CITY OF SAN ANTONIO — TEXAS —

Office of the Mayor
Ron Nirenberg

Emergency Order #5
March 23, 2020

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, 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. All prior Declarations, orders and emergency measures are superseded by this most recent Declaration and its Exhibit.

3. Stay Home/Work Safe. 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 order all individuals living in the City of San Antonio to Stay Home/Work Safe consistent with the direction and guidelines as set out in Exhibit 1 attached to this Declaration.

4. 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.

6. 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 23rd day of March, 2020.

MAYOR RON NIRENBERG
City of San Antonio, Texas

Stay Home Work Safe Measures

Take effect at 11:59 p.m. on March 24, 2020 and will continue through 11:59 p.m. on April 9, 2020, subject to San Antonio City Council approval.

1. Stay at Home:
    a. All individuals living in the City of San Antonio are ordered to stay at home consistent with the direction and guidance in this Declaration. If individuals are using shared or outdoor spaces outside their home or engaged in Exempted Activities or Exempted Businesses, then they must maintain social distancing of at least six feet from any other person. All persons may leave their residences only for Exempted Activities, or to provide or perform Governmental Functions, or to operate Exempted Businesses, all as defined in Section 2.
    b. All businesses operating within San Antonio except Exempted Businesses are required to stop operations and close. Businesses may continue operations consisting exclusively of the following as long as social distancing of at least six feet is maintained during these activities:
        i. Employees or contractors performing activities at their own residences (i.e. working from home or operating a home-based business regardless of whether it constitutes an Exempted Business).
        ii. Operations necessary to maintain security, upkeep, and maintenance of premises, equipment or inventory, including but not limited to the care and maintenance of livestock or animals.
        iii. IT or other operations that facilitate employees working from home.
    c. All public or private gatherings occurring outside a single household or single-family living unit are prohibited unless specifically exempted under this Declaration. Members of a household or single-family living unit may gather.
    d. Restaurants, prepared food retailers, microbreweries, micro-distilleries, or wineries may only provide room service, take out, delivery, drive-in, or drive-through services consistent with state and local laws. Any food establishment that provides services under this section must adhere to social distancing requirements for any food preparation, waiting area or queue.
    e. Hospitals, surgical centers, and healthcare providers must follow the Executive Order issued by Greg Abbott, Governor of the State of Texas and are strongly urged to follow the non-essential procedures guidance issued by the Centers for Medicare & Medicaid services, and American College of Surgeons.
2. Definitions:
    a. The following are Exempted Activities:
        i. **Health and Safety Activities**: Activities related to maintaining the health and safety of the individual or their family or household members and pets, for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home. This includes activity to care for a family member or pet in another household.
        ii. **Necessary Supplies**: Activity to obtain or purchase necessary services or supplies for themselves and their family or household members and pets, or to deliver those services or supplies to others. For example, to purchase or

obtain food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and operation of residences.

iii. **Outdoor Activity**: Activity in an outdoor open space, such as walking, biking, hiking, or running, as long as individuals comply with social distancing requirements of six feet.

iv. **Work for Exempted Business**: Activity to perform work for Exempted Business or to otherwise carry out activities specifically allowed in this Declaration.

b. For purposes of this Declaration, Exempted Businesses means:

i. **Health Care Services**. Business tied to the providing or delivering of healthcare services. For example:

1. hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, including veterinary services,
2. healthcare suppliers, home healthcare services providers, mental health providers, substance abuse providers,
3. blood banks, medical research, or any related and/or ancillary healthcare services, veterinary care provided to animals.
4. Home-based care for seniors, adults, or children. Residential facilities and shelters for seniors, adults, and children.

Healthcare operations do not include fitness and exercise gyms and similar facilities.

ii. **Government Functions**. Business activity related to the operations or services provided by government for the continuing operation of the government agencies to provide for the health, safety and welfare of the public. For example, public safety, solid waste collection, and utility operations.

iii. **Education and Research.** Educators or other personnel supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other functions in support of Exempted Activities and Exempted Businesses.

iv. **Infrastructure**. Businesses related to public works construction, construction of housing, commercial construction, airport operations, water, sewer gas, electrical, oil refining, roads and highways, and public transportation.

v. **Transportation**. Business related to the operation, maintenance, construction, and manufacture of transportation services. For example:

1. Vehicle manufacturers, automotive suppliers, car dealerships, parts distribution, maintenance and repair facilities
2. Public transportation
3. Businesses supporting airport operations
4. Street and highway maintenance and construction
5. Gas stations and other fuel distribution businesses
6. Vehicles for hire including taxis and rideshare

vi. **IT Services**: Activity to provide or maintain internet, and telecommunications systems including the provision of essential global, national, and local

infrastructure for computing services, business infrastructure, communications, and web-based services.

vii. **Food, Household Staples Retail.** Food service and food distribution providers including grocery stores, warehouse stores, big-box stores, liquor stores, bodegas, gas stations, and farmers' markets that sell food products and household staples. Businesses that ship or deliver groceries, food, goods or services directly to residences or provide for pick-up options. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Schools and other entities that typically provide free services to students or members of the public on a pick-up/take-away basis may continue. Laundromats, dry cleaners, and laundry service providers and businesses that supply products needed for people to work from home are included in Household Staples Retail.

viii. **Services for Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or other vulnerable populations.

ix. **Services to Maintain Operations of Residences or Support Exempted Businesses.**

1. Hotels and other temporary residence facilities,
2. Trash and recycling collection, processing and disposal,
3. mail and shipping services, building cleaning and maintenance, auto repair, warehouse/distribution and fulfillment, and storage for essential businesses,
4. Plumbers, electricians, exterminators, moving services and other service providers who provide services to maintain the safety, sanitation, and operations of residences, and
5. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities, such as filing of taxes.

x. **News Media.** Newspapers, television, radio, and other media services.

xi. **Financial Institutions.** Banks, credit unions, insurance companies and other financial institutions including pawn shops and payday lenders.

xii. **Childcare Services.** License childcare facilities, organizations, or individuals providing childcare services.

xiii. **Worship Services.** Religious and worship services may only be provided by video, teleconference or other remote measures.

xiv. **Funeral Services.** For example funeral homes, crematoriums and cemeteries.

xv. **CISA Sectors.** All business and operations necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) and outlined at https://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf

3. To facilitate delivery for activity allowed under this Declaration, all delivery hour restrictions related to the selling or distribution of food products, medicine, or medical supplies is suspended for the next 60 days.
4. The City acknowledges and supports full compliance with the Bexar County Judge's Executive Order provisions that address rental property evictions, and foreclosure proceedings be followed and that these actions be suspended for the next 30 days.
5. People who are sick should stay at home and not engage in any activity outside their residence unless related to treatment or health care. If someone in a household has tested positive for COVID-19 then the must follow the isolation and quarantine measures proscribed by local, state, or federal health authorities. If a member of a household tests positive then other members of the household should consider themselves positive if they become symptomatic and also follow the isolation and quarantine measures proscribed by local, state, or federal health authorities.
6. Nursing homes, retirement, and long-term care facilities must prohibit non-essential visitors from accessing their facilities unless to provide medical assistance or for end-of-life visitation.
7. 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.
8. Subject to San Antonio City Council approval, this Declaration shall be effective until 11:59 p.m. on April 9, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.