

Declaration of Public Health Emergency Regarding COVID-19

CITY COUNCIL A SESSION – MAY 21, 2020

ANDY SEGOVIA, CITY ATTORNEY



Seventh Declaration

- Tuesday, May 19: City issued its 7th Declaration of Public Health Emergency and County issued Executive Order
- Alignment to Governor Abbott's Executive Order GA-23 (June 3rd)
 - Public encouraged to stay home as much as possible
 - Inclusion of Covered Services
 - Gathering still limited to household
 - Enforcement – Up to \$1000 fine

Seventh Declaration

- People must not visit nursing homes / long-term care facilities unless to provide critical assistance as determined by the Health and Human Services Commission
- Maintains reporting requirement for COVID-19 testing
- Support of Bexar County Order on evictions and foreclosures
- Alert to community concerning COVID-19 antibody testing
- All other elements of the previous order including enforcement stay in place
 - Measures (except Face Covering provision) and the ordinance adopting them, upon conviction, is punishable by a fine up to \$1,000.00 per incident

Seventh Declaration

- Face Coverings
 - Strongly encouraged for all people 10 years old or older to wear cloth face covering when social distancing cannot be maintained
 - Employers strongly encouraged to provide a mask/training if social distancing cannot be maintained
 - Consistent with Executive Order GA-23 there is no civil or criminal penalty

Governor's Executive Order 23: Expanded Reopening of Services

- Gathering still limited to household (except for covered services)
- Covered Services
 - CISA Essential
 - Religious Services
 - Additional services defined within GA-23

Covered Services

- Previously reopened:
 - *golf course operations, cosmetology salons, hair salons, barber shops, nail salons, and tanning salons*
 - *Must maintain 6 ft between work stations*
- Previously permitted to reopen with 25% occupancy restriction:
 - *dine-in restaurants, retail stores, movie theaters, shopping malls (food courts, play areas still closed), museums and libraries, wedding venues and services, indoor and outdoor swimming pools, non-CISA offices, non-CISA manufacturing, gyms*

Covered Services – Immediately (May 18)

- Personal-care and beauty services that have not already been reopened:
 - tattoo studios
 - piercing studios
 - hair removal services
 - hair loss treatment and growth services
 - massage parlors
- Child-care services
 - Accessible to all (previously only accessible to essential workers)

Covered Services – May 22

- Dine-in restaurants may operate at up to 50% of total listed occupancy
- Permitted to reopen with 25% occupancy restriction:
 - *bars, aquariums, natural caverns, bowling alleys, bingo halls, simulcast racing, skating rinks, rodeos and equestrian events*
- Drive-in concerts
- Amateur sporting events
- May 29 – Outdoor areas of zoos may operate at 25% of normal operating limits

Covered Services – May 31

- Professional sports with no spectators
 - *basketball, baseball, softball, golf, tennis, football and car racing events*
- Youth camps including all summer camps and daytime or overnight camps
- Youth sports
 - Practices may begin May 31
 - Games and competitions may begin June 15

Covered Services

- Staff members are not included in determining operating levels
- Occupancy limits do not apply to outdoor areas
- Valet services prohibited except for disabled parking
- Covered Services/ DSHS Health Protocols - Compliance Standard?
 - good-faith efforts
 - available resources
 - substantial compliance
- Businesses may require customers to follow additional hygiene measures such as wearing a face covering

Closed Businesses

- Video arcades
- Amusement parks
- Water parks
- Parts of Covered Services
 - Child play areas
 - Interactive exhibits or displays
 - Mall food courts
 - Gym locker rooms and shower facilities

Governor's Executive Order 23

- Governor discretion to impose restrictions in a county if a spike occurs
- Beginning June 1, public schools may offer in-person classroom instructional activities and learning options, such as summer school programs and individualized tutoring, under protocols and guidance issued by the TEA

GA-23 Extends to June 3, 2020

Council considering extension of City Emergency Order to June 4, 2020

Governor's Executive Order 23

Professional basketball, baseball, softball, golf, tennis, football, and car racing events, with no spectators physically present on the premises of the venue, as approved on a league-by-league basis by DSHS, in consultation with the Office of the Governor and any recommendations by the advisory Strike Force to Open Texas, based on whether the league has submitted a plan that applies to all events and that meets the minimum health and safety standards; provided, however, that each league must submit, along with a request for approval in the manner prescribed by DSHS, a plan that incorporates applicable minimum standard health protocols recommended by DSHS, as applicable, and such additional measures as are needed to ensure a safe plan for conducting the event.