

**CITY OF ALAMO, TEXAS
MAYORAL DECLARATION OF LOCAL STATE OF DISASTER
DUE TO PUBLIC HEALTH EMERGENCY**

WHEREAS, beginning in December, 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

WHEREAS, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

WHEREAS, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

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

WHEREAS, the City of Alamo, Texas, is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

WHEREAS, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code. and

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

SECTION 1. That a local state of disaster for public health emergency is hereby declared for the City of Alamo, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

SECTION 2. That pursuant to Section 418.108(b) of the Texas Government Code the state of disaster for public health emergency shall continue for a period **effective 12:00a.m. on May 5th, 2021**, to continue unless modified and/or renewed by the City Commission of the City of Alamo, Texas.

SECTION 3. That pursuant to Section 418.108(c) of the Texas Government Code this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION 4. That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Alamo, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

SECTION 5. That this declaration authorizes the City to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures,

examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals, and other hospitals, and insuring compliance for those who do not comply with the City's rules, pursuant to Section 122.006 of the Health and Safety Code.

SECTION 6. MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES:

It is recommended that individuals minimize social gatherings, minimize in-person contact with people who are not in the same household. It is highly encouraged and recommended that all persons stay at home, unless obtaining or providing for essential services. Individuals should conduct personal activities in compliance with recommended guidelines including maintaining six feet physical distancing; washing hands with soap and water for at least twenty seconds or using hand sanitizer; covering coughs or sneezes; cleaning high-touch surfaces; not shaking hands; and covering mouth and nose.

This recommendation shall not apply to persons that are: engaging in outside physical activity; persons driving or riding in a personal vehicle during essential activities; persons that are alone in a separate single room or office space; persons that are with their own residence, including household members; persons with medical conditions that when covering the nose and mouth may pose a greater health, safety or security risk; persons that are not covering for consumption purposes.

It is recommended that every citizen wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or in an outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household

SECTION 7. COMMERCIAL BUSINESS OPERATIONS:

In accordance with Governor Abbott's Executive Order GA-34, and in accordance with guidance from medical advisors, this declaration hereby orders the following:

1. In all counties not in an area with high hospitalizations as defined below:
 - a. there are no COVID-19-related operating limits for any business or other establishment; and
 - b. individuals are strongly encouraged to wear face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.

"Area with high hospitalizations" means any Trauma Service Area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity exceeds 15 percent, until such time as the Trauma Service Area has seven

consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity is 15 percent or less.

2. In any county located in an area with high hospitalizations as defined above:

- a. there are no state-imposed COVID-19-related operating limits for any business or other establishment;
- b. there is no state-imposed requirement to wear a face covering; and
- c. the county judge may use COVID-19-related mitigation strategies; provided, however, that:
 - i. business and other establishments may not be required to operate at less than 50 percent of total occupancy, with no operating limits allowed to be imposed for religious services (including those conducted in churches, congregations, and houses of worship), public and private schools and institutions of higher education, and child-care services;
 - ii. no jurisdiction may impose confinement in jail as a penalty for violating any order issued in response to COVID-19; and
 - iii. no jurisdiction may impose a penalty of any kind for failure to wear a face covering or failure to mandate that customers or employees wear face coverings, except that a legally authorized official may act to enforce trespassing laws and remove violators at the request of a business establishment or other property owner.

SECTION 8. WORK SAFE MEASURES:

In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.

SECTION 9. SCHOOL GUIDELINES:

Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.

SECTION 10. NURSING HOMES, ASSISTED LIVING FACILITIES, ETC.:

As permitted by Governor's Executive Order GA-34 Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC including minimizing the movement of staff between facilities whenever possible.

SECTION 11. CITY OF ALAMO OPERATIONS SHALL BE AS FOLLOWS:

City of Alamo Facilities: To ensure the continued health and safety of City employees and the public, members of the public are encouraged to limit any in person transactions or visits to City facilities that are not related to emergency and essential services, as necessary. Essential services, to the extent practicable, will be available online, by regular U.S. Mail and over the phone. In person visits may be limited to appointments when necessary. All citizens are requested to visit the City of Alamo website for the most current information as to hours of operation and plans for continuing services. For the protection of City staff and citizens, some form of facial covering is required when entering into City buildings until further notice.

City of Alamo Parks: City owned park trails, walking tracks and all other amenities shall be opened to the public subject to social distancing, hand washing, and other CDC guidelines. We highly encourage attendees to take necessary safety precautions while attending and utilizing our parks.

City of Alamo Committees and Boards: Employees, customers and patrons should follow CDC guidance; comply with Physical Distancing including maintaining six-foot physical distancing from each other, washing hands with soap and water at least twenty seconds or using hand sanitizer; and covering mouth and nose. Department Directors and other staff are not required to be present unless they have an item on the agenda; meetings shall be conducted in compliance with guidance provided by the Texas Attorney General's Office.

Temporary Policy Regarding City of Alamo Employees that have Qualifying Reasons for Leave Related to COVID-19 During a Work Related Incident: The City of Alamo, for the duration of this declaration, may grant Administrative Leave with Pay to an employee, for a work related incident, when no other paid leave category is available or applicable, and leave without pay would not be appropriate. Employees shall report any potential exposure while on the job to their supervisor in order to keep record of a potential future COVID-19 case that may have occurred while on the job. These exposure records are required in order to qualify for Administrative Leave with Pay. A sick leave request, with a doctor's excuse stating COVID-19 as the reason for being out and a written request for Administrative Leave with Pay shall be submitted to the Department Head. Administrative Leave with Pay granted to an employee will be submitted by the Department Director and forwarded to the Human Resources Director for processing. The City of Alamo will pay employees 100% of their salary not to exceed thirty (30) days or 240 working hours.

Extension of the Families First Coronavirus Response Act: The Consolidated Appropriations Act, 2021, extended employer tax credits for paid sick leave and expanded family and medical leave voluntarily provided to employees until March 31, 2021. However, this Act did not extend

an eligible employee's entitlement to FFCRA leave beyond December 31, 2020. By this declaration, the City of Alamo wishes to honor the employee's entitlement by retro activating the entitlement from April 1, 2021 until May 31, 2021 for those employees that are completely vaccinated.

This Order shall be effective to continue until it is either rescinded, superseded, or amended, or renewed by the City Commission of the City of Alamo, Texas pursuant to applicable law. This Order shall supersede all previous orders.

Any peace officer or other person with lawful authority, including but not limited to the City of Alamo Police Department, the Hidalgo County Sheriff's Office, the Hidalgo County Constable's Offices, the Hidalgo County Fire Marshal's Office, the Hidalgo County District Attorney Investigators and all other law enforcement partner agencies are hereby authorized to enforce the provisions of this Order in accordance with the authority granted under Chapter 418 of the Texas Government Code.

ANY PERSON VIOLATING THIS ORDER MAY BE SUBJECT TO A FINE NOT TO EXCEED \$1,000 OR CONFINEMENT FOR A PERIOD NOT EXCEEDING 180 DAYS.

The City of Alamo must promptly provide copies of this Order by posting on the City's 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.

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.

SECTION 13. That this declaration hereby authorizes the use of all lawfully available enforcement tools.


That this declaration shall take effect at 12:00a.m. on May 5th, 2021.

DECLARED this 4th day of May, 2021.

ATTEST:


Alexandra Rangel, City Secretary

CITY OF ALAMO:



Diana Martinez, Mayor

APPROVED AS TO FORM:
PALACIOS GARZA & THOMPSON, P.C.



City Attorney

