EFG/eg
03/19/2020

ORDINANCE 2020-03-19-0180

EXTENDING THE DECLARATION OF PUBLIC HEALTH EMERGENCY ISSUED ON WEDNESDAY, MARCH 18, 2020 BY MAYOR RON NIRENBERG UNTIL 11:59 PM ON SATURDAY, APRIL 18, 2020 TO CONTINUE ACTIVE PREPAREDNESS AND RESPONSE FOR COVID-19 CONTINGENCIES; AUTHORIZING THE CITY MANAGER TO TAKE ACTIONS RELATED TO THE PUBLIC HEALTH EMERGENCY; AND ESTABLISHING OTHER REGULATIONS RELATED TO THE COVID-19 VIRUS.

* * * * *

WHEREAS, Mayor Ron Nirenberg declared a local state of disaster and public health emergency consistent with the Texas Disaster Act of 1975 to address contingencies related to the COVID-19 outbreak; and

WHEREAS, the Declaration of Public Health Emergency expires on March 25, 2020 unless extended by City Council; and

WHEREAS, extension of the Declaration will provide the City with the ability to continue to respond and address contingencies associated with COVID-19 as they may arise; and

WHEREAS, City Council has determined that the Declaration of Public Health Emergency should be extended; and

WHEREAS, City Council has also determined that in order to more nimbly respond to COVID-19 the emergency powers granted to the City Manager by the City Code and Charter should be expanded, and certain ordinances and regulations should be waived or temporarily suspended to provide for adherence to social distancing guidelines and difficulties that the COVID-19 outbreak may cause the public and City staff; and

WHEREAS, City Council has also determined that violation of the Declaration should be clearly established as an offense punishable by a fine up to $2,000 consistent with state law;
NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Declaration of Public Health Emergency issued by Mayor Ron Nirenberg on March 18, 2020 is extended and will expire at 11:59 PM on April 18, 2020 unless further extended by City Council. A copy of the Declaration is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. EXPANSION OF CITY MANAGER'S AUTHORITY.

(a) The City Council of the City of San Antonio finds that upon the Mayor's determination and declaration of a local state of disaster or public health emergency, the City Manager may promulgate regulations in addition to those contained in the City Charter and City Code of the

City of San Antonio as he or she deems necessary to protect life and property and preserve critical resources, which include, but are not limited to, the power to:

(1) prohibit or restrict the movement of vehicles in order to facilitate the work of emergency management forces or to facilitate the mass movement of persons from critical areas within or without the city; and
(2) recommend the movement of persons from areas deemed to be hazardous or vulnerable to disaster;
(3) order the closing of public or private gathering spaces consistent with an active Declaration of Disaster and/or Public Health Emergency;
(4) exclude sightseers from any area where a public health emergency is imminent or has occurred;
(5) order the detention of persons who impede or incite others to impede the preservation or restoration of order;
(6) promulgate any other regulations or policies necessary to preserve public peace, health, and safety during the public health emergency;
(7) amend, modify, or suspend contracts, including leases.

(b) These regulations have the effect of ordinances when filed with the City Clerk.

(c) These regulations will terminate upon the City Manager's determination that the City's response to the declared disaster or public health emergency has ended.

SECTION 3. REPORTING OF COVID-19 TESTS.

(a) All public, private, and commercial laboratories operating within the City of San Antonio 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 San Antonio Metropolitan Health District, Dr. Junda Woo, at Junda.Woo@sanantonio.gov if either the specimen is collected in, or the test is performed in the City of San Antonio or Bexar County.

(b) Such laboratories shall not provide names or other individually identifiable health information that could be used to identify an individual patient. This information will be used solely for public health purposes to monitor the testing conducted in the City and mitigate and contain the spread of COVID-19.

SECTION 4. SUSPENSION AND MODIFICATION OF ORDINANCES.

(a) Any ordinance, order, or regulation that would prevent temporary sheltering and housing by the City, State of Texas, or the Federal Government in response to the declared disaster are suspended or modified as necessary to make these regulations effective.

(b) Any ordinance or regulation imposing a time requirement for approving or denying an application or for appealing a City decision is tolled.

(c) Any ordinances or regulations that require payment of convenience fees or charges that hinder the ability for the public to access city services by phone or internet may be temporarily suspended upon approval by the City Manager.

(d) Any ordinance or regulation that interferes with the essential operations of the City, to include public health and safety, financial management and operations, and procurement are suspended or modified as necessary to make these regulations effective.

(e) Any ordinances or regulations that conflict with these emergency regulations are suspended or modified as necessary to make these regulations effective.

(f) Suspension or modification of the ordinances and regulations shall remain in effect until these regulations are terminated or until the state of disaster is terminated, whichever is sooner.

SECTION 5. POLICE POWERS.

This Ordinance is an exercise by the City of its Police Powers for the protection of the public peace, health, and safety. Neither the City nor its officers, agents, representatives, or employees, nor any emergency management volunteer, who is, in good faith, carrying out, complying with or attempting to comply with any order, rule, or regulation promulgated pursuant to this Ordinance, shall be liable for any damage sustained to persons or property as the result of his or her actions, unless the actions taken or not taken consisted of willful misconduct, gross negligence, or bad faith.

SECTION 6. OFFENSES, PENALTIES.

(a) During the period when an actual or impending disaster or emergency has been declared, a person shall not violate any of the orders issued by the Local Health Authority, City Manager, Mayor, or City Council pursuant to emergency powers authorized by this ordinance, Texas Government Code Chapter 418, or other city, state, or federal law, or willfully obstruct, hinder, or delay any member of the emergency management organization or any peace officer in the enforcement of this ordinance, or any order or regulation issued under authority provided for in this ordinance, Chapter 418 of the Texas Government Code, or other city, state, or federal law.

(b) Consistent with the City's Emergency Management Plan, any temporary restrictions or regulations established by the Mayor's Declaration must also be enforced by the City, including by local law enforcement agencies.

(c) A person violating any provision of this ordinance, upon conviction, is punishable by a fine up to $2,000 per incident, and any other penalties as authorized by state law and the City Code.

EFG/eg
03/19/2020

SECTION 7. SEVERABILITY.

If any subsection, sentence, clause, phrase, or word of these regulations or any application of them 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 these regulations.

SECTION 8. The Office of the City Clerk is directed to publish this ordinance in a newspaper of general circulation.

This Ordinance is effective upon passage by eight affirmative votes; otherwise it is effective on the tenth day after passage.

PASSED AND APPROVED this 19th day of March, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

Tina Flores, Acting City Clerk

APPROVED AS TO FORM:

Andrew Segovia, City Attorney

City of San Antonio

City Council

March 19, 2020

Item: 5
File Number: 20-2592

Enactment Number: 2020-03-19-0180

Ordinance extending the declaration of public health emergency issued on Friday March 13, 2020 by Mayor Ron Nirenberg to continue active preparedness for COVID 19 contingencies.

Councilmember Clayton H. Perry made a motion to Amendment 1. Councilmember John Courage seconded the motion. The motion failed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

Attachment I

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20 MAR 18 PM 5:41

FOURTH DECLARATION OF PUBLIC HEALTH EMERGENCY REGARDING COVID-19

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 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, United States nationals were transported from Wuhan City, China to several secure locations within the United States identified by the Centers for Disease Control and Prevention (CDC), including Joint Base San Antonio-Lackland (Lackland) in San Antonio, Texas, in order to ensure the health and wellbeing of those persons; and

WHEREAS, on February 7, 2020, 91 Americans evacuated from Wuhan City, China (Cohort 1) arrived at Lackland, with one person diagnosed with the virus and transported to a local hospital; and

WHEREAS, on February 17, 2020, the CDC evacuated 144 passengers from a cruise ship docked in Japan (Cohort 2) to Lackland; and

WHEREAS, on February 20, 2020, 90 evacuees from Cohort 1 were released from quarantine and returned to their homes; and

WHEREAS, the vast majority of persons in Cohort 2 were released from quarantine at Lackland on March 3, 2020; and

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

WHEREAS, a third Cohort of 149 persons was transported to Lackland via two planes on March 11th and 12th; and

WHEREAS, City staff and personnel continue to work with state and federal authorities to coordinate response efforts regarding those persons remaining at TCID and placed at Lackland; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the United States signals that transmission of the virus is no longer strictly limited to travel; and

WHEREAS, travel-related and direct contact cases of COVID-19 have been identified in the Bexar County/San Antonio area; and

WHEREAS, on March 13, 2020, Greg Abbott, the Governor of the State of Texas, issued a proclamation that declared COVID-19 as an imminent threat of disaster; and

WHEREAS, on March 15, 2020, the CDC issued revised guidance regarding social distancing and mass gatherings of 50 or more people; and

WHEREAS, on March 16, 2020, the CDC issued further revised guidance that persons should avoid social gatherings in groups of more than 10 people; and

WHEREAS, the City acknowledges and supports the decisions and efforts made by SAWS and CPS to not disconnect services to persons during the time of this emergency; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the mayor is designated as the emergency management director of the City of San Antonio, 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, 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, I, Ron Nirenberg, the Mayor of the City of San Antonio 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 CITY OF SAN ANTONIO:

1. That a local state of disaster and public health emergency is hereby declared for the City of San Antonio pursuant to §418.108(a) of the Texas Government Code.

2. Pursuant to §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 days from the date of this declaration unless continued or renewed by the City Council.

3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk.

4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of San Antonio's emergency management plan.

5. Pursuant to §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 §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, examining and regulating hospitals, regulating ingress and egress from the

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City, and fining those who do not comply with the City's rules.

7. By this Declaration, I declare all rules and regulations that may inhibit or prevent prompt response to this threat are suspended for the duration of the incident, and authorize the City Manager to exercise all emergency powers as are available to address this emergency.

8. I authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this situation.

9. Pursuant to the Texas Disaster Act of 1975, I, Ron Nirenberg, as Mayor of the City of San Antonio, in coordination and consultation with the Local Health Authority, and Director of the Metropolitan Health District further issue further guidance and restrictions set out within the Declaration Regarding Public and Private Gatherings attached hereto as **Exhibit 1**, and incorporated herein.

10. The Local Health Authority and Director of Health may update restrictions set out in Exhibit 1 as necessary to respond to the evolving circumstances of this outbreak during the duration of this Declaration and any extension by the San Antonio City Council without the issuance of a new Declaration.

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

This proclamation shall take effect immediately from and after its issuance.

ORDERED this 18th day of March, 2020.

MAYOR RON NIRENBERG
City of San Antonio, Texas

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Emergency Measures

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 prohibits all indoor public and private gatherings and outdoor gatherings within an enclosed space of 50 persons or more anywhere in the City of San Antonio beginning at 11:59 PM on March 18, 2020 and continuing for seven (7) days, unless extended consistent with requirements of state law.

3. Based on revised guidance by the United States Centers for Disease Control and Prevention (CDC) issued on March 16, 2020, the public is strongly urged to avoid social gatherings in groups of more than ten (10) people.

4. It is strongly recommended that every person and business 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).

5. Organizations that serve high-risk populations (defined below) should also follow CDC guidance for social distancing.

6. Additional restrictions regarding the following businesses will also go into effect upon issuance of this Declaration:

    a. 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 distancing requires for any waiting area or queue.

    b. Bars, lounges, nightclubs, taverns, private clubs, gyms or health studios, indoor commercial amusement businesses, bowling alleys, bingo parlors, and theaters shall close.

7. 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 fifty (50) 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. A "Mass Gathering" includes events in confined outdoor spaces, which 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 arm's length of one another for extended periods.

c. This Declaration also does not prohibit 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. This Declaration also does not prohibit 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. For any gathering covered by this subsection c., compliance with Social Distancing Recommendations, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces is strongly encouraged.

d. For purposes of clarity, a "Mass Gathering" does not include the following:

(i) San Antonio International Airport and its operations;
(ii) public or private schools, child care facilities, places of worship, and funeral homes;
(iii) museums (so long as visitors are generally are not within arm's length of one another for extended periods);
(iv) spaces where 50 or more persons may be in transit or waiting for transit such as bus stops;
(v) office space, hotels, or residential buildings;
(vi) grocery stores, shopping malls, outdoor markets, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm's length of one another for extended periods;
(vii) hospitals, medical facilities and shelters; and
(viii) jails and detention centers.

However, in all such settings, it is strongly recommended that the establishments above follow Social Distancing Recommendations and exposure reduction measures such as providing hand sanitizer and tissues when possible.

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e. "Food Establishment" means a restaurant with or without drive-in, drive through, room service, or curbside services; a drive-in restaurant; a drive-through restaurant; a microbrewery, a micro-distillery, or a winery;

f. "High-Risk 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;
- People experiencing homelessness.

8. Reporting of COVID-19 Testing. All public, private, and commercial laboratories operating within the City of San Antonio 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 San Antonio Metropolitan Health District, Dr. Junda Woo, at Junda.Woo@sanantonio.gov if either the specimen is collected in, or the test is performed in the City of San Antonio or Bexar County.

   This information will be used solely for public health purposes to monitor the testing conducted in the City and mitigate and contain the spread of COVID-19.

9. 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 San Antonio City Council.

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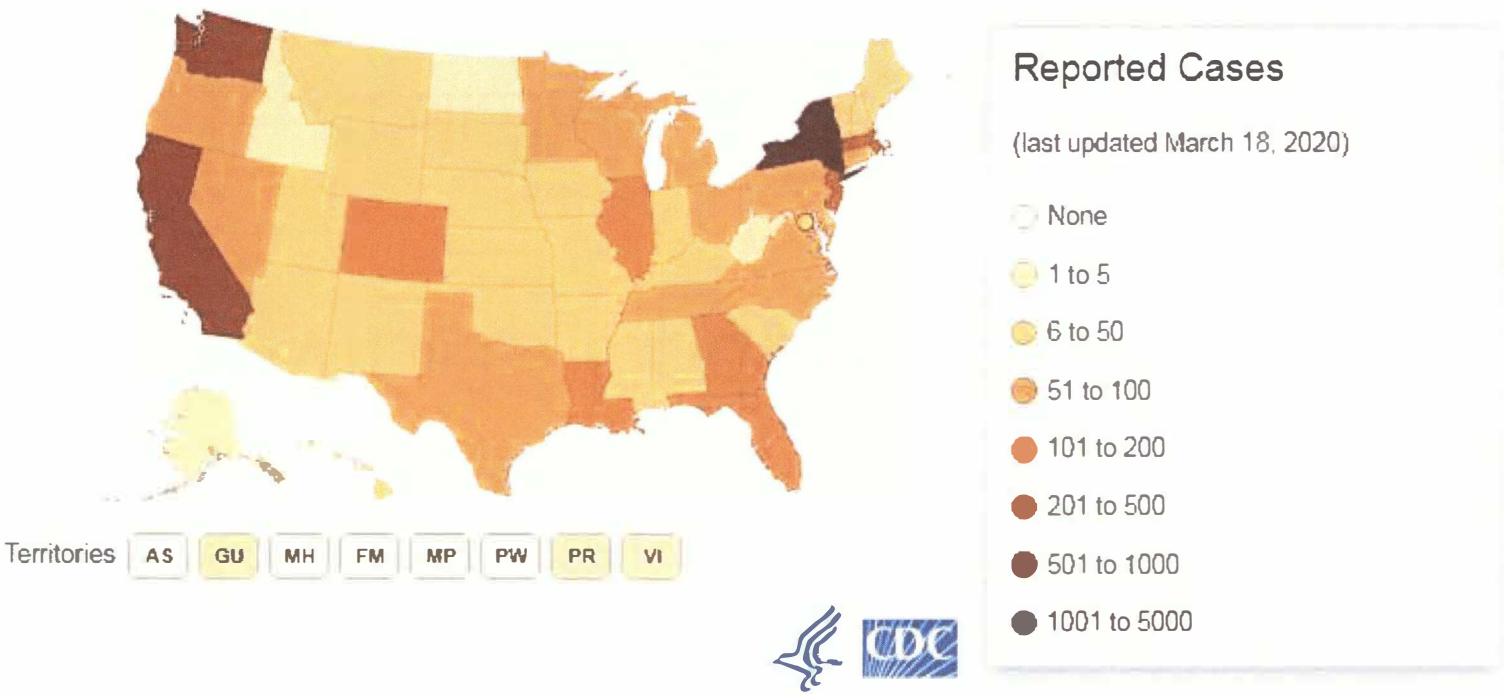
COVID-19 Update & Response

Colleen M. Bridger, MPH, PhD
Assistant City Manager

Current Situation

States Reporting Cases of COVID-19 to CDC*



Data include both confirmed and presumptive positive cases of COVID-19 reported to CDC or tested at CDC since January 21, 2020, with the exception of testing results for persons repatriated to the United States from Wuhan, China and Japan. State and local public health departments are now testing and publicly reporting their cases. In the event of a discrepancy between CDC cases and cases reported by state and local public health officials, data reported by states should be considered the most up to date.* ***Source: www.cdc.gov/coronavirus*

Status at Lackland Air Force Base

Data as of 3/18/2020 at 9:30 PM

Passenger / Patient Counts - Lackland AFB, TCID, Outside Hospitals									
Cohort	Lackland AFB			TCID		Off-base			
	Quarantine on Base	Guest on Base (Q ended)	PUI Awaiting transfer	PUI	COVID +	Transferred to outside hospital	Back to Home State (still Q'd)	Medically Cleared	TOTALS
Wuhan	0	0	0	0	0	0	0	92	92
Diamond Princess	0	0	0	0	2	0	0	142	144
Grand Princess	123	0	0	1	1	3	23	0	151
Staff	1	0	0	0	0	0	0	0	1
Totals:	124	0	0	1	3	3	23	234	388

Testing Status

Data as of 3/18/2020 at 6:30 PM

COVID-19 (new Coronavirus) Testing by Metro Health Laboratory*	
	Number
Negative	111
Positive	24
Total tested by Metro Health Lab	135

* Metro Health Lab is part of the Laboratory Response Network and tests specimens from multiple counties

COVID-19 (new Coronavirus) Surveillance in Bexar County	
Case Status	**Number**
Total Confirmed Cases	25
Travel-related	8
Close-contact	4
Under investigation	13
Total Deceased	0

Testing Update

(COVID-19) Coronavirus Disease 2019

Who is eligible for PRE-APPROVED TESTING?

- Individuals who think they have been exposed and have symptoms, with a doctor's pre-approval
- Healthcare Workers
- First Responders
- VIA Bus Drivers

ALL INDIVIDUALS MUST HAVE AN APPOINTMENT
— VISIT SANANTONIO.GOV FOR MORE INFO —

3/18/2020

Enfermedad por el Coronavirus 2019 (COVID-19)

¿Quién es elegible para las PRUEBAS PREAPROBADAS?

- Individuos que piensan que han estado expuestos y tienen síntomas, con la aprobación previa de un médico.
- Trabajadores de la Salud
- Primeros Respondedores
- Choferes de Autobuses Públicos de VIA

TODAS LAS PERSONAS DEBEN TENER UNA CITA
— VISITE SANANTONIO.GOV PARA MÁS INFORMACIÓN —

3/18/2020

Community Service Needs: How can I help?

Hygiene Kits for Homeless Street Outreach
Critical Need March 16 – 20 (may be extended as needed)

Meals for Out of School Children
Ongoing and immediate

Senior Food Delivery
Critical March 16 – 20 and ongoing

Assistance with Food Commodities Prep
Critical Need March 16 – 20 (may be extended)

Additional Community Human Service Needs can be found by visiting
www.sanantonio.gov/COVID19

COVID-19 Update & Response

Colleen M. Bridger, MPH, PhD
Assistant City Manager

COVID-19

Preliminary Financial Impact

City Council A-Session

March 19, 2020

Presented by: María Villagómez, Deputy City Manager

CITY OF SAN ANTONIO TEXAS

COVID 19
City Emergency Response Expense

- $675K spent from through March 13
- $925K committed not yet spent
- Fire and Metro Health Personnel Cost
- Medical Staff
- Supplies

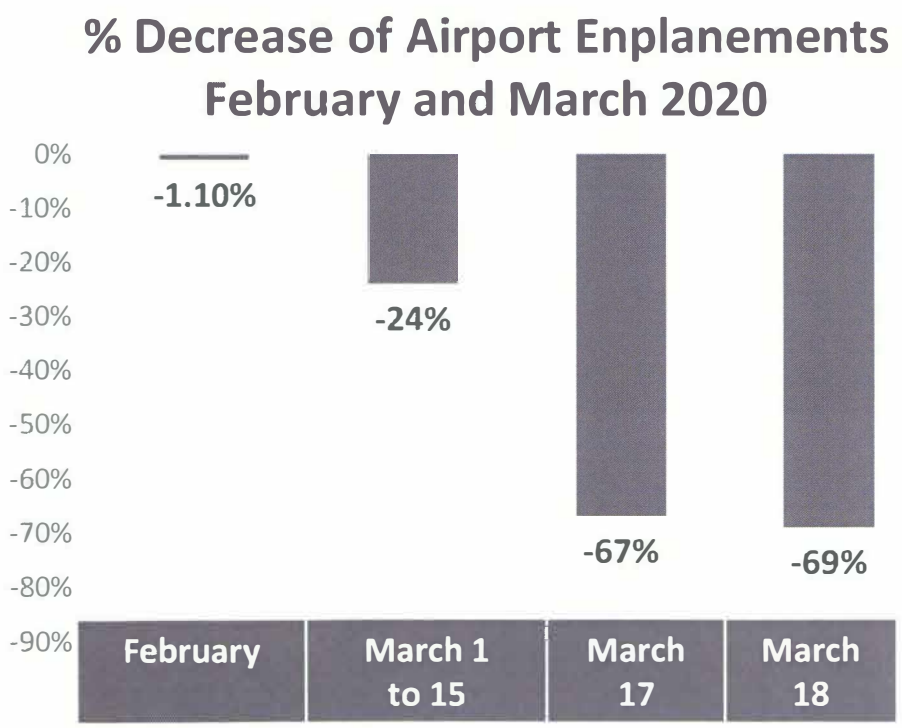
COVID 19
City Emergency Response Reimbursement

- Will seek federal reimbursement
- City notified of $1Million Department of State Health Services grant

COVID 19 - ECONOMIC IMPACT

- Measures taken to slow down spread of virus have created Global Economic Disruption
- Uncertainty: It is hard to know today what the impact will be
- Definite Economic Slowdown
- Potential Global Recession

COVID 19 – San Antonio Impact International Airport



Airport Parking
March 2020

67% lower compared to 2019

Airport Concessions
March 2020

45% less in sales compared to 2019

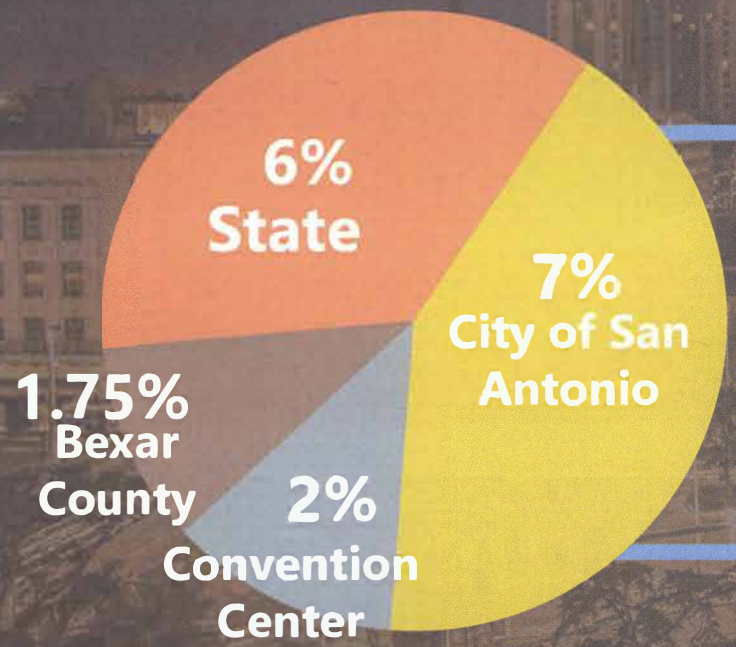
COVID 19 – San Antonio Impact Convention Center

28 of 49

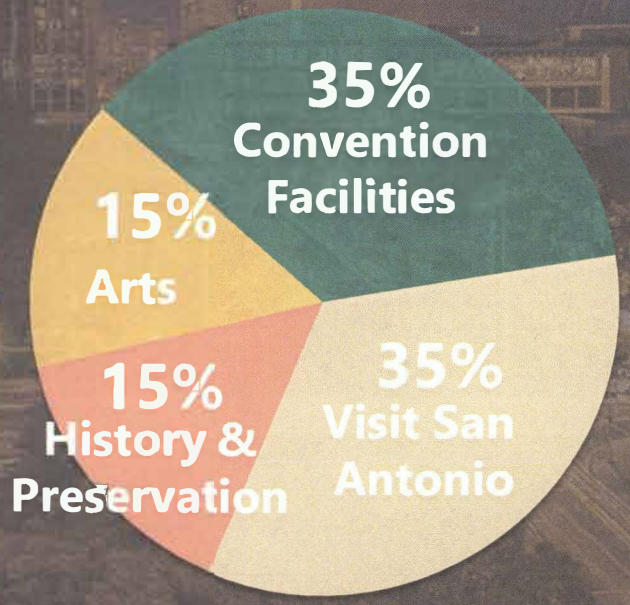
Events cancelled or postponed between March and October 4

HOTEL OCCUPANCY TAX RATE

HOT Rate: 16.75%



COSA HOT Tax Allocation

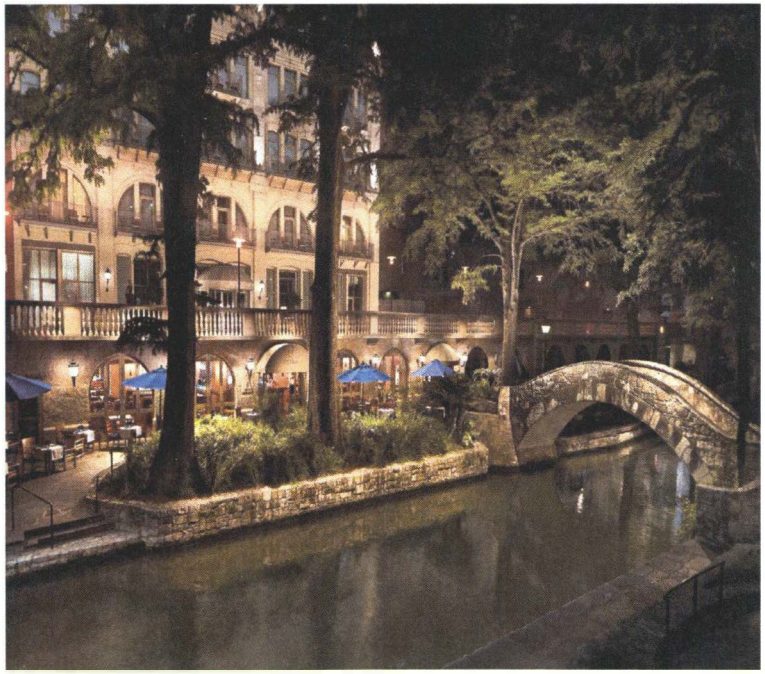


COVID 19 – San Antonio Impact
Alamodome

10 of 31

Events cancelled or postponed between March and September 30

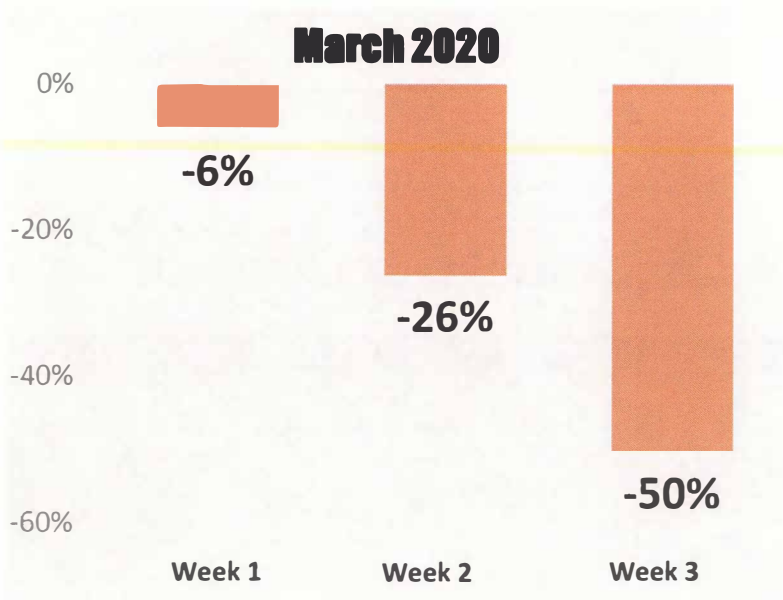
COVID 19 – San Antonio Impact Hotel Occupancy Tax



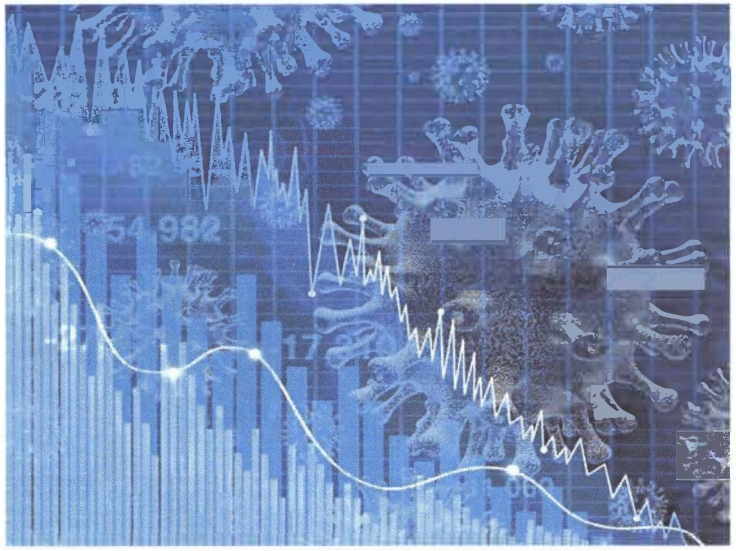
- Many hotels report occupancy rates of less than 10%
- Many anticipate suspending services

COVID 19 – San Antonio Impact Downtown Parking

% Decrease of cars parked in City-owned Garages and Lots



COVID 19 – San Antonio Impact



- Today's presentation provides a Preliminary update
- Future updates will be provided to City Council in the upcoming weeks

COVID-19

Preliminary Financial Impact

City Council A-Session

March 19, 2020

Presented by: María Villagómez, Deputy City Manager