

DECLARATION OF DISASTER AND PUBLIC HEALTH EMERGENCY

WHEREAS, in December 2019, a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubel Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 20, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of international Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, to date, there have been 194 confirmed positive cases in Texas; and

WHEREAS, on Wednesday March 11, 2020, the World Health Organization (WHO) declared the crisis that is now a pandemic after infecting nearly 229,390 people around the world and killed 8,300. 10,755 cases have been confirmed in the United States according to WHO.

WHEREAS, the virus is characterized by mild symptoms including a runny nose, sore throat, cough and fever, similar to the influenza where in severe cases it can lead to pneumonia or breathing difficulties according to WHO; and

WHEREAS, those with these symptoms who have traveled to or been in contact with an individual who has traveled to a country that has coronavirus in the last two weeks are urged to see their physician; and

WHEREAS, the disease can be fatal but only in older individuals and those with other medical conditions such as asthma, diabetes or heart disease may be more vulnerable to becoming severely ill; and

WHEREAS, due to pandemic, President Donald J. Trump announced a month-long travel restriction to several countries confirmed to have cases of the coronavirus that went into effect Friday, March 13, 2020; and

WHEREAS, on March 13, 2020, President Trump declared a state of emergency due to COVID- 19; and

WHEREAS, President Trump has invoked the Stafford Act, which will allow state and local governments to access federal disaster relief funds; and

WHEREAS, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying that COVID-19 poses an imminent threat of disaster for an counties in the state

of Texas; and

WHEREAS, the Texas Department of State Health Services has now determined that, as of March 19, 2020, COVID- 19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, the Governor of Texas has issued an Executive Order on March 19, 2020 relating to COVID-19 preparedness and mitigation regarding social gatherings, bars, restaurants, gyms, massage parlors, schools and nursing homes/retirement centers; and

WHEREAS, Bexar County has issued a disaster declaration and Executive Order by Judge Nelson Wolff on March 19, 2020 issuing price controls, restaurants, gyms, massage parlors, evictions, foreclosures, and other social distancing regulations and guidelines as applicable to all incorporated and unincorporated areas in the County; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the Emergency Management Director of the City of Live Oak, and may exercise the powers granted by the governor on an appropriate local scale; and

WHEREAS, Section 418.108(a) of the Texas Government Code provides that the presiding officer of the governing body of a political subdivision may declare a state of local disaster; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources; and

WHEREAS, by this Declaration of Disaster and Public Health Emergency, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

WHEREAS, pursuant to the authority granted to the Mayor under the Texas Disaster Act of 1975, I authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this situation; and

WHEREAS, I, Mary M. Dennis, the Mayor of the City of Live Oak, Texas have determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be impacted by COVID-19;

Declaration Regarding Emergency Measures, Public and Private Gatherings

1. The virus that causes COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle an influx of patients and safeguard public health and safety.
2. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Declaration in accordance with United States Centers for Disease Control and Prevention (CDC) recommendations prohibits all indoor public and private gatherings and outdoor gatherings within an enclosed space of 10 persons or more anywhere in the City of Live Oak beginning at 11:59 PM on March 20³ 2020 and continuing for seven (7) days, unless extended consistent with requirements of state law.
3. For all other gatherings, it is strongly recommended that social distancing protocols established by the United States Centers for Disease Control and Prevention (CDC) and found within the "Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission" issued by the United States Centers for Disease Control and Prevention "CDC" on or around March 15, 2020 (available online at <https://www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation-strategy.pdf>, including canceling, rescheduling, or not attending events with more than 10 persons.
4. Further, organizations should follow recommendations of the CDC to especially include those that serve high-risk populations (defined below) should follow CDC guidance for social distancing.
5. Definitions and further guidance:
 - a. For purposes of this Declaration, a "Mass Gathering" is any event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together ten (10) or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
 - b. Bars, restaurants, food courts, gyms and massage parlors shall close.
 - c. A food establishment, as defined below, may only provide take out, delivery, drive-in, room service, or drive-through services consistent with state and local laws. Any food establishment that provides services under this section must adhere to social

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF LIVE OAK:

1. That a local state of disaster and public health emergency is hereby declared for the City of Live Oak pursuant to the Texas Disaster Act of 1975 and Texas Government Code Section 418.108(a).
2. Pursuant to Section 418.108(b) of the Government Code, the state of disaster and public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration unless continued or renewed by the City Council of Live Oak.
3. Pursuant to Section 418.108(c) of the Government Code, this declaration of a local state of emergency and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to Section 418.108(d) of the Government Code, this declaration activates the city emergency management plan consistent with its Interjurisdictional program with Bexar County.
5. Pursuant to Section 418.020(c) of the Government Code, this declaration authorizes the city to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements.
6. Pursuant to Section 122.006 of the Health and Safety Code, this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, and regulating hospitals, regulating ingress and egress from the City, and fining those who do not comply with the City's rules.
7. This declaration shall take effect immediately from and after its issuance.

ORDERED AND DECLARED this the ^{3MD}20th day of March 2020.


Mary M. Dennis
City of Live Oak, Mayor

ATTEST:

Deborah L. Goza

Deborah L. Goza, City Secretary

distancing requires for any waiting area or queue.

- d. This Declaration also does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building, so long as 10 people are not present in any single space at the same time. This Declaration also does not prohibit use of enclosed spaces where 10 or more people may be present at different times during the day, so long as 10 or more people are not present in the space at the same time. For any gathering covered by this subsection d., compliance with Social Distancing Recommendations, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces is strongly encouraged.
 - e. For purposes of clarity, a "Mass Gathering" does not include the following: (i) and places of worship; (ii) office space, banks or financial institutions, hotels, or residential buildings; (iii) grocery stores, gas stations, or other retail or commercial establishments that provide critical infrastructure or essential services where large numbers of people are present but it is unusual for them to be within 6 foot of one another for extended periods; (iv) City Council Meetings with proper Social Distancing and (v) hospitals, medical facilities and shelters. In all such settings, it is recommended that the public follow Social Distancing Recommendations, and harm reduction measures such as hand sanitizer and tissues should be provided when possible.
 - f. People shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance
6. Reporting of COVID-19 Testing. All public, private, and commercial laboratories operating within the City of Live Oak or providing services to the City of Live Oak and its residents and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period (1) the number of COVID-19 tests performed; and (2) the number of positive COVID-19 tests to the City's designated representative for the Emergency Operations Center and the Local Health Authority for the City of Live Oak, **Dr. R. Donovan Butter** at donovanbutter@yahoo.com if either the specimen is collected in, or the test is performed in the City of Live Oak.
 7. The Local Health Authority and Director of Health may update restrictions set out in this Exhibit as necessary to respond to the evolving circumstances of this outbreak during the duration of the Mayor's Declaration of Public Health Emergency and any extension by the Live Oak City Council.