

DECLARATION OF LOCAL DISASTER
BY
PROCLAMATION OF THE MAYOR OF THE CITY OF SPRING BRANCH

WHEREAS, the global outbreak of the novel coronavirus originating in Wuhan City, Hubei Province, China, now designated as COVID-19, has been declared a Public Health Emergency of International Concern by the World Health Organization;

WHEREAS, Greg Abbott, the Governor of the State of Texas, issued a proclamation that declared COVID-19 as an imminent threat of disaster;

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

WHEREAS, Governor Abbot issued Executive Order GA-08 relating to COVID-19 preparedness and mitigation on March 19, 2020 ("Order GA-08") ordering the following: (1) every person in Texas shall avoid social gatherings in groups of more than 10 people; (2) people shall avoid eating or drinking at bars, restaurants and food courts, or visiting gyms or massage parlors; (3) people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance; and (4) schools are temporarily closed;

WHEREAS, travel-related and direct contact cases of COVID-19 have been identified in the area surrounding the City, including Comal County and Bexar County;

WHEREAS, the Centers for Disease Control and Prevention ("CDC") has advised that persons should avoid social gatherings in groups of more than 10 people to prevent the spread of COVID-19,

WHEREAS, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020 (the "President's Guidelines"), call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps;

WHEREAS, the outbreak of COVID-19 presents an imminent threat of widespread or severe damage, injury, or loss of life and property, and other resulting public calamity, which requires emergency action;

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

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control risk, promote health, request assistance from the governor of state resources, and access funds available for disaster relief and reimbursement at the state and federal level; and

WHEREAS, the Mayor of the City of Spring Branch has determined that extraordinary measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with COVID-19, as well as those that could be infected or impacted by COVID-19;

NOW THEREFORE, I, THE MAYOR AND PRESIDING OFFICER OF THE CITY COMMISSION OF THE CITY OF SPRING BRANCH, HEREBY PROCLAIM AND DECLARE:

SECTION 1. That a state of disaster is declared for the City of Spring Branch, Texas pursuant to Texas Government Code 418.108(a).

SECTION 2. Pursuant to Texas Government Code 418.108(b), this declaration of local disaster shall be in effect for seven days from this date unless continued or renewed by the City Council.

SECTION 3. That this declaration activates the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of all aid and assistance as deemed necessary or desirable by those administering such plans, and activates the preparedness and response aspects of such plans as provided therein pursuant to Texas Government Code 418.108(d).

SECTION 4. That this declaration shall be filed promptly with the City Secretary and shall be given prompt and general publicity pursuant to Texas Government Code 418.108(c).

SECTION 5. That all rules and regulations that may inhibit or prevent prompt response to the threat posed by COVID-19 are suspended for the duration of this incident and the Mayor is hereby authorized to exercise all emergency powers as are available to address this emergency.

SECTION 6. That the use of all available resources of state government and political subdivisions to assist in the City's response to this situation is authorized.

SECTION 7. Pursuant to the Texas Disaster Act of 1975, I, James Mayer, as Mayor of the City of Spring Branch, Texas, issue further guidance and restrictions set out within the Declaration Regarding Public and Private Gatherings attached hereto as Exhibit A, and incorporated herein for all purposes.

SECTION 8. That, as Mayor, I further reserve all other authority and powers conferred by state law to respond as necessary to this situation.

SECTION 9. That this proclamation shall take effect immediately from and after its issuance. SO
DECLARED AND ORDERED this the 23rd day of March , 2020.

A handwritten signature in black ink, appearing to read "James Mayer", written over a horizontal line.

James Mayer, Mayor

ATTEST:

Katherine Wells, City Clerk

EXHIBIT A

Declaration Regarding Public and Private Gatherings

This Declaration Regarding Public and Private Gatherings ("Declaration") applies in the city limits of the City of Bulverde, Texas for the duration of the order, ordinance, declaration, or other act of the City of Bulverde, Texas (the "City Act") to which it is attached.

1. State and Federal Orders. In accordance with Order GA-08 and the President's Guidelines:
 - A. Every person in the City shall avoid social gatherings in groups of more than 10 people;
 - B. People shall avoid eating or drinking at bars, restaurants, and food courts or visiting gyms or massage parlors, provided however that the use of drive-thru, pickup, or delivery options is allowed and highly encouraged.
 - c. People shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.
 - D. Schools, public and private, shall temporarily close.

2. Additional Regulations. To slow the spread of COVID-19, protect the ability of public and private health care providers to handle an influx of patients, and to protect the most vulnerable members of the community, the following regulations apply during the term of this Declaration:
 - A. All public or private Mass Gatherings, as that term is defined below, are prohibited.
 - B. The City strongly recommends that all persons and businesses exercise the social distancing protocols established by the CDC and found within the "Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission" issued by the CDC on or around March 11, 2020 (available online at: https://www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation_strategy.pdf)
 - c. Organizations that serve High-Risk Populations should also follow CDC guidance for social distancing.
 - D. A Food Establishment may only provide take out, delivery, drive-in, room service, or drive-thru services consistent with state and local laws. Any Food Establishment that provides services under this section shall adhere to social distancing protocols for any waiting area or queue, including but not limited to providing ample space for all customers such that persons are not within six feet of one another for an extended period of time.

- E. Bars (as that term is defined below), gyms, health studios (e.g. yoga, Pilates, dance, gymnastics, etc.), indoor commercial amusement businesses, bowling alleys, bingo parlors, and theaters shall close and remain closed at all times during the term of this Declaration.
3. Reporting of COVID-19 Testing. To the extent authorized under applicable law, all public, private, and commercial laboratories or health care facilities performing COVID19 testing or receiving COVID-19 test reports shall report to the City Manager the number of COVID-19 tests or reports performed or received each day, if any, and the number of positive COVID-19 tests each day, if any. This information shall be used solely for public health purposes to monitor the testing conducted in the City and mitigate and contain the spread of COVID-19.
4. Additional Measures. The City Manager, Mayor, City Council, or other authorized person may update the restrictions set out in this Declaration as necessary to respond to the evolving circumstances of the COVID- 19 outbreak during the term of the City Act.
5. Definitions. All capitalized terms that are not otherwise defined in this Declaration shall have that meaning ascribed to them in the City Act. Use of the plural includes the singular, and vice versa. In this Declaration, the following terms have that meaning ascribed to them in this section:
- A. "Mass Gathering" means any event or convening, subject to the exceptions or clarifications in this Declaration, that brings together or is likely to bring together fifty (50) or 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 space or Confined Outdoor Space. "Mass Gathering" does not include an event or convening at any of the following:
- (i) public or private schools, child-care facilities, places of worship, and funeral homes;
 - (ii) office space, hotels, or residential buildings;
 - (iii) grocery stores, outdoor markets, or other retail establishments where large numbers of people are present but it is unusual for them to be within six feet of one another for extended periods; (iv) hospitals, medical facilities, and shelters; and
 - (v) jails and detention centers.
- B "Confined Outdoor Space" means an outdoor space that:

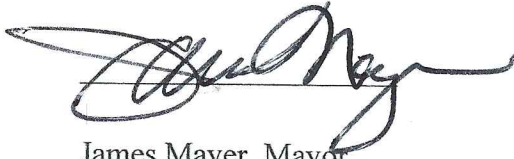
- (i) is enclosed by a fence, physical barrier, or other structure; and
 - (ii) where people are present and they are within six feet of one another for extended periods.
- c. "Food Establishment" means a restaurant with or without drive-in, drive-thru, room service, or curbside services, and includes a bed and breakfast or hotel that provides food service to its overnight guests or persons that are not its overnight guests. The term "Food Establishment" does not include a Bar.
- E. "High-Risk Population" means people who are:
 - (i) 60 years of age or older;
 - (ii) Affected by certain health conditions such as heart disease, lung disease, diabetes, kidney disease, or any other health condition that causes a weakened immune system or makes a person particularly susceptible to respiratory illness; or
 - (iii) Experiencing homelessness.
- F. "Bar" means an establishment where the revenue from the sale of alcoholic beverages for on-premises consumption constitutes more than 50% of the gross daily revenues for the business.

4. Clarification and Applicability. This Declaration does not prohibit people from visiting a variety of places, including grocery stores, gas stations, parks, and banks so long as the necessary precautions are maintained to reduce the transmission of COVID-19. This Declaration does not mandate sheltering in place. All critical infrastructure will remain operational, domestic travel will not be restricted, and government entities and businesses will continue to provide essential services. For offices and workplaces that remain open, employees should practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. Additionally, this Declaration does not prohibit:

- A. Gatherings of people in multiple, separate enclosed spaces in a single building, so long as 50 people are not present in any single space at the same time; or
- B. Use of enclosed spaces where 50 or more people may be present at different times during the day so long as 50 or more people are not present in the space at the same time.

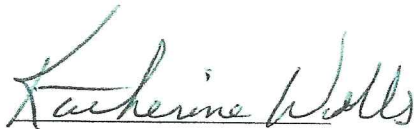
Provided, however, that compliance with social distancing protocols, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces is strongly encouraged.

SECTION 9. That this proclamation shall take effect immediately from and after its issuance. SO
DECLARED AND ORDERED this the 23rd day of March, 2020.

A handwritten signature in black ink, appearing to read "James Mayer", written in a cursive style.

James Mayer, Mayor

ATTEST:

A handwritten signature in green ink, appearing to read "Katherine Wells", written in a cursive style.

Katherine Wells, City Clerk