part of Ordinance No. 0-87-13; and

WHEREAS, Chapter 32, Section 14 of the Code of Ordinances established a procedure for a property owner, his agent, or the City to request zoning district map amendments; and

WHEREAS, the Planning & Zoning Commission, after due and proper notice in the manner and for the length of time required by law, held a public hearing for the purpose of considering proposed changes to the Zoning District Map; and

WHEREAS, after the close of said public hearing and pursuant thereto, the Planning & Zoning Commission filed a written report with the City Commission, recommending changes in the Zoning District Map; and

WHEREAS, pursuant to said report and after notice in the manner and for the length of time required by law, the City Commission held a public hearing in Marshall, Texas at City Hall on the 23<sup>rd</sup> day of April, 2020, at 6:00pm for the purpose of considering the requested Zoning Map change, and at which hearing all property owners, interested parties, and interested citizens had an opportunity to be heard; and

WHEREAS, the City Commission, after considering the proposed changes and after hearing all parties and citizens desiring to be heard, deems that the following changes are necessary and for the best interest of the general welfare of the citizens of the City of Marshall, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. Rezone a 1.19-acre tract of land. Being all of lots 1, 2, 10, and part of lot 9 block 6 Parkview Addition, and all of Outlot 200-A S. W. from R-2 (Single Family Detached) to PS (Public Service). The subject property is generally located on the south side of Medill Street, east of Rosborough Springs Road, and on the north side of Nathan Street, more commonly known as 709 Nathan Street in the City of Marshall, Texas.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on first reading the 23<sup>rd</sup> day of April, 2020.

AYES: \_\_

NOES: \_\_

ABSTAINED: \_\_

PASSED on second reading the 14<sup>th</sup> day of May, 2020.

AYES: \_\_\_\_

NOES: \_\_\_\_

ABSTAINED: \_\_\_\_

---

MAYOR OF THE CITY COMMISSION  
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

---

CITY SECRETARY

## **ITEM 7A**

### **ORDINANCE**

**APPROVAL OF AN ORDINANCE  
CONSENTING TO THE AMENDED  
DECLARATION OF LOCAL DISASTER  
PROCLAIMED FOR THE CITY OF  
MARSHALL BY THE MAYOR ON  
APRIL 13, 2020, AND ANY MATTERS  
INCIDENTAL OR RELATED TO SAID  
DECLARATION**

## MEMORANDUM

To: Members of the City Commission

From: City Manager, Mark Rohr

Date: April 16, 2020

Subject: Consider approval of an Ordinance consenting to the Amended Declaration of Local Disaster Proclaimed for the City of Marshall by the Mayor on April 13, 2020, and any Matters Incidental or Related to said Declaration

---

On April 13, 2020, the Mayor issued a second amended declaration of local disaster for the City of Marshall resulting from the global pandemic of the coronavirus.

This agenda item allows for the Commission to consider approval of an Ordinance consenting to the Second Amended Declaration of Local Disaster and Public Health Emergency Related to Communicable Disease proclaimed for the City of Marshall by the Mayor on April 13, 2020. The amended declaration extends the stay-at-home order until future notice.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS, CONSENTING TO THE SECOND AMENDED DECLARATION OF LOCAL DISASTER PROCLAIMED FOR THE CITY OF MARSHALL BY THE MAYOR ON APRIL 13, 2020; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, on April 13, 2020, the Mayor issued a second amended declaration of local disaster for the City of Marshall, Texas, resulting from the global pandemic of the novel coronavirus designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, the April 13, 2020 declaration and the findings made therein are adopted herein by reference; and,

WHEREAS, the conditions necessitating the aforesaid declaration continue to exist; and,

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

WHEREAS, the dictates of this Ordinance are consistent with the Texas Governor's Executive Order No. GA-14 relating to statewide continuity of essential services and activities during the COVID-19 disaster;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS:**

Section 1. That the findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. That the City Commission of the City of Marshall hereby consents to the amended declaration of local disaster proclaimed for the City of Marshall by the Mayor on April 13, 2020.

Section 3. That the consent hereby given shall continue in effect until said consent is terminated by the City Commission or until the amended declaration of local disaster herein mentioned is terminated by order of the Mayor.

Section 4. That, during the continuation of the amended declaration of local disaster herein mentioned, the Mayor is authorized, without further action of the City Commission, to exercise any powers, take any actions and issue any orders authorized by law, including but not limited to, any measures authorized by Chapter 418 of the Texas Government Code, including without limitation Section 418.108 and Section 418.1015 of said chapter.

Section 5. That all provisions of the ordinances of the City of Marshall in conflict with the provision of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Marshall not in conflict with the provision of this ordinance shall remain in full force and effect.

Section 6. That should any sentence, paragraph, subdivision clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional and to this end the provisions of this ordinance are severable.

Section 7. That the meeting at which this ordinance was approved was conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 8. That this ordinance and the amended declaration of local disaster mentioned herein and any continuation of said amended declaration of local disaster and any orders lawfully issued under any of same shall, collectively, constitute an ordinance adopted pursuant to the emergency management plan adopted by the City of Marshall and an ordinance governing public health and sanitation.

Section 9. That the City Attorney or the City Attorney’s designee is hereby authorized, without further action of the City Commission, to undertake, by all legal means appropriate or necessary, the enforcement of this ordinance, of the amended declaration of local disaster mentioned herein, of any continuation of said amended declaration of local disaster, and of any orders lawfully issued under any of same; and such means may include, but are not limited to: application to the proper court or courts to issue any and all proper restraining orders, temporary and permanent injunctions; the filing of any other appropriate civil actions in courts of appropriate jurisdiction; and defending the City of Marshall from suit if suit is taken to appeal any action of the City of Marshall.

Section 10. That this ordinance is approved as an emergency measure and pursuant to state and local authority for emergency measures and shall become effective immediately from and after its date of passage.

PASSED and APPROVED this 23<sup>rd</sup> day of April, 2020.

\_\_\_\_\_  
CHAIRMAN OF THE CITY COMMISSION  
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



**Second Amended Declaration of Local Disaster and Public Health Emergency  
Related to Communicable Disease**

WHEREAS, on March 26, 2020, I, Terri Brown, as Mayor of the City of Marshall, Texas, issued a declaration of local disaster and public health emergency for the City of Marshall resulting from the global pandemic of the novel coronavirus designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, on April 1, 2020, the City Commission for the City of Marshall confirmed the emergency declaration; and

WHEREAS, on April 9, 2020, the City Commission for the City of Marshall confirmed the March 31, 2020 stay-at-home order; and

WHEREAS, the conditions necessitating the aforesaid declaration continue to exist; and,

WHEREAS, since March 31, 2020, additional persons in Harrison County have tested positive for the aforesaid SARS-CoV2 virus; and,

WHEREAS, in his March 22, 2020, press conference, the Governor of the State of Texas acknowledged that cities may need to enact more stringent measures to address this public health emergency; and,

WHEREAS, because of the risk of the rapid spread of the virus, the need to protect the most vulnerable members of the community, the intent to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, and the desire to slow the spread of COVID-19 to the maximum extent possible, this Second Amended Declaration of Local Disaster and Public Health Emergency Related to Communicable Disease (herein sometimes called this "Order") is required; and,

WHEREAS, this Order is issued based on evidence of increasing occurrence of COVID-19 within the County and throughout the Northeast Texas area, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the City places it at risk for serious health complications. including death, from COVID-19; and,

WHEREAS, making the problem worse, some individuals who contract

the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus; and,

WHEREAS, because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus; and,

WHEREAS, the scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the healthcare system from being overwhelmed; and,

WHEREAS, one proven way to slow the transmission of the COVID-19 virus is to limit interactions among people to the greatest extent practicable; and,

WHEREAS, by reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the City;

NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY TERRI BROWN, MAYOR OF THE CITY OF MARSHALL, TEXAS:

1. The previously amended Declaration of Local Disaster and Public Health Emergency Related to Communicable Disease for the City of Marshall, Texas is hereby renewed and confirmed as amended herein.
2. The declaration of local disaster and public health emergency shall continue in effect until the Marshall City Commission terminates its consent to the continuation of this declaration or until this declaration is terminated by order of the Mayor, whichever occurs first.
3. Pursuant to §418.108(c) of the Texas Government Code, this amended declaration of local disaster and public health emergency issued for the City of Marshall on April 13, 2020, shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Texas Government Code, this amendment of the aforesaid declaration of local disaster and public health emergency continues to activate the Marshall Emergency Management Plan.
5. Whereas, the Mayor is authorized to exercise any powers, take any actions and issue any orders authorized by law, including but not limited to, any measures authorized by Chapter 418 of the Texas Government Code, including without limitation §418.108 and §418.1015 of said chapter.
6. All officers and employees of the City of Marshall, including without limitation all law enforcement officers employed by the City of Marshall and all emergency medical personnel employed by the City of Marshall, are hereby authorized and directed to continue to cooperate to the fullest extent allowed by law with the

health authority designated by the City of Marshall pursuant to Chapter 121 of the Texas Health and Safety Code to enforce any and all communicable disease control measures imposed by said health authority pursuant to Chapter 81 of the Texas Health and Safety Code or other applicable law.

7. All individuals currently living within the City of Marshall, Texas (the “City” ) are ordered to shelter at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 11. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to utilize Social Distancing Requirements in their operation).
8. All businesses with a facility in the City, except Essential Businesses as defined below in Section 11, are required to cease all activities at facilities located within the City except Minimum Basic Operations, as defined in Section 11. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open; however, even Essential Businesses are encouraged to determine essential staff necessary to operate and to send non-essential staff home. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 11 below, including, but not limited to, when any customers are standing in line.
9. All public and private gatherings of any number of people occurring outside a household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 11. Nothing in this Order prohibits the gathering of members of a household or living unit.
10. All travel, except Essential Travel and Essential Activities as defined below in Section 11, is prohibited. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 11 below, to the greatest extent feasible. This Order allows travel into or out of the City to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.
11. Definitions and Exemptions:
  - A. For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities”:

- i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home;
- ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
- iii. To engage in outdoor activity, such as, by way of example and without limitation, walking, hiking, running or riding a bicycle. Except for members of a residence who are sheltering together, the individuals shall comply with Social Distancing Requirements as defined in this Section:
- iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations; and
- v. To care for a family member or pet in another household.

But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.

- B. For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals clinics, dentists, pharmacies, pharmaceutical, and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.

- C. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure” which is defined as the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Security Agency (CISA), including, but not limited to, construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, and essential manufacturing operations, provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.
- D. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel (including local, municipal, state and federal courts and those who serve any function in those courts), and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Function”, as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.
- E. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
- F. For the purpose of this Order, “Essential Businesses” means:
- i. Healthcare Operations and Essential Infrastructure;
  - ii. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products), and liquor stores. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences:

- iii. Food cultivation, including farming, livestock, and fishing;
- iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- v. Newspapers, television, radio, and other media services;
- vi. Gas stations and auto-supply, auto-repair, and related facilities;
- vii. Banks and related financial institutions;
- viii. Hardware and construction supply stores;
- ix. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- x. Businesses providing mailing and shipping services, including post office boxes;
- xi. Laundromats, drycleaners, and laundry service providers;
- xii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up or take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xiii. Businesses that supply products needed for people to work from home;
- xiv. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
- xv. Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xvi. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;

- xvii. Home-based care for seniors, adults, or children;
  - xviii. Residential facilities and shelters for seniors, adults, and children;
  - xix. Professional services: legal, accounting, insurance, real estate services (including appraisal, survey, and title services);
  - xx. Childcare facilities providing services that enable employees exempted in this Order to work as permitted;
  - xxi. Utilities, all telecommunications including internet service providers, trash collection and disposal, law enforcement, EMS/ambulance, corrections, dispatch, private investigators, animal shelters, governmental employees who have not been specifically deemed non-essential and sent home by the government entity;
  - xxii. Janitorial and maintenance services, funeral industry, defense industry, space and technology industry, technology support, and scientific research; and
  - xxiii. Religious services provided in residences, Healthcare Operations, at funerals, or provided online while being broadcast from a religious facility.
  - xxiv. Educational institutions including public, private, elementary through high school and institutions of higher education may provide support services to effectively operate online classes and to serve students who may reside on campus.
- G. For the purposes of this Order, “Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:
- i. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions; and
  - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- H. For the purposes of this Order, “Essential Travel” includes travel for any of the following purposes:

- i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations;
- ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
- iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
- iv. Travel to return to a place of residence from outside the jurisdiction;
- v. Travel required by law enforcement or court order; or
- vi. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel.

Individuals engaged in any Essential Travel must comply with all Social Distancing requirements as defined in this Section.

- I. For purposes of this Order, residences include hotels, motels, shared rental units, and similar facilities.
  - J. For purposes of this Order, “Social Distancing Requirements” includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
12. Non-essential businesses shall shut down except for maintaining Minimum Basic Operations as defined herein. Essential Businesses exempted from shut-down are encouraged to determine staff who are essential to operations and to send non-essential staff home.
  13. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 11 above.
  14. Sections 7 through 13 in this Order were effective at 11:59 p.m. on April 13, 2020, and shall continue in effect until further notice.

15. In accordance with federal guidelines, people are still prohibited from visiting nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance. Additionally, schools will remain temporarily closed to in-person classroom attendance.
16. Citizens are urged to follow the following Centers for Disease Control's (CDC) national guidelines, Executive Orders by Governor Greg Abbott and the City of Marshall Second Amended Declaration of Local Disaster and Public Health Emergency Related to Communicable Disease;
  - i. Restrict physical contact and publicly used areas.
  - ii. Maintain Social Distancing with a safe distance of six (6') feet between individuals.
  - iii. Every person in Texas shall avoid social gatherings in groups of 10 or more per Executive Order of Governor Abbott.
  - iv. Residents should not visit nursing homes, retirement, or long-term care facilities unless to provide critical assistance.
  - v. In accordance with the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors. Residents may still utilize drive-thru, pickup, or delivery options through the Executive Order.
  - vi. Regularly wash hands with warm soap and water for at least 20 seconds.
  - vii. Avoid touching eyes, nose, or mouth.
  - viii. If soap is not available, use at least a 60% alcohol-based hand sanitizer.
  - ix. Avoid close contact with people who are sick. All persons should remain in the home if one person in the home exhibits symptoms.
  - x. Essential errands should be conducted by only one adult from the household. All other family members should remain sheltered at home.
  - xi. CDC recommends wearing a cloth face mask in public. The mask will fit snugly, be secured with ear loops, and be able to be laundered and machine dried often. A mask should not be placed on children under age 2, anyone who has trouble breathing, or unable to remove the mask without assistance. A mask with multiple layers of fabric should allow for breathing without restriction. The cloth face coverings recommended are not surgical masks or N-95 respirators as those critical supplies that must continue to be reserved for healthcare workers and first responders.
17. All provisions of this Order should be interpreted to effectuate its intent.
18. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
19. Physicians and/or medical providers shall report all lab confirmed positive cases to the Texas Department of State Health Services at 866-310-9698 immediately.

20. In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this Order commits an offense punishable by a fine up to \$1,000.00 and/or confinement in jail for a term that does not exceed 180 days, and each day or portion of a day that such a violation continues shall constitute a separate offense.
21. The City of Marshall shall promptly provide copies of this Order by posting it on the City of Marshall website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.
22. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
23. Except as expressly provided otherwise herein, this Order shall take effect immediately from and after its issuance and remain in place until further notice.

PROCLAIMED and ORDERED this 13<sup>th</sup> day of April 2020.



---

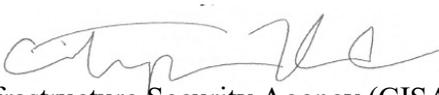
Terri Brown, Mayor

**CISA**  
CYBER+INFRASTRUCTURE

March 19, 2020

**MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL  
INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE**

FROM: Christopher C. Krebs  
Director  
Cybersecurity and Infrastructure Security Agency (CISA)



---

As the Nation comes together to slow the spread of COVID-19, on March 16<sup>th</sup>, the President issued updated Coronavirus Guidance for America. This guidance states that:

*“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule.”*

The Cybersecurity and Infrastructure Security Agency (CISA) executes the Secretary of Homeland Security’s responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall federal effort to ensure the security and resilience of the Nation’s critical infrastructure. CISA uses trusted partnerships with both the public and private sectors to deliver infrastructure resilience assistance and guidance to a broad range of partners.

In accordance with this mandate, and in collaboration with other federal agencies and the private sector, CISA developed an initial list of “Essential Critical Infrastructure Workers” to help State and local officials as they work to protect their communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. The list can also inform critical infrastructure community decision-making to determine the sectors, sub-sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance.

The attached list identifies workers who conduct a range of operations and services that are essential to continued critical infrastructure viability, including staffing operations centers, maintaining and repairing critical infrastructure, operating call centers, working construction, and performing management functions, among others. The industries they support represent, but are not necessarily limited to, medical and healthcare, telecommunications, information technology systems, defense, food and agriculture, transportation and logistics, energy, water and wastewater, law enforcement, and public works.

We recognize that State, local, tribal, and territorial governments are ultimately in charge of implementing and executing response activities in communities under their jurisdiction, while the Federal Government is in a supporting role. As State and local communities consider COVID-19-related restrictions, CISA is offering this list to assist prioritizing activities related to continuity of operations and incident response, including the appropriate movement of critical infrastructure workers within and between jurisdictions.

**Accordingly, this list is advisory in nature. It is not, nor should it be considered to be, a federal directive or standard in and of itself.**

In addition, these identified sectors and workers are not intended to be the authoritative or exhaustive list of critical infrastructure sectors and functions that should continue during the COVID-19 response. Instead, State and local officials should use their own judgment in using their authorities and issuing implementation directives and guidance. Similarly, critical infrastructure industry partners will use their own judgment, informed by this list, to ensure continued operations of critical infrastructure services and functions. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

CISA will continue to work with you and our partners in the critical infrastructure community to update this list as the Nation's response to COVID-19 evolves. We also encourage you to submit how you might use this list so that we can develop a repository of use cases for broad sharing across the country.

Should you have questions about this list, please contact CISA at [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov).

**Attachment:** "Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response"



**CISA**  
CYBER+INFRASTRUCTURE

DEFEND TODAY, SECURE TOMORROW

# Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response

Version 1.1 (March 23, 2020)

## THE IMPORTANCE OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

Functioning critical infrastructure is imperative during the response to the COVID-19 emergency for both public health and safety as well as community well-being. Certain critical infrastructure industries have a special responsibility in these times to continue operations.

This guidance and accompanying list are intended to support State, Local, and industry partners in identifying the critical infrastructure sectors and the essential workers needed to maintain the services and functions Americans depend on daily and that need to be able to operate resiliently during the COVID-19 pandemic response.

This document gives guidance to State, local, tribal, and territorial jurisdictions and the private sector on defining essential critical infrastructure workers. Promoting the ability of such workers to continue to work during periods of community restriction, access management, social distancing, or closure orders/directives is crucial to community resilience and continuity of essential functions.

## CONSIDERATIONS FOR GOVERNMENT AND BUSINESS

This list was developed in consultation with federal agency partners, industry experts, and State and local officials, and is based on several key principles:

1. Response efforts to the COVID-19 pandemic are locally executed, State managed, and federally supported
2. Everyone should follow guidance from the CDC, as well as State and local government officials, regarding strategies to limit disease spread.
3. Workers should be encouraged to work remotely when possible and focus on core business activities. In-person, non-mandatory activities should be delayed until the resumption of normal operations.
4. When continuous remote work is not possible, businesses should enlist strategies to reduce the likelihood of spreading the disease. This includes, but is not necessarily limited to, separating staff by off-setting shift hours or days and/or social distancing. These steps can preserve the workforce and allow operations to continue.

5. All organizations should implement their business continuity and pandemic plans, or put plans in place if they do not exist. Delaying implementation is not advised and puts at risk the viability of the business and the health and safety of the employees.
6. In the modern economy, reliance on technology and just-in-time supply chains means that certain workers must be able to access certain sites, facilities, and assets to ensure continuity of functions.
7. Government employees, such as emergency managers, and the business community need to establish and maintain lines of communication.
8. When government and businesses engage in discussions about critical infrastructure workers, they need to consider the implications of business operations beyond the jurisdiction where the asset or facility is located. Businesses can have sizeable economic and societal impacts as well as supply chain dependencies that are geographically distributed.
9. Whenever possible, jurisdictions should align access and movement control policies related to critical infrastructure workers to lower the burden of workers crossing jurisdictional boundaries.

## IDENTIFYING ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

The following list of sectors and identified essential critical infrastructure workers are an initial recommended set and are intended to be overly inclusive reflecting the diversity of industries across the United States. CISA will continually solicit and accept feedback on the list (both sectors/sub sectors and identified essential workers) and will evolve the list in response to stakeholder feedback. We will also use our various stakeholder engagement mechanisms to work with partners on how they are using this list and share those lessons learned and best practices broadly. We ask that you share your feedback, both positive and negative on this list so we can provide the most useful guidance to our critical infrastructure partners. Feedback can be sent to [CISA.CAT@CISA.DHS.GOV](mailto:CISA.CAT@CISA.DHS.GOV).



CONNECT WITH US  
[www.cisa.gov](http://www.cisa.gov)

For more information,  
 email [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov)



[Linkedin.com/company/cybersecurity-and-infrastructure-security-agency](https://www.linkedin.com/company/cybersecurity-and-infrastructure-security-agency)



@CISAgov | @cyber | @uscert\_gov



[Facebook.com/CISA](https://www.facebook.com/CISA)

## HEALTHCARE / PUBLIC HEALTH

- Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)
- Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)
- Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals (including materials used in radioactive drugs), blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information
- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident

CONNECT WITH US  
[www.cisa.gov](http://www.cisa.gov)

For more information,  
 email [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov)



[Linkedin.com/company/cybersecurity-and-infrastructure-security-agency](https://www.linkedin.com/company/cybersecurity-and-infrastructure-security-agency)



[@CISAgov](https://twitter.com/CISAgov) | [@cyber](https://twitter.com/cyber) | [@uscert\\_gov](https://twitter.com/uscert_gov)



[Facebook.com/CISA](https://www.facebook.com/CISA)

## LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS

- Personnel in emergency management, law enforcement, Emergency Management Systems, fire, air medical, and corrections, including front line and management
- Emergency Medical Service Technicians
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector.
- Workers – including contracted vendors – who maintain, manufacture, or supply digital systems infrastructure supporting law enforcement emergency service, and response operations.

## FOOD AND AGRICULTURE

- Workers supporting groceries, pharmacies, convenience stores, and other retail that sells human food, animal/pet food, and beverage products
- Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees
- Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging
- Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically
- Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs
- Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers
- Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail
- Company cafeterias - in-plant cafeterias used to feed employees
- Workers in food testing labs in private industries and in institutions of higher education
- Workers essential for assistance programs and government payments
- Employees of companies engaged in the production, storage, transport, and distribution of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids
- Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants, renderers, and associated regulatory and government workforce
- Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

CONNECT WITH US  
[www.cisa.gov](http://www.cisa.gov)

For more information,  
 email [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov)



[Linkedin.com/company/cybersecurity-and-infrastructure-security-agency](https://www.linkedin.com/company/cybersecurity-and-infrastructure-security-agency)



[@CISAgov](https://twitter.com/CISAgov) | [@cyber](https://twitter.com/cyber) | [@uscert\\_gov](https://twitter.com/uscert_gov)



[Facebook.com/CISA](https://www.facebook.com/CISA)

## ENERGY

### Electricity industry:

- Workers who maintain, ensure, or restore, or are involved in the development, transportation, fuel procurement, expansion, or operation of the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians
- Workers needed for safe and secure operations at nuclear generation
- Workers at generation, transmission, and electric blackstart facilities
- Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities
- Mutual assistance personnel
- IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers; cybersecurity risk management
- Vegetation management crews and traffic workers who support
- Environmental remediation/monitoring technicians
- Instrumentation, protection, and control technicians

### Petroleum workers:

- Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport
- Crude oil storage facilities, pipeline, and marine transport
- Petroleum refinery facilities
- Petroleum security operations center employees and workers who support emergency response services
- Petroleum operations control rooms/centers
- Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feedstocks for chemical manufacturing
- Onshore and offshore operations for maintenance and emergency response
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them

### Natural and propane gas workers:

- Natural gas transmission and distribution pipelines, including compressor stations
- Underground storage of natural gas
- Natural gas processing plants, and those that deal with natural gas liquids
- Liquefied Natural Gas (LNG) facilities
- Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation
- Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls
- Propane gas service maintenance and restoration, including call centers

CONNECT WITH US  
[www.cisa.gov](http://www.cisa.gov)

For more information,  
 email [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov)



[Linkedin.com/company/cybersecurity-and-infrastructure-security-agency](https://www.linkedin.com/company/cybersecurity-and-infrastructure-security-agency)



[@CISAgov](https://twitter.com/CISAgov) | [@cyber](https://twitter.com/cyber) | [@uscert\\_gov](https://twitter.com/uscert_gov)



[Facebook.com/CISA](https://www.facebook.com/CISA)

- Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing
- Propane gas storage, transmission, and distribution centers

## WATER AND WASTEWATER

Employees needed to operate and maintain drinking water and wastewater/drainage infrastructure, including:

- Operational staff at water authorities
- Operational staff at community water systems
- Operational staff at wastewater treatment facilities
- Workers repairing water and wastewater conveyances and performing required sampling or monitoring
- Operational staff for water distribution and testing
- Operational staff at wastewater collection facilities
- Operational staff and technical support for SCADA Control systems
- Chemical suppliers for wastewater and personnel protection
- Workers that maintain digital systems infrastructure supporting water and wastewater operations

## TRANSPORTATION AND LOGISTICS

- Employees supporting or enabling transportation functions, including truck drivers, bus drivers, dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-jurisdiction travel)
- Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
- Mass transit workers
- Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment
- Maritime transportation workers - port workers, mariners, equipment operators
- Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions, and services
- Automotive repair and maintenance facilities
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations
- Postal and shipping workers, to include private companies
- Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- Air transportation employees, including air traffic controllers and maintenance personnel, ramp workers, aviation and aerospace safety, security, and operations personnel and accident investigations
- Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers

CONNECT WITH US  
[www.cisa.gov](http://www.cisa.gov)

For more information,  
 email [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov)



[Linkedin.com/company/cybersecurity-and-infrastructure-security-agency](https://www.linkedin.com/company/cybersecurity-and-infrastructure-security-agency)



[@CISAgov](https://twitter.com/CISAgov) | [@cyber](https://twitter.com/cyber) | [@uscert\\_gov](https://twitter.com/uscert_gov)



[Facebook.com/CISA](https://www.facebook.com/CISA)

## PUBLIC WORKS

- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees
- Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues
- Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences
- Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications
- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste

## COMMUNICATIONS AND INFORMATION TECHNOLOGY

### Communications:

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations (including cable marine depots and submarine cable ship operators), Internet Exchange Points, and manufacturers and distributors of communications equipment
- Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- Installation, maintenance and repair technicians that establish, support or repair service as needed
- Central office personnel to maintain and operate central office, data centers, and other network office facilities
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting
- Dispatchers involved with service repair and restoration

### Information Technology:

- Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as

CONNECT WITH US  
[www.cisa.gov](http://www.cisa.gov)

For more information,  
 email [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov)



[Linkedin.com/company/cybersecurity-and-infrastructure-security-agency](https://www.linkedin.com/company/cybersecurity-and-infrastructure-security-agency)



[@CISAgov](https://twitter.com/CISAgov) | [@cyber](https://twitter.com/cyber) | [@uscert\\_gov](https://twitter.com/uscert_gov)



[Facebook.com/CISA](https://www.facebook.com/CISA)

manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure

- Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel
- Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- Support required for continuity of services, including janitorial/cleaning personnel

## OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS

- Workers to ensure continuity of building functions
- Security staff to maintain building access control and physical security measures
- Elections personnel
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- Trade Officials (FTA negotiators; international data flow administrators)
- Weather forecasters
- Workers that maintain digital systems infrastructure supporting other critical government operations
- Workers at operations centers necessary to maintain other essential functions
- Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- Customs workers who are critical to facilitating trade in support of the national emergency response supply chain
- Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing
- Hotel Workers where hotels are used for COVID-19 mitigation and containment measures

## CRITICAL MANUFACTURING

- Workers necessary for the manufacturing of materials and products needed for medical supply chains, and for supply chains associated with transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base. Additionally, workers needed to maintain the continuity of these manufacturing functions and associated supply chains.

## HAZARDOUS MATERIALS

- Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
- Workers who support hazardous materials response and cleanup
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations

CONNECT WITH US  
[www.cisa.gov](http://www.cisa.gov)

For more information,  
 email [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov)

 [Linkedin.com/company/cybersecurity-and-infrastructure-security-agency](https://www.linkedin.com/company/cybersecurity-and-infrastructure-security-agency)

 @CISAgov | @cyber | @uscert\_gov

 [Facebook.com/CISA](https://www.facebook.com/CISA)

## FINANCIAL SERVICES

- Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- Workers who support financial operations, such as those staffing data and security operations centers

## CHEMICAL

- Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
- Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items
- Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products
- Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections
- Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing

## DEFENSE INDUSTRIAL BASE

- Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers
- Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/contractor-operated and government-owned/government-operated facilities

CONNECT WITH US  
[www.cisa.gov](http://www.cisa.gov)

For more information,  
 email [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov)

 [Linkedin.com/company/cybersecurity-and-infrastructure-security-agency](https://www.linkedin.com/company/cybersecurity-and-infrastructure-security-agency)

 @CISAgov | @cyber | @uscert\_gov

 [Facebook.com/CISA](https://www.facebook.com/CISA)

## **ITEM 8A**

### **SECOND READING OF ORDINANCE**

**APPROVAL OF AN ORDINANCE  
AMENDING THE 2020 ANNUAL BUDGET  
TO PROVIDE FOR ADJUSTMENTS IN  
SELECTED DEPARTMENTS AND THE  
ESTABLISHMENT OF A NEW  
ECONOMIC DEVELOPMENT FUND**

## MEMORANDUM

To: Mark Rohr, City Manager

From: Elaine Altman, Finance Director

Date: April 2, 2020

Subject: Approval of an Ordinance amending the 2020 Annual Budget to provide for adjustments in selected departments and the establishment of a new Economic Development Fund

---

Listed below are savings opportunities that have or will free up funds to pay for 2020 reorganization expenses (also detailed below). The reorganization expenses are consistent with the 2019 Mobilize Marshall Plan and will further align staff with that plan and contribute to a more efficient organization. Net savings from these changes total \$109,093.

### Savings Opportunities

• Eliminate Support Services Director Position (Salary & Benefits-11 months)	\$114,345
• Move Support Services Admin to HR (Salary & Benefits – 8 months)	\$ 33,853
• Retirement of Assistant Director of Public Works	\$ 12,141
• Close Annex Building	<u>\$ 20,000</u>
<b>Total Savings</b>	<b>\$180,339</b>

### Reorganization Expenses W&S Fund

• Add Part-time Admin	\$23,525
• Superintendent – reclassify to Assistant Director (1 step pay increase)	\$ 2,839
• Public Works Admin – (2 step pay increase)	\$ 2,731
• Public Works Director – (1 step pay increase)	<u>\$ 4,030</u>
<b>W&amp;S Reorganization Expense</b>	<b>\$33,125</b>

### Reorganization Expenses General Fund

• Support Service Director move to PW Superintendent (1 step pay increase)	\$ 2,406
• Public Works Crew Supervisor (reclassify / pay increase)	\$ 2,677
• Combine 2 Part-time ROW positions to 1 Full-time position	\$ 833
• Add 1 Full-time ROW position	<u>\$32,205</u>
<b>General Fund Reorganization Expense</b>	<b>\$38,121</b>
<b>NET SAVINGS</b>	<b>\$109,093</b>

In addition, the Ordinance includes the establishment of a new Economic Development Fund (Fund 85). \$15,000 in revenue generated from the Union Pacific Railroad for abandoned right-of-ways will be allocated to this fund. The Commission approved the sale of abandoned right-of-ways on December 16, 2019.

Ordinance No. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO 19-19 TO AMEND THE 2020 ANNUAL BUDGET OF THE CITY OF MARSHALL, TEXAS**

**WHEREAS**, on September 26, 2019 the City of Marshall, Texas passed Ordinance No. 19-19 adopting the 2020 Annual Budget; and

**WHEREAS**, the City of Marshall, Texas desires to amend the 2020 Annual Budget to better align staff and their resources to accomplish the goals outlined in the Mobilize Marshall Strategic Plan which was adopted by Resolution No. 19-14;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARSHALL THAT:**

The appropriations for the fiscal year beginning January 1, 2020 and ending December 31, 2020 for the support of the General and W&S Funds be amended to appropriate funds from the following accounts:

Account Number	Description	Amount
<b>Savings Opportunities</b>		
01-0101-14-01/40-0101-20-01	Eliminate Support Services Director Position (Salary & Benefits-11 months)	114,345
01-0106-14-01/01-0106-14-04	Move Support Services Admin to HR (Salary & Benefits – 8 months)	33,853
40-0101-20-02/40-0104-20-04	Retirement of Assistant Director of Public Works	12,141
01-0337-16-04	Close Annex Building	20,000
<b>Total Savings</b>		<b>180,339</b>
<b>Reorganization Expenses W&amp;S Fund</b>		
40-0110-20-01	Add Part-time Admin	23,525
40-0101-20-03	Superintendent – reclassify to Assistant Director (1 step pay increase)	2,839
40-0106-20-01	Public Works Admin – (2 step pay increase)	2,731
40-0101-20-01	Public Works Director – (1 step pay increase)	4,030
<b>W&amp;S Reorganization Expense</b>		<b>33,125</b>
<b>Reorganization Expenses General Fund</b>		
01-0103-16-02	Support Service Director move to PW Superintendent (1 step pay increase)	2,406
01-0107-05-02	Public Works Crew Supervisor (reclassify / pay increase)	2,677
01-0110-05-06	Combine 2 Part-time ROW positions to 1 Full-time position	833
01-0108-05-06	Add 1 Full-time ROW position	32,205
<b>General Fund Reorganization Expense</b>		<b>38,121</b>
<b>NET SAVINGS</b>		<b>109,093</b>

The appropriations for the fiscal year beginning January 1, 2020 and ending December 31, 2020 for the establishment of the Economic Development Fund – (Fund 85):

**Economic Development Fund – (Fund 85)     \$ 15,000**

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAINED: \_\_\_\_\_

**PASSED, APPROVED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAINED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR OF THE CITY COMMISSION  
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

**ITEM 8B**

**SECOND READING OF ORDINANCE**

**APPROVAL OF AN ORDINANCE  
AMENDING THE 2020 ANNUAL BUDGET  
TO APPROPRIATE FUNDS FROM  
RESERVES**

## MEMORANDUM

To: Mark Rohr, City Manager

From: Elaine Altman, Finance Director

Date: April 2, 2020

Subject: Approval of an Ordinance amending the 2020 Annual Budget to appropriate funds from Reserves

---

The attached ordinance provides for a budget amendment by appropriating \$412,703 from the General Fund unobligated reserves and \$39,502 from the Water and Sewer Enterprise Fund unobligated reserves. These amendments are necessary to provide additional funds for the following:

### GENERAL FUND

Nondepartmental Health Insurance – This amendment provides for **\$92,235** of incremental health insurance premiums. The expenditure was approved by the Commission on December 12, 2019.

Nondepartmental Professional Services – This amendment provides for **\$46,885** of incremental expenses for demolition, disposal, slab reconstruction and asbestos removal of the Perkins Building. \$222,315 of this expense was paid for by a Community Development Block Grant. The commission approved this expenditure at the December 12, 2019 commission meeting.

Nondepartmental Professional Services – This amendment provides for **\$42,500** of engineering services performed by Hayes Engineering for the Downtown Redevelopment Plan.

Public Services Streets – This amendment provides for **\$58,000** of street light electric service. The adopted Budget for this service was not sufficient to cover this expense. It also provides for **\$173,083** of funds to pay for the Johnston St. Construction Sidewalk project approved by the Commission on February 8, 2018.

**WATER & SEWER ENTERPRISE FUND**

Nondepartmental Health Insurance – This amendment provides for **\$39,502** of incremental health insurance premiums. The expenditure was approved by the Commission on December 12, 2019.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. O-19-19 TO AMEND THE 2020 ANNUAL BUDGET OF THE CITY OF MARSHALL, TEXAS**

**WHEREAS**, on September 26, 2019 the City of Marshall, Texas passed Ordinance No. O-19-19 adopting the 2020 annual budget; and

**WHEREAS**, the City of Marshall, Texas desires to amend the 2020 annual budget to provide for additional expenditures to meet unusual and unforeseen conditions, which could not, by reasonable diligent thought and attention, have been included in the original budget;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARSHALL THAT:**

The appropriations for the fiscal year beginning January 1, 2020 and ending December 31, 2020 for the support of the General Fund be amended to appropriate funds from General Fund Reserves to provide additional funds needed for the following:

**General Fund Amendments**

	<u>Increase in 2020 Expense Budget</u>
Nondepartmental:	
Health Insurance (01-0302-12-00)	92,235
Professional Services (01-0305-12-00)	89,385
Public Services:	
Streets (01-0356-05-02)	<u>\$ 231,083</u>
Net Increase	<u>\$ 412,703</u>

**Water & Sewer Fund Amendments**

The appropriations for the fiscal year beginning January 1, 2020 and ending December 31, 2020 for the support of the Water & Sewer Fund (Fund 40) to be amended to appropriate funds from Water & Sewer Fund Reserves to provide additional funds needed for the following:

	<u>Increase in 2020 Expense Budget</u>
Nondepartmental:	
Health Insurance (40-0302-21-00)	<u>\$ 39,502</u>
Net Increase	<u>\$ 39,502</u>

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES: \_\_\_\_\_  
 NOES: \_\_\_\_\_  
 ABSTAINED: \_\_\_\_\_

**PASSED, APPROVED, AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES: \_\_\_\_\_  
 NOES: \_\_\_\_\_  
 ABSTAINED: \_\_\_\_\_

\_\_\_\_\_  
 MAYOR OF THE CITY COMMISSION  
 OF THE CITY OF MARSHALL, TEXAS

ATTEST:

---

CITY SECRETARY

## **ITEM 9**

# **ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

## **ITEM 10**

# **ADJOURNMENT**