



Legislation Details (With Text)

**File #:** ORD 19-035    **Version:** 1    **Name:**  
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**File created:** 3/26/2019    **In control:** City Council  
**On agenda:** 4/2/2019    **Final action:**  
**Title:** Consideration of and action on an ordinance ratifying the City Manager's implementation of the emergency pay period in response to the fire at Intercontinental Terminals Company.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance - Emergency Pay Policy

Date	Ver.	Action By	Action	Result
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Consideration of and action on an ordinance ratifying the City Manager's implementation of the emergency pay period in response to the fire at Intercontinental Terminals Company.

Summary:

On Sunday, March 17, 2019 at approximately 10:00 AM, Intercontinental Terminals Company (ITC) experienced a fire in one of their tank farms at 1943 Independence Parkway South. Not knowing what chemical was involved, the City issued a Shelter-In-Place at approximately 11:21 AM that morning. ITC did not issue a press release to identify the chemical(s) burning until 3:30 PM that afternoon when the chemical was identified as Naphtha, a component of gasoline. The Shelter-in-Place was kept in place until the following morning, March 18, 2019, at 6:00 AM. During the Shelter-In-Place, State Highway 225 from Beltway 8 to Independence Parkway was closed.

Throughout the week, ITC, the City, and several other agencies conducted air monitoring activities as the fire spread to nearby tanks and continued to burn. On Thursday, March 21, 2019, the City issued a second Shelter-in-Place following reports of action levels of benzene or other volatile organic compounds (VOCs) within the City limits. State Highway 225 was also closed from Beltway 8 to Miller Cut-Off Road. City offices were closed until 1:00 PM that afternoon.

Due to the threat of the ITC fire, the City of Deer Park's Emergency Operations Center (EOC) was in operation from Sunday, March 17, 2019 from 10:00 AM through Wednesday, March 27, 2019, at 3:00 PM. The City Manager has implemented two emergency pay periods as follows:

- \* Sunday, March 17, 2019 from 10:00 AM through Monday, March 18, 2019, at 6:00 AM
- \* Thursday, March 21, 2019, from 3:00 AM through 1:00 PM

Additionally, as approved by the City Manager, personnel working in an EOC or outside of their

normal duties to support EOC operations, were paid under the emergency pay policy for the entirety of the period, Sunday, March 17, 2019 from 10:00 AM through Wednesday, March 27, 2019, at 3:00 PM, for hours worked that were related to EOC operations.

**Fiscal/Budgetary Impact:**

Emergency response and recovery costs associated with the ITC Fire will be linked to a specific Project Code for tracking force account labor and other costs associated with the City's activities related to this event. The City intends to file a claim against ITC for all labor and operating costs associated with its efforts related to the ITC Fire, including opportunity costs.

Staff recommends approval.