

**FIRST AMENDED DECLARATION OF LOCAL DISASTER FOR
PUBLIC HEALTH EMERGENCY**

Stay Home • Stay Safe

DATE AMENDED DECLARATION ISSUED: March 23, 2020

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei 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 30, 2020, the World Health Organization (WHO) 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, on March 5, 2020, the WHO Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

WHEREAS, on March 11, 2020, the WHO declared that the COVID-19 outbreak should be characterized as pandemic; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and

WHEREAS, over 15,219 cases of COVID-19 have been reported in the United States, including 41 deaths; and

WHEREAS, President Trump declared a national emergency on March 13, 2020; and

WHEREAS, Governor Greg Abbott declared a public health disaster on March 13, 2020; 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 all counties in the state; and

WHEREAS, the Mayor of Del Rio issued disaster declarations on March 19, 2020; and

WHEREAS, the Texas Department of State Health Services (DSHS) 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, reports received as of March 21, 2020, report more than 304 cases in Texas, and 50 states in the United States reporting more than 15,000 confirmed cases from government agencies and the CDC; and

WHEREAS, on March 18, 2020, the Val Verde County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Val Verde County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 3, 2020, unless rescinded by order of the Commissioners Court; and

WHEREAS, COVID-19 as compared to the seasonal flu shows results of a huge fatality rate difference of 1% and 0.1%; and

WHEREAS, COVID-19 as compared to H1N1, Swine Flu, had a fatality rate of only 0.02 percent; and

WHEREAS, COVID-19 is more contagious than seasonal influenza once symptoms appear, it may be possible to control by testing widely and quickly isolating those who have the disease; and

WHEREAS, DSHS, the Texas Division of Emergency Management (TDEM), and other state agencies continue their ongoing preparations so that all of state government is working together to limit the spread of the virus and protect Texans; and

WHEREAS, the estimated difference between a 0.1 percent and a 1.0 percent fatality rate could result in 360,000 dead Americans; and

WHEREAS, the responsibility of local, state and national government is dependent on how we respond when the difference in fatality rates demands extreme measures be taken to combat the COVID-19 as compared to the seasonal flu; and

WHEREAS, the CDC recommends that citizens stop handshaking, clean hands at the door, schedule regular hand washing, avoid touching faces and cover coughs and sneezes, disinfect surfaces like doorknobs, tables, desks, and handrails regularly, and increase ventilation by opening windows or adjusting air conditioning; and

WHEREAS, the CDC stated as of March 16, 2020, all events to 10+ people should be cancelled or held virtually;

WHEREAS, the CDC recommends the use of videoconferencing for meetings when possible, and adjusting or postponing large meetings or gatherings; and

WHEREAS, the CDC recommends citizens stay home if they are feeling sick or when they have a sick family member in their home; and

WHEREAS, households with vulnerable seniors and those with underlying health conditions should conduct themselves as if they were a significant risk to the person with underlying conditions; and

WHEREAS, the identification of “community spread” cases of COVID-19 in the United States could have signaled that transmission of the virus is no longer limited to those who traveled to China, or had contact with travelers who have visited China; and

WHEREAS, a large gathering of unidentifiable individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the mayor is designated as the emergency management director of the City of Del Rio, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to 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 isolation, surveillance, quarantine, or placement of persons under public health observation, 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, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of Del Rio residents; and

WHEREAS, the City of Del Rio will work collaboratively with Val Verde County to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and

WHEREAS, by this Declaration of 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, on March 23, 2020, the Val Verde County Judge issued an Amended Order of Declaration of Local Disaster for Public Health Emergency; and

WHEREAS, I, Bruno Lozano, the Mayor of the City of Del Rio, 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 infected or impacted by COVID-19.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF DEL RIO, TEXAS:

1. That a local state of disaster and public health emergency is hereby declared for the City of Del Rio 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 Del Rio.
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 418.020(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.
5. 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.
6. **DECLARATION REGARDING EMERGENCY MEASURES: Effective as of 11:59 p.m. on March 23, 2020, and continuing until 11:59 p.m. on April 3, 2020:**
 - a. All individuals currently living within the City of Del Rio are ordered to shelter at their place of residence. For the purposes of these Emergency Measures, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as 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, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Item 7 Section b.
 - b. All businesses operating within the City of Del Rio, except Essential Businesses as defined in Item 7 Section b., are required to cease all activities at facilities located within the City. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six foot social distancing for both employees and the general public.
 - c. All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
 - d. Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.

- e. Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines including the six foot social distancing.
- f. All elective medical, surgical, and dental procedures are prohibited anywhere in the City of Del Rio. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.
- g. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in the City of Del Rio are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.
- h. If someone in a household has tested positive for COVID-19 the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.
- i. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
- j. Public and private schools and institutions of higher education are instructed by this order to provide a safety plan to the City of Del Rio Emergency Management Office 72 hours before students return to a classroom setting.
- k. A 24-hour curfew shall be imposed on residents who are 17 years or younger who:
 - i. are not in school;
 - ii. are not accompanied by school personnel, a parent or guardian; or
 - iii. are not going directly to his/her place of employment or returning from his/her place of employment.
- l. Additionally, the Mayor instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City can use their paid sick leave when they are sick or to care for sick family members.

7. Definitions:

- a. For purposes of these Emergency Measures, 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 (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies 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 (for example, food, pet supply, 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, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in these Emergency Measures.
 - v. To care for a family member or pet in another household.
- b. For purposes of these Emergency Measures, “Essential Businesses” means:
- i. **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(f) of these Emergency Measures.
 - ii. **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Government Functions.” All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.
 - iii. **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial 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, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached.
 - iv. **Essential Retail.** Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, gas stations and convenience stores, farmers’ markets that sell food products and household staples. Food

cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Liquor stores but only by drive through service, Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto and bicycle repair, hardware stores, and related facilities. Businesses that supply products needed for people to work from home.

- v. Providers of Basic Necessities to Economically Disadvantaged Populations. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
 - vi. Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses. Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with support or supplies needed to operate.
 - vii. News Media. Newspapers, television, radio, and other media services.
 - viii. Childcare Services. Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
8. Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators may apply for an “essential business” exemption under these Emergency Measures.
9. Due to increased traffic in grocery stores and supermarkets and any retailer that stocks household items for essential use, and to ensure the public health and safety, the establishment of the following Emergency Measures are hereby **ORDERED**:
- a. Establish controls to require a minimum distance of six feet or more between patrons in lines queuing in front of and inside the establishment, using controls that may include, but are not limited to, a requirement that each person in the que possess a shopping cart or by placing markers to control the movement of patrons.
 - b. Limit entry into the establishment to one person per family.
 - c. No individual under the age of 16 shall be allowed entry into the establishment as a patron unless the individual is an employee of the establishment.

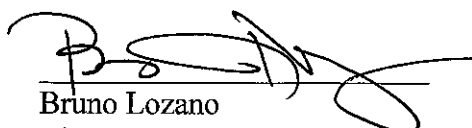
- d. Limit shopping to residents aged 65 and over between the hours of 10 a.m. – 11:30 a.m.
 - e. Each establishment shall limit the number of patrons (excluding employees as follows):
 - i. HEB located at 200 Veterans Blvd, Walmart located at 2410 Dodson Ave, as well as other qualified establishments that are the same size or larger, shall limit the number of patrons to 50 at any given time.
 - ii. HEB located at 500 Pecan Street as well other as well as other qualified establishments that are the same size or larger, shall limit the number of patrons to 25 at any given time.
 - iii. All other qualified establishments shall limit the number of patrons to 10 at any given time.
10. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in the City of Del Rio are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.
11. Public and private schools and institutions of higher education are instructed by this order to provide a safety plan to the City of Del Rio Emergency Management Office 72 hours before students return to a classroom setting.
12. A 24-hour curfew shall be imposed on residents who are 17 years or younger who:
- a. are not in school;
 - b. are not accompanied by school personnel, a parent or guardian; or
 - c. are not going directly to his/her place of employment or returning from his/her place of employment.
13. The Mayor hereby directs that the City Secretary save and post copies of this Declaration at City Hall and on the City of Del Rio 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.
14. Additionally, the City of Del Rio Mayor instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six or more employees in the City of Del Rio can use their paid sick leave when they are sick or to care for sick family members.
15. 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.

This Declaration and these Emergency Measures take effect at 11:59 p.m. on March 23, 2020 and will 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 Del Rio.

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 or confinement in jail for a term that does not exceed 180 days.


THE PURPOSE OF THIS ORDER IS FOR EMERGENCY PROTECTIVE MEASURES, MITIGATION PROCEDURES AND RESPONSE PLANS TO THIS PUBLIC HEALTH EMERGENCY.

ORDERED AND DECLARED this the 23rd day of March 2020.



Bruno Lozano
City of Del Rio, Mayor

ATTEST:



City Secretary Maria Acosta

**ATTACHMENT TO FIRST AMENDED
DECLARATION OF LOCAL DISASTER FOR
PUBLIC HEALTH EMERGENCY
DCHHS Social Distancing Recommendations**

1. Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2. Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3. Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to implement social distancing.

4. Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

5. Transit: Cleaning and Protection
 - Increase cleaning of vehicles and high touch surface areas.
 - Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
 - Ensure social distancing practices are implemented to the full extent possible.

6. Health Care Settings: Avoid as possible, protect the vulnerable
 - Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
 - Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
 - The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
 - If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
 - Do not visit emergency rooms unless it is essential.
 - Follow guidance and directions of all facilities.

7. Everyone: Do your part

The best way for all Val Verde County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

 - Wash hands with soap and water for at least 20 seconds.
 - Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
 - Stay home if you are sick.
 - Avoid touching your face.
 - Try alternatives to shaking hands, like an elbow bump or wave.
 - If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
 - There is no recommendation to wear masks at this time to prevent yourself from getting sick.

8. You can also prepare for the disruption caused by an outbreak. Preparedness actions include:
 - Prepare to work from home if that is possible for your job, and your employer.
 - Make sure you have a supply of all essential medications for your family.
 - Prepare a child care plan if you or a caregiver are sick.
 - Make arrangements about how your family will manage school closures.
 - Plan for how you can care for a sick family member without getting sick yourself.
 - Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
 - Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.