



AGENDA

SPECIAL CALLED CITY COUNCIL MEETING

**THE CITY COUNCIL WILL CONVENE AT 6:00 P.M. ON MARCH 30, 2020
VIA TELEPHONE CONFERENCE**

IN ACCORDANCE WITH THE GOVERNOR'S SUSPENSION OF VARIOUS PROVISIONS OF THE TEXAS OPEN MEETINGS ACT ISSUED PURSUANT TO HIS STATE DISASTER AUTHORITY, AND GUIDANCE ISSUED ON THE SUSPENSION BY THE ATTORNEY GENERAL'S OFFICE:

- 1. A QUORUM OF THE CITY COUNCIL WILL PARTICIPATE IN THE MEETING TELEPHONICALLY. AN ELECTRONIC COPY OF THE AGENDA PACKET IS POSTED ONLINE WITH THIS AGENDA.**
- 2. THE CITY COUNCIL CHAMBER LOCATED AT 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS WILL NOT BE OPEN TO THE PUBLIC.**
- 3. MEMBERS OF THE PUBLIC DESIRING TO PARTICIPATE IN THE MEETING MAY DO SO BY DIALING THE FOLLOWING TOLL-FREE DIAL-IN NUMBER: 877-853-5257 or 888-475-4499 ON OR BEFORE 6:00 P.M. CENTRAL STANDARD TIME, ON MARCH 30, 2020. THE PARTICIPATION CODE (MEETING ID) FOR THIS TELEPHONE CONFERENCE IS: 231 007 978 # #.**
- 4. MEMBERS OF THE PUBLIC PARTICIPATING IN THE MEETING WILL BE ABLE TO COMMUNICATE WITH OTHERS PARTICIPATING TELEPHONICALLY.**
- 5. THE MEETING WILL BE RECORDED AND THE RECORDING MADE AVAILABLE TO THE PUBLIC.**

CALL TO ORDER

CITY COUNCIL ROLL CALL

- 1. An emergency measure ordinance of the City of Mesquite, Texas, authorized pursuant to Mesquite City Charter, Article IV, Section 18 and Section 19; declaring a Local State of Disaster for Public Health Emergency related to COVID-19; continuing the Mayor's Declaration of Local Disaster issued on March 23, 2020; confirming the activation of the City's emergency management plans; adopting and approving certain rules and orders to protect the health and safety of persons in the City and to help abate the public health emergency; authorizing the City Manager or his designee to make certain decisions and to take necessary actions to meet City objectives to have City government remain functional while providing essential governmental services during this rapidly changing environment created by the public health emergency; making various findings and provisions related to the subject; making it an offense to fail to comply with a state, local, or interjurisdictional emergency management plan or any rule, order or ordinance adopted under the plan and providing a penalty in an amount not to exceed one thousand dollars (\$1,000.00) or confinement in jail for a term that does not exceed 180 days for each offense; providing for publication; providing a repealing clause; providing a conflicts resolution clause; providing a severability clause; declaring an effective date; and declaring an expiration date.**

At this time, any individual wishing to discuss this item shall do so on a first-come, first-served basis. Comments are limited to three minutes.

Executive Session – Consultation with Attorney

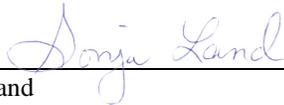
Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to meet in closed session to conduct a private consultation with its attorney related to:

- pending or contemplated litigation,
- a settlement offer, and/or
- a matter in which there exists a duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas that conflicts with Texas Government Code Chapter 551.

ADJOURNMENT

CERTIFICATION

I, Sonja Land, City Secretary for the City of Mesquite, hereby, certify that this notice for a Special City Council Meeting to be held March 30, 2020, was posted on the bulletin boards at City Hall and the Municipal Center on March 27, 2020, by 5:00 p.m., and will remain so posted until after the meeting. This notice was, likewise, posted on the City’s website at www.cityofmesquite.com for a minimum of 72 hours prior to the meeting.



Sonja Land
City Secretary

ORDINANCE NO. _____
EMERGENCY MEASURE ORDINANCE

AN EMERGENCY MEASURE ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZED PURSUANT TO MESQUITE CITY CHARTER, ARTICLE IV, SECTION 18 AND SECTION 19; DECLARING A LOCAL STATE OF DISASTER FOR PUBLIC HEALTH EMERGENCY RELATED TO COVID-19; CONTINUING THE MAYOR'S DECLARATION OF LOCAL DISASTER ISSUED ON MARCH 23, 2020; CONFIRMING THE ACTIVATION OF THE CITY'S EMERGENCY MANAGEMENT PLANS; ADOPTING AND APPROVING CERTAIN RULES AND ORDERS TO PROTECT THE HEALTH AND SAFETY OF PERSONS IN THE CITY AND TO HELP ABATE THE PUBLIC HEALTH EMERGENCY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO MAKE CERTAIN DECISIONS AND TO TAKE NECESSARY ACTIONS TO MEET CITY OBJECTIVES TO HAVE CITY GOVERNMENT REMAIN FUNCTIONAL WHILE PROVIDING ESSENTIAL GOVERNMENTAL SERVICES DURING THIS RAPIDLY CHANGING ENVIRONMENT CREATED BY THE PUBLIC HEALTH EMERGENCY; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; MAKING IT AN OFFENSE TO FAIL TO COMPLY WITH A STATE, LOCAL, OR INTERJURISDICTIONAL EMERGENCY MANAGEMENT PLAN OR ANY RULE, ORDER, OR ORDINANCE ADOPTED UNDER THE PLAN AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00) OR CONFINEMENT IN JAIL FOR A TERM THAT DOES NOT EXCEED 180 DAYS FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; PROVIDING A REPEALING CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EFFECTIVE DATE; AND DECLARING AN EXPIRATION DATE.

WHEREAS, it is the intent of the City Council of the City of Mesquite, Texas (“**City Council**”), to protect the public health, safety, and welfare; and

WHEREAS, beginning in or about December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has spread throughout the world; and

WHEREAS, COVID-19 has been recognized globally as a contagious respiratory virus and symptoms include fever, coughing and shortness of breath and, in some cases, has caused death; and

WHEREAS, the Centers for Disease Control and Prevention (“**CDC**”) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, on March 12, 2020, Dallas County Judge Clay Jenkins issued a [Declaration of Local Disaster for Public Health Emergency](#) and [ORDER OF COUNTY JUDGE CLAY JENKINS dated March 12, 2020](#); and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a [Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease \(COVID-19\) Outbreak \[Proclamation No. 9994, 85 F.R. 15337 \(March 13, 2020\)\]](#); and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott issued a [Proclamation](#) certifying that COVID-19 poses an imminent threat of disaster in the state of Texas and declaring a state of disaster for all counties in Texas; and

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

WHEREAS, on March 18, 2020, Kaufman County Judge Hal Richards issued a [Declaration of Local Disaster for Public Health Emergency](#); and

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

WHEREAS, on March 19, 2020, Texas Governor Greg Abbott issued [Executive Order GA 08](#), relating to COVID-19 preparedness and mitigation; mandating the avoidance of social gatherings in groups of more than 10 people, the avoidance of eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors, the avoidance of visiting nursing homes or retirement or long-term care facilities unless to provide critical assistance, and closing schools throughout the State of Texas for a period of time; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 3, 2020, unless rescinded by order of the Commissioners Court; and

WHEREAS, on March 23, 2020, the Mayor of the City of Mesquite issued a Declaration of Local State of Disaster For Public Health Emergency relating to COVID-19 for the City of Mesquite, Texas, in accordance with the [Texas Disaster Act of 1975, Texas Government Code, Chapter 418](#); and

WHEREAS, the Mayor's Declaration of Local State of Disaster For Public Health Emergency relating to COVID-19 and this Ordinance 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 Texas Government Code Chapter 418; and

WHEREAS, on March 24, 2020, Dallas County Judge Clay Jenkins issued an [AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS Stay-Home-Stay-Safe dated March 24, 2020](#), amending the March 12, 2020 ORDER, mandating a Shelter-in-Place (Stay-At-Home) directive (continuing until April 3, 2020) with only *essential activities, essential governmental functions* and *essential businesses* being excepted; and

WHEREAS, on March 24, 2020, the Kaufman County Commissioners Court issued an Order Extending the Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Kaufman County Emergency Management Plan and extends the Declaration of Local Disaster until April 23, 2020, unless rescinded by order of the Commissioners Court; and

WHEREAS, on March 24, 2020, Kaufman County Judge Hal Richards issued a [SHELTER-IN-PLACE ORDER OF THE COUNTY JUDGE OF KAUFMAN COUNTY, TEXAS, dated March 24, 2020](#), that includes a mandatory Shelter-in-Place (Stay-At-Home) directive (continuing until April 8, 2020) with only *essential activities, essential governmental functions* and *essential businesses* being excepted; and

WHEREAS, on March 26, 2020, Texas Governor Greg Abbott issued [Executive Order GA 11](#), relating to airport screening and self-quarantine during the COVID-19 disaster; mandating a self-quarantine of 14 days for individuals traveling to Texas as their final destination through an airport from the Tri-State Area of New York, New Jersey, or Connecticut as well as the City of New Orleans, Louisiana; and

WHEREAS, on March 27, 2020, pursuant to City Council Rules of Procedure, Section 3.2, Mayor Bruce Archer called for a special called meeting for the purpose of the City Council to discuss and consider this emergency measure ordinance as authorized by Mesquite City Charter, Article IV, [Section 18](#) and [Section 19](#); and

WHEREAS, COVID-19 continues to spread and pose an increasing, imminent threat of disaster throughout Texas; and

WHEREAS, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout the State of Texas, Dallas and Kaufman Counties, and the City of Mesquite; and

WHEREAS, the continued worldwide and local spread of COVID-19 presents an imminent threat of widespread illness, requiring emergency action; and

WHEREAS, unless the actions as hereby provided are immediately initiated, avoidable serious illness and deaths could occur; and

WHEREAS, the City will work collaboratively with its bordering cities, Dallas and Kaufman Counties, and the state of Texas to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and

WHEREAS, the conditions necessitating the Mayor's Declaration of Local State of Disaster for Public Health Emergency relating to COVID-19 continue to exist and are anticipated to continue to exist for the foreseeable future; and

WHEREAS, [Section 418.108](#)(b) of the Texas Government Code provides that a local state of disaster may not be continued for a period in excess of seven (7) days without the consent of the governing body of the political subdivision; and

WHEREAS, the City Council has determined that the duration of the Mayor's Declaration of Local State of Disaster for Public Health Emergency relating to COVID-19 should be extended to help abate the public health threat; and

WHEREAS, the City Council finds that it is in the best interest of the residents of Mesquite to continue the Mayor's Declaration of Local State of Disaster for Public Health Emergency relating to COVID-19 in accordance with [Section 418.108](#)(b) of the Texas Government Code and [Section 122.006](#) of the Texas Health and Safety Code; and

WHEREAS, the City of Mesquite, Texas, is a home-rule municipality acting under its Charter adopted, and amended, by the electorate pursuant to the Texas Constitution, Article 11, [Section 5](#) and the Texas Local Government Code [Chapter 9](#); and

WHEREAS, a home-rule municipality has full power of local self-government, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 51, [Section 51.072](#)(a); and

WHEREAS, a home-rule municipality has general enforcement authority and may enforce each rule, ordinance, or police regulation of the municipality and may punish a violation of a rule, ordinance, or police regulation pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 54, [Section 54.001](#), as amended and pursuant to Mesquite City Code, Chapter 1, [Section 1-6](#); and

WHEREAS, a home-rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 54, [Section 54.004](#), as amended; and

WHEREAS, the City shall have the power to enact and enforce ordinances necessary to protect health, life and property and to prevent and summarily abate and remove all nuisances, and to preserve and enforce good government and order and security of the City and its inhabitants, pursuant to Mesquite City Charter, Article III, [Section 2](#); and

WHEREAS, upon the review and consideration of all matters attendant and related hereto, the City Council is of the opinion that this ordinance should be approved and adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. Recitals Incorporated. The City Council hereby finds and determines the recitals made in the preamble of this ordinance are true and correct, and hereby incorporates such recitals here in the body of this ordinance as if copied in their entirety.

SECTION 2. Findings. The City Council of the City of Mesquite, Texas, hereby finds that extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout the City of Mesquite, Dallas County, Kaufman County, and the surrounding areas.

SECTION 3. Emergency Management Director and Emergency Management Coordinator.

3.1. Pursuant to Mesquite City Code, Chapter 2, Article VI, [Section 2-186](#) (a), the Office of Emergency Management Director of the City is designated as and shall be held by the Mayor.

3.2. Pursuant to Mesquite City Code, Chapter 2, Article VI, [Section 2-186](#) (b), an Emergency Management Coordinator may be appointed by and serve at the pleasure of the director. Pursuant to Section 418.101 of the Texas Government Code, the presiding officer of the governing body will notify the Texas Division of Emergency Management (“TDEM”) regarding the designation of an Emergency Management Coordinator. Mayor Bruce Archer has designated Cindy Carlo to serve as the City of Mesquite’s Emergency Management Coordinator pursuant to the filing of Form TDEM-147 effective November 14, 2019. Due to the rapidly changing environment resulting from this public health emergency the City Manager, or his designee, is authorized to appoint a temporary successor or successors for the Emergency Management Coordinator as identified within the City’s Continuity of Operations Plan (COOP) or as otherwise identified by the City Manager, or his designee.

3.3. This ordinance hereby delegates the authority for execution of the duties within the City’s emergency management plans to the Emergency Management Coordinator, or his or her designee and/or successors as may be authorized by this Ordinance or other law.

SECTION 4. Declaring a Local State of Disaster. Pursuant to [Section 418.108](#)(a) of the Texas Government Code, the City Council finds and declares a local state of disaster for public health emergency in Mesquite as a result of the impact of COVID-19.

SECTION 5. Continuing the Mayor’s Declaration of Local Disaster. Continuing the Mayor’s Declaration of Local Disaster for Public Health Emergency relating to COVID-19 issued on March 23, 2020, attached hereto and made a part hereof as **EXHIBIT A**, is hereby continued as provided in [Section 418.108](#)(b) of the Texas Government Code.

SECTION 6. Confirming the Activation of the City’s Emergency Management Plans.

6.1. This ordinance confirms the Mayor’s Declaration of Local State of Disaster for Public Health Emergency relating to COVID-19 activated the City of Mesquite’s Master Emergency Operations Plan (“MEOP”) and any other applicable emergency management plans,

and all Charter, statutory and ordinance powers vested in applicable City staff, the Mayor and City Council to act in this local state of disaster are hereby activated, pursuant to [Section 418.108](#) (d) of the Texas Government Code.

6.2. This Ordinance confirms and further activates the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance as deemed necessary or desirable by those administering such plans, pursuant to [Section 418.108](#) (d) of the Texas Government Code.

6.3. All aspects of the City of Mesquite's emergency management plans not already activated are hereby activated to the extent necessary to respond to the COVID-19 emergency as determined by the City Manager.

6.4. To the extent necessary, this ordinance supplements the foregoing plans, but only for the effective period of this ordinance.

6.5. The City of Mesquite emergency management plans shall remain active throughout the duration of the Mayor's Declaration of Local Disaster for Public Health Emergency relating to COVID-19, and any continuation thereof authorized by the City Council or other applicable law.

SECTION 7. Temporary Public Health Facilities. Pursuant to [Section 418.020](#) (d) of the Texas Government Code, the City of Mesquite is authorized to: (1) temporarily or permanently acquire by lease, purchase or other means sites required for installation of temporary housing units, emergency shelters or public health facilities for disaster victims; and (2) enter into arrangements necessary to prepare or equip the sites to use the housing units, emergency shelters or public health facilities, including arrangements for the purchase of temporary housing units, emergency shelters or public health facilities and the payment of transportation charges.

SECTION 8. Waiver of Mesquite City Code provisions. The City Council hereby authorizes the City Manager to temporarily waive and/or suspend any City Code regulations that are difficult or impossible to comply with during the duration of the term of this ordinance and/or the Mayor's Declaration of Local Disaster for Public Health Emergency relating to COVID-19 as long as such waiver is not inconsistent with state, federal, or other applicable law.

SECTION 9. Rules and Orders. Pursuant to [Section 121.003](#) and [Section 122.006](#) of the Texas Health and Safety Code, [Section 418.108](#) of the Texas Government Code, and such other powers the City of Mesquite may have under the City Charter and other laws, the City Council hereby adopts and approves the following rules and orders, which shall apply throughout Mesquite and shall be in effect on and from the date of this Ordinance until its expiration or it is rescinded, superseded, or amended; provided, however, that any such order and rules may be terminated before said expiration, by subsequent order of the Mayor or City Council, and may be continued or renewed beyond the expiration of this ordinance only with authorization of the City Council:

9.1. Hoarding and Price-Gouging Prohibited. The hoarding of food and other items necessary for daily living is prohibited. The City Manager or his designee is authorized to distribute to retailers within Mesquite a list containing per-customer limitations on purchases. The City Attorney or his designee is authorized to take such action as allowed by law, in coordination with the Texas Attorney General, to enforce this ordinance and prohibitions on price-gouging.

9.2. Exclusion from Public Facilities. The City Manager and his designees are hereby authorized to temporarily exclude from any City of Mesquite building or facility a person whom the City Manager or his designee has reasonable cause to believe is ill with, has been exposed to or is the carrier of the virus that causes the sickness known as COVID-19. Such exclusion shall be on a temporary basis, but for as long as is necessary to protect the public and City employees' health and safety.

9.3. Shelter-in-Place and Stay-At-Home Orders. Pursuant to [Section 122.006](#) of the Texas Health and Safety Code, the City of Mesquite is authorized to adopt rules to protect the health of persons in Mesquite, including quarantine rules to protect its residents against communicable disease and the City may also provide for the establishment of quarantine stations, emergency hospitals and other hospitals. **MESQUITE RESIDENTS ARE REQUIRED TO SHELTER-IN-PLACE AND STAY-AT-HOME TO STAY SAFE AS FOLLOWS:**

9.3.1. Mesquite residents residing in DALLAS COUNTY: Shelter-in-Place and Stay-At-Home Orders. The City of Mesquite, Texas, residents residing in DALLAS COUNTY are directed to read and comply with the Dallas County [AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS Stay-Home-Stay-Safe dated March 24, 2020](#), amending the March 12, 2020 ORDER, included in that AMENDED ORDER is a mandatory Shelter-in-Place (Stay-At-Home) directive (continuing until April 3, 2020) with only *essential activities, essential governmental functions* and *essential businesses* (as defined therein) being excepted, and said Order is attached hereto and made a part hereof as **EXHIBIT B**. In the event Dallas County revises, updates, rescinds, supersedes, or amends its current Orders in effect, then Mesquite residents, residing in Dallas County, are directed to read and comply with the most recent and valid Dallas County orders.

9.3.2. Mesquite residents residing in KAUFMAN COUNTY: Shelter-in-Place and Stay-At-Home Orders. The City of Mesquite, Texas, residents residing in KAUFMAN COUNTY are directed to read and comply with the Kaufman County [SHELTER-IN-PLACE ORDER OF THE COUNTY JUDGE OF KAUFMAN COUNTY, TEXAS, dated March 24, 2020](#), included in that ORDER is a mandatory Shelter-in-Place (Stay-At-Home) directive (continuing until April 8, 2020) with only *essential activities, essential governmental functions* and *essential businesses* being excepted, and said Order is attached hereto and made a part hereof as **EXHIBIT C**. In the event Kaufman County revises, updates, rescinds, supersedes, or amends its current Orders in effect, then Mesquite residents, residing in Kaufman County, are directed to read and comply with the most recent and valid Kaufman County orders.

9.4 Mandated Self-Quarantine. Pursuant to [Section 122.006](#) of the Texas Health and Safety Code, the City of Mesquite is authorized to adopt rules to protect the health of persons in Mesquite, including quarantine rules to protect its residents against communicable disease and the City may also provide for the establishment of quarantine stations, emergency hospitals and other hospitals. MESQUITE RESIDENTS, AND ANY OTHER INDIVIDUALS TRAVELING TO THE CITY OF MESQUITE, ARE REQUIRED TO **SELF-QUARANTINE TO STAY SAFE AS FOLLOWS:**

9.4.1. Testing Positive for COVID-19. If a person in a household has tested positive for COVID-19, all persons within the household are ordered to isolate at their residence or other appropriate location such as a hotel, motel, shared rental, and similar facilities. Members of the household may not go to work, school, or any other community function, or receive visitors or in-home services until cleared by a medical professional or until a self-quarantine period of at least 14 days has passed from the date the individual tested positive for COVID-19. Persons may seek or receive medical services as needed from medical personnel and facilities.

9.4.2. Individuals Traveling to Texas, and specifically to the City of Mesquite, Texas, as their Final Destination through an Airport from the Tri-State Area of New York, New Jersey, or Connecticut as well as the City of New Orleans, Louisiana. City of Mesquite, Texas, residents and any other individuals traveling to Mesquite, Texas, as their final destination through an airport from the Tri-State Area of New York, New Jersey, or Connecticut as well as the City of New Orleans, Louisiana, are directed to read and comply with Texas Governor Greg Abbott's [Executive Order GA 11](#), issued March 26, 2020, mandating a self-quarantine of 14 days. Said Executive Order is attached hereto and made a part hereof as **EXHIBIT D**.

In the event the Governor revises, updates, rescinds, supersedes, or amends the current Executive Order in effect, then Mesquite residents, and any other individuals traveling to Mesquite, Texas as identified herein, are directed to read and comply with the most recent and valid Executive Orders.

The Governor's [Executive Order GA 11](#) will be enforced by the Texas Department of Public Safety ("DPS"). During this period, a quarantined person shall not allow visitors into or out of the designated quarantine location, other than a physician or healthcare provider, and cannot visit any public spaces. The mandatory self-quarantine will last a period of 14 days or for the duration of a person's presence in Texas, whichever is shorter.

This order to self-quarantine shall not apply to people traveling in connection with military service, emergency response, health response, or critical-infrastructure functions, as may be determined by the Texas Division of Emergency Management (TDEM).

9.5. Telephone Conference and On-Line Participation in City Meetings. All citizens are encouraged to watch and participate in City Council meetings, and any other Board or Commission meetings, either online or via telephone conference rather than attend in person. For City Council meetings, members of the public may submit comments of public interest or comments on agenda items electronically to the City of Mesquite at sland@cityofmesquite.com. For Planning & Zoning Commission or Board of Adjustment meetings, members of the public may submit comments on agenda items electronically to the City of Mesquite at

planning@cityofmesquite.com. Residents may also participate in meetings as described in the notice of meeting and/or the agenda.

9.6. Delivery Hours Restrictions Suspended. All City restrictions on delivery hours for transport to or from any business involved in the selling or distribution of food and household products, medicine or medical supplies are suspended.

SECTION 10. City Staffing.

10.1. While in a state of disaster, there is a compelling public purpose in maintaining the City's essential workforce and ensuring continuity in essential governmental functions while also recognizing this is a rapidly changing environment created by the public health emergency.

10.2. This ordinance authorizes the City Manager or his designee, if needed to abate the public health emergency, to: (1) implement skeleton crew days, (2) close the administrative offices, or (3) close the City's physical offices for purposes of a public health response.

10.3. The City Council hereby authorizes the City Manager, or his designee, to make any City staffing and compensation-related decisions necessary to adapt to the rapidly changing environment created by the public health emergency to meet the objectives stated herein and authorizes the expenditure of City funds to accommodate same.

SECTION 11. Authorizing City Expenditure of Funds.

11.1. That [Section 2-191](#), of the Mesquite City Code, is hereby TEMPORARILY SUSPENDED, but only to the extent it may conflict with Section 11.2 herein, during the time-period this Ordinance is effective, or for any other time period as authorized by the City Council.

11.2. The City Council hereby authorizes the City Manager, or his designee, to expend any public funds of the City (provided funds are available) in carrying out emergency management activities authorized by any emergency management plans. The City Manager, or his designee, shall have the authority and right to bind the City by contract, agreement or otherwise as necessary to ensure the public health, safety, and welfare. To the extent this provision conflicts with the provisions in [Section 2-5](#), of the Mesquite City Code as amended, this provision and ordinance shall prevail and be controlling.

11.3. Any expenditure of funds beyond that approved in the City's FY 2019-2020 budget, related to expenditures for emergency management activities or other expenditures caused by or directly related to the COVID-19 public health emergency, must come to the City Council for ratification at a later date and the City Council shall ratify such expenditures at a City Council meeting open to the public. Any such expenditure may be made prior to City Council ratification due to the public health emergency. This section does not modify any other current delegation of authority the City Manager and any other City officials currently retain as authorized by Mesquite City Code, Chapter 2, [Section 2-5](#).

SECTION 12. Criminal and Civil Enforcement Remedies in General. Nothing in this ordinance prohibits the City from pursuing civil and criminal enforcement remedies and penalties concurrently or availing itself of any other remedy allowed by law.

SECTION 13. Enforcement, Offense, and Penalties.

13.1. Enforcement.

13.1.1. Enforcement of this Ordinance, or any Rule, Order, or other Ordinance adopted under the City's Emergency Management Plans. Enforcement of this ordinance, or any rule, order, or other ordinance adopted under the City's emergency management plans shall be by any authorized peace officer or other City official authorized to enforce City ordinances, including but not limited to, the Mesquite Police Department, the Mesquite Fire Marshal's Office, the Building Official, and his designees, licensed Code Officers, the City's Health Official and his designees.

13.1.2. Enforcement of Mandated Quarantine, pursuant to Texas Governor Greg Abbott's Executive Order GA 11, will be performed by the Texas Department of Public Safety. Those entering Texas as their final destination from the designated areas as identified in [Executive Order GA 11](#), and Section 9.4.2. of this Ordinance, will use a form from the Texas Department of Public Safety ("DPS") to designate their quarantine location. DPS special agents will conduct unannounced visits to designated quarantine locations to verify compliance. The City of Mesquite peace officers are hereby authorized to assist DPS if such assistance is requested.

13.2. Offense. Unless otherwise provided, failure to comply or violation of the provisions or terms of any of the following is an offense: (1) the City's Emergency Management Plan, authorized and established pursuant to Chapter 2, [Article VI](#) titled "Emergency Management" of the Mesquite City Code; or (2) the Mayor's Declaration of Local State of Disaster for Public Health Emergency relating to COVID-19, and any extensions thereof; or (3) this ordinance or any amendment thereto; or any (4) State; (5) local (including, but not limited to, such Orders of Dallas County and Kaufman County); or (6) interjurisdictional, emergency management plan or any rule, order or ordinance adopted under the plan, by any "person," (as defined in Mesquite City Code, Chapter 1, [Section 1-2](#)).

13.3. Penalties. Upon conviction of said offense, a person may be subject to a penalty of fine not to exceed ONE THOUSAND DOLLARS (\$1,000.00) or confinement in jail for a term that does not exceed 180 days for each offense, as provided in Texas Government Code, [Chapter 418, § 418.173](#).

SECTION 14. Publication.

14.1. Newspaper. This ordinance shall be published in the City's official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

14.2. Filing with City Secretary, Dallas County Clerk and Kaufman County Clerk.

This Ordinance, continuing the Mayor's Declaration of a Local State of Disaster for Public Health Emergency relating to COVID-19 dated March 23, 2020, shall be given prompt and general publicity and shall be filed promptly with the Mesquite City Secretary's Office, and the Dallas County and Kaufman County Clerks, pursuant to [§ 418.108\(c\)](#) of the Texas Government Code.

14.3. City's Website and Bulletin Boards. The City Secretary or her designee is directed to post the following most recent and currently legally valid documents on the City's website and bulletin boards (but only to the extent said bulletin boards can accommodate said documents or abbreviated versions of said documents): (1) Dallas County Orders; (2) Kaufman County Orders; (3) the Mayor's Declaration of Local State of Disaster for Public Health Emergency related to COVID-19 dated March 23, 2020; and (4) this Ordinance,

SECTION 15. Repealing Clause. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 16. Conflicts Resolution Clause.

16.1. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Mesquite and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

16.2. In the event of a conflict between the offense and penalty provisions of the Mayor's Declaration of Local Disaster for Public Health Emergency relating to COVID-19 issued on March 23, 2020, and the offense and penalty provisions provided for in this Ordinance, this Ordinance shall prevail and be controlling.

16.3. In the event of a conflict between this Ordinance, the Mayor's Declaration, and any other declaration, proclamation, order, or executive orders from the Dallas County Judge, the Kaufman County Judge, the Texas Governor, the President of the United States, or another controlling authority, the declaration, proclamation, order, or executive orders from the aforementioned individuals will prevail regarding a conflicting provision, but only to the extent it cannot be reconciled; the remainder of this Ordinance shall remain in full force and effect during the period stated unless otherwise rescinded, superseded, or amended.

SECTION 17. Severability Clause. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or any attachment hereto, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance and the Mesquite City Code, as hereby or previously amended, which shall remain in full force and effect.

SECTION 18. **Exhibits to Ordinance.** The following Exhibits are attached hereto and made a part hereof:

- EXHIBIT A.** [Mayor's Declaration of Local Disaster for Public Health Emergency relating to COVID-19, issued on March 23, 2020.](#)
- EXHIBIT B.** [AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS Stay-Home-Stay-Safe, dated March 24, 2020.](#)
- EXHIBIT C.** [SHELTER-IN-PLACE ORDER OF THE COUNTY JUDGE OF KAUFMAN COUNTY, TEXAS, dated March 24, 2020.](#)
- EXHIBIT D.** [Texas Governor Greg Abbott EXECUTIVE ORDER GA 11 relating to airport screening and self-quarantine during the COVID-19 disaster.](#)

SECTION 19. **Emergency Measure Ordinance.** On March 27, 2020, pursuant to City Council Rules of Procedure, Section 3.2, Mayor Bruce Archer called for a special called meeting for the purpose of the City Council to discuss and consider this emergency measure ordinance as authorized by Mesquite City Charter, Article IV, [Section 18](#) and [Section 19](#). This emergency measure ordinance is for the immediate preservation of the public business, property and health and safety during this public health emergency related to the COVID-19 pandemic.

SECTION 20. **Effective Date.** This ordinance shall take effect and be in force immediately from and after the passage thereof in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 21. **Expiration Date.** This Ordinance expires on the earlier to occur: (1) of the termination or expiration of the Declaration of Local Disaster for Public Health Emergency issued by Dallas County; or (2) **May 18, 2020**, unless extended by the affirmative vote of a simple majority of the City Council of the City of Mesquite; or (3) until this Ordinance is either rescinded, superseded, or amended pursuant to the affirmative vote of a simple majority of the City Council of the City of Mesquite or other applicable law.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the **30th day of March 2020**.

Bruce Archer
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary


David L. Paschall
City Attorney

EXHIBIT A

To Ordinance No. _____

Mayor's Declaration of Local Disaster
for Public Health Emergency relating to COVID-19,
issued on March 23, 2020.

**DECLARATION OF LOCAL STATE OF DISASTER
FOR PUBLIC HEALTH EMERGENCY**

BY MAYOR BRUCE ARCHER

CITY OF MESQUITE, TEXAS

MARCH 23, 2020

*** RELATING TO COVID-19 ***

WHEREAS, beginning in or about December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has spread throughout the world; and

WHEREAS, COVID-19 has been recognized globally as a contagious respiratory virus and symptoms include fever, coughing and shortness of breath and, in some cases, has caused death; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, on March 5, 2020, the World Health Organization urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, on March 12, 2020, Dallas County Judge Clay Jenkins issued a [Declaration of Local Disaster for Public Health Emergency](#) and [ORDER OF COUNTY JUDGE CLAY JENKINS dated March 12, 2020](#); and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a [Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease \(COVID-19\) Outbreak \[Proclamation No. 9994, 85 F.R. 15337 \(March 13, 2020\)\]](#); and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott issued a [Proclamation](#) certifying that COVID-19 poses an imminent threat of disaster in the state of Texas and declaring a state of disaster for all counties in Texas; and

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

WHEREAS, on March 16, 2020, Dallas County Judge Clay Jenkins issued an [AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS dated March 16, 2020](#), amending the March 12, 2020 ORDER; and

WHEREAS, on March 18, 2020, Dallas County Judge Clay Jenkins issued an [AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS DATED MARCH 18, 2020](#); and

WHEREAS, on March 18, 2020, Kaufman County Judge Hal Richards issued a [Declaration of Local Disaster for Public Health Emergency](#); and

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

WHEREAS, under the Texas Disaster Act of 1975, “[t]he governor is responsible for meeting . . . the dangers to the state and people presented by disasters” ([Section 418.001](#) of the Texas Government Code), and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, on March 19, 2020, the Texas Governor Greg Abbott has issued [Executive Order GA 08, Relating to COVID-19 preparedness and mitigation](#); and

WHEREAS, on March 21, 2020, Dallas County Judge Clay Jenkins issued an [AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS dated March 21, 2020](#), amending the March 12, 2020 ORDER; and

WHEREAS, on March 22, 2020, Dallas County Judge Clay Jenkins issued an [AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS dated March 22, 2020](#), amending the March 12, 2020 ORDER, included in that AMENDED ORDER is a mandatory Shelter-in-Place (Stay-At-Home) directive with only *essential activities, essential governmental functions* and *essential businesses* being excepted; and

WHEREAS, COVID-19 continues to spread and pose an increasing, imminent threat of disaster throughout Texas; and

WHEREAS, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout the State of Texas, Dallas and Kaufman Counties, and the City of Mesquite; and

WHEREAS, the continued worldwide and local spread of COVID-19 presents an imminent threat of widespread illness, requiring emergency action; and

WHEREAS, unless the actions as hereby provided are immediately initiated, avoidable serious illness and deaths could occur; and

WHEREAS, pursuant to the [Texas Disaster Act of 1975, Texas Government Code, Chapter 418](#), the Mayor of the City of Mesquite, Texas, may declare a local state of disaster in the City, and may exercise the powers granted therein on an appropriate local scale; and

WHEREAS, a declaration of local state of disaster includes the ability to take measures to reduce the possibility of exposure to disease, mitigate the risk, and promote the health and safety of the residents of the City of Mesquite, Texas; and

WHEREAS, the measures identified in this Declaration are designed to prevent deaths in the City; and

WHEREAS, this 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 Texas Government Code Chapter 418; and

WHEREAS, I, Bruce Archer, the Mayor, and presiding officer of the City Council, of the City of Mesquite, Texas, have determined that in order to remain consistent with the aforementioned Declarations, Proclamations, Orders, and Executive Orders, extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the Coronavirus, as well as those that could potentially be infected or impacted by COVID-19 within the City of Mesquite, Texas; and

WHEREAS, the City will work collaboratively with the its bordering cities, Dallas and Kaufman Counties, and the state of Texas to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19.

NOW, THEREFORE, by virtue of the authority vested in me by the City of Mesquite, Texas, City Charter, and the Mesquite City Code and the laws and regulations of the state of Texas, **I, MAYOR BRUCE ARCHER, HEREBY PROCLAIM AND DECLARE:**

SECTION 1. A local state of disaster for public health emergency for the City of Mesquite, Texas, pursuant to [§ 418.108\(a\)](#) of the Texas Government Code.

SECTION 2. This declaration of a local state of disaster activates the City of Mesquite's Emergency Operations Plan and any other applicable emergency management plans, and all Charter, statutory and ordinance powers vested in applicable City staff, the Mayor and City Council to act in this local state of disaster are hereby activated, pursuant to [§ 418.108\(d\)](#) of the Texas Government Code. This Declaration further activates the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance as deemed necessary or desirable by those administering such plans.

SECTION 3. This declaration authorizes the Mayor to control the movement of persons and occupancy of premises in the City, pursuant to [§ 418.108\(g\)](#) of the Government Code.

- SECTION 4.** This declaration authorizes the City Manager or his designee, if needed, to: (1) implement skeleton crew days, (2) close the administrative offices, or (3) close the City's physical offices for purposes of a public health response.
- SECTION 5.** This declaration authorizes the City Manager or his designee, on behalf of the City Council, to take any actions reasonably necessary in regards to processing records requests made pursuant to the Public Information Act, including but not limited to authorizing the filing of a Public Information Act Catastrophe Notice implementing an initial suspension period and any subsequent extension thereof for the City's responses to records requests, authorized by and pursuant to [Section 552.233](#) of the Government Code.
- SECTION 6.** The City is authorized to adopt rules to protect the health of persons in the City including quarantine rules to protect its residents against communicable disease and provide for establishment of quarantine stations, emergency hospitals and other hospitals, pursuant to [§ 122.006](#) of the Texas Health and Safety Code.
- SECTION 7.** The City of Mesquite, Texas, and its residents are directed to read and comply with Texas Governor Greg Abbott's [Executive Order GA 08](#).
- SECTION 8.** In accordance with Governor Greg Abbott's [Executive Order GA 08](#), ORDER No. 1, every person in Texas shall avoid social gatherings in groups of more than 10 people.
- SECTION 9.** In accordance with Governor Greg Abbott's [Executive Order GA 08](#), 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.
- SECTION 10.** The City of Mesquite, Texas, and its residents are directed to read and comply with the Dallas County [AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS dated March 22, 2020](#), amending the March 12, 2020 ORDER, included in that AMENDED ORDER is a mandatory Shelter-in-Place (Stay-At-Home) directive with only *essential activities*, *essential governmental functions* and *essential businesses* (as defined therein) being excepted; and
- SECTION 11.** This declaration of a local state of disaster shall continue for a period of not more than seven (7) days from the date of this declaration unless continued or renewed by the City Council of Mesquite, Texas, pursuant to [§ 418.108\(b\)](#) of the Texas Government Code.

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- SECTION 12.** This Declaration of a Local State of Disaster for Public Health Emergency: COVID-19 shall be given prompt and general publicity and shall be filed promptly with the City Secretary, and the Dallas and Kaufman County Clerks, pursuant to [§ 418.108\(c\)](#) of the Texas Government Code.
- SECTION 13.** The City Secretary is directed to post the Dallas County [AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS dated March 22, 2020](#) and this Declaration of Local State of Disaster for Public Health Emergency: COVID-19 on the City's bulletin boards and web-site.
- SECTION 14.** If any subsection, sentence, clause, phrase, or word of this Declaration 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 Declaration.
- SECTION 15.** In the event of a conflict between this Declaration, and any other Declaration, Proclamation, Order, or Executive Orders from the Dallas County Judge, the Kaufman County Judge, the Texas Governor, the President of the United States, or another controlling authority, the Declaration, Proclamation, Order, or Executive Orders from the aforementioned individuals will prevail regarding a conflicting provision, but only to the extent it cannot be reconciled; the remainder of this Declaration shall remain in full force and effect during the period stated unless otherwise amended or revoked.
- SECTION 16.** Nothing in this declaration prohibits the City from pursuing civil and criminal enforcement remedies and penalties concurrently or availing itself of any other remedy allowed by local, state or federal law. Any violation of the provisions or terms of the Emergency Management Plan, established under Chapter 2, [Article VI](#) titled "Emergency Management", of the Mesquite City Code, by any "person," (as defined in Mesquite City Code, Chapter 1, [Section 1-2](#)) may be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, subject to either a penalty of fine not to exceed ONE THOUSAND DOLLARS (\$1,000.00) or confinement in jail for a term that does not exceed 180 days for each offense, as provided in Texas Government Code, [Chapter 418](#), [§418.173](#).
- SECTION 17.** This Declaration shall take effect immediately from and after its issuance.

DECLARED at 5:25 o'clock, p.m. this 23rd day of March 2020.

Bruce Archer
Mayor, City of Mesquite, Texas

EXHIBIT B

To Ordinance No. _____

AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS
Stay-Home-Stay-Safe, dated March 24, 2020.



DALLAS COUNTY

AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS

Stay Home Stay Safe

DATE AMENDED ORDER ISSUED: March 24, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus; and,

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 3, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, the March 12, 2020, Order of County Judge Clay Jenkins is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, 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 the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in Dallas County to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order takes effect at 11:59 p.m. on March 23, 2020 and will continue through 11:59 p.m. on April 3, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:

1. Effective as of 9:00 p.m. on March 24, 2020, and continuing until 11:59 p.m. on April 3, 2020:



DALLAS COUNTY

- (a) All individuals currently living within Dallas County are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
- (b) All businesses operating within Dallas County, except Essential Businesses as defined in below in Section 2, are required to cease all activities at facilities located within the County. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six feet social distancing for both employees and the general public.
- (c) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
- (d) Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
- (e) Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines including the six feet social distancing.
- (f) All elective medical, surgical, and dental procedures are prohibited anywhere in Dallas County. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.

2. Definitions:

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and



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products necessary to maintain the safety, sanitation, and essential operation of residences.

- iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).
- iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.
 - vi. To move to another residence either in or outside Dallas County.
- b. For purposes of this Order, “Essential Businesses” means:
 - i. **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, chiropractors, physical therapy, optometry offices, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms, personal training, gymnastics studios, and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(f) of this Order.
 - ii. **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Government Functions.” All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.
 - iii. **Essential Critical Infrastructure.** Individuals may provide any services or perform any work necessary to offer, operate, maintain and repair, “Essential Critical Infrastructure.” Essential Critical Infrastructure is defined by the 16 critical infrastructure sectors identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential, commercial, and school construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions except non-depository lenders (such as payday lenders), payroll, accounting, and insurance companies, defense and national



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security-related operations, and essential manufacturing operations. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached. For reference, the CISA 16 critical infrastructure sectors can be found here: <https://www.cisa.gov/critical-infrastructure-sectors>.

- iv. **Essential Retail.** Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers' markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Pet food and supplies. Businesses that ship or deliver groceries, food, hygiene products, goods or services directly to residences or essential businesses. Restaurants and other facilities that prepare and serve food, but only for delivery, drive-through services, or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto and bicycle repair, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Businesses that supply products needed for people to work from home. To the greatest extent possible, essential retail establishments shall follow the guidelines below:
 1. Designate shopping times for at risk populations (seniors, pregnant people, and people with underlying health conditions);
 2. Limit the amount of people in a store at once so that social distancing is possible;
 3. Implement an organized line system where people are spaced at least a few feet apart (ideally 6 feet);
 4. Implement purchase limits on high-demand items (toilet paper, soap, hand sanitizer);
 5. Offer pick up or deliveries of grocery items.
- v. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- vi. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, landscaping services, processing and disposal, mail, shipping and delivery services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, moving services for residential and essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and



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other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Real estate and inspection services, but only for the purpose of title work and closing; open houses and showings are prohibited. Businesses that supply other essential businesses with the support or supplies needed to operate. To the extent possible, services shall be provided in compliance with Social Distancing Guidelines attached, including distancing of six feet and routine use of hand sanitizer.

- vii. **Public and Private Education.** Public and private educational institutions, only for the purposes of facilitating distance learning or performing essential functions.
- viii. **News Media.** Newspapers, television, radio, and other media services.
- ix. **Childcare Services.** Childcare facilities providing services or community service providers offering childcare services that enable employees exempted in this Order may operate under the following mandatory conditions:
 - 1. Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Childcare providers shall remain solely with one group of children.
- 3. The Dallas County Sheriff’s Office, the Dallas County Fire Marshal’s Office, and other peace officers, are hereby authorized to enforce this order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days.
- 4. Any manufacturer who retools their business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an “essential business” exemption under this Order. Submit requests for an exemption to BusinessCOVID19@dallascounty.org.
- 5. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.



DALLAS COUNTY

6. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in Dallas County are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.
7. Due to the public health emergency, the Office of the Dallas County Judge hereby advises the Dallas County Justices of the Peace to suspend eviction hearings and writs of possession for at least the next 60 days to prevent renters from being displaced.
8. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
9. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
10. Public and private schools and institutions of higher education are instructed by this order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom settings.
11. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.
12. This Order shall be effective until 11:59 p.m. on April 3, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
13. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services 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.

IT IS SO ORDERED

**CLAY JENKINS
DALLAS COUNTY JUDGE**



DALLAS COUNTY

DCHHS Social Distancing Recommendations

1) Vulnerable Populations: Limit Outings

- Vulnerable 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.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3) Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to implement social distancing..

4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- Ensure social distancing practices are implemented to the full extent possible.



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6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.

EXHIBIT C

To Ordinance No. _____

SHELTER-IN-PLACE ORDER
OF THE COUNTY JUDGE OF KAUFMAN COUNTY, TEXAS,
dated March 24, 2020.



FILED FOR RECORD
KAUFMAN CO. TEXAS

2020 MAR 24 PM 2:32

LAURA A. HUGHES
COUNTY CLERK

BY: LD
DEPUTY

**SHELTER-IN-PLACE ORDER OF THE
COUNTY JUDGE OF
KAUFMAN COUNTY, TEXAS**

WHEREAS, pursuant to Section 418.108(a) of the Texas Government Code Section, Hal Richards County Judge of Kaufman County, Texas issued a Declaration of State of Disaster and Public Health Emergency ("Declaration") on March 18, 2020, due to a novel Coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, on March 24th, 2020, the Kaufman County Commissioners Court issued an Order Extending the Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Kaufman County Emergency Management Plan and extends the Declaration of Local Disaster until April 23rd, 2020, unless rescinded by order of the Commissioners Court; and,

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and Prevention ("CDC") and the Texas Department of State Health Services warrant additional action by the County; and,

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and,

WHEREAS, the virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, 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 the influx of new patients and safeguard public health and safety.

NOW, THEREFORE, BE IT PROCLAIMED PURSUANT TO THE AUTHORITY OF SECT. 418.108 OF THE TEXAS GOV'T CODE, KAUFMAN COUNTY JUDGE HAL RICHARDS, ORDERS THAT:

- 1. The State of Disaster and Public Health Emergency proclaimed for the Kaufman County, Texas by Judge Hal Richards on March 18, 2020 shall continue as directed by order of the Kaufman County Commissioners' Court.**

- 2. Effective as of 11:59 p.m. on March 25, 2020, and continuing until 11:59 p.m. on April 8, 2020:**
 - (a) All individuals currently living within the County of Kaufman, Texas are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section B.

 - (b) All businesses operating within the County of Kaufman, except Essential Businesses as defined in below in Section B, are required to cease all activities at facilities located within the County. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines recommended by the CDC, including maintaining six-foot social distancing for both employees and the general public.

 - (c) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering

of members of a household or living unit.

- (d) Restaurants with or without drive-in or drive-through services and microbreweries, micro- distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
- (e) Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines from the CDC including the six-foot social distancing.
- (f) All elective medical, surgical, and dental procedures are prohibited anywhere in the County of Kaufman. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.

3. Essential Activities

For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":

- (a) To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home).
- (b) To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
- (c) To engage in outdoor activity, provided the individuals comply with

social distancing requirements of six feet (for example, walking, biking, hiking, or running).

(d) To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.

(e) To care for a family member or pet in another household.

4. Essential Businesses

For purposes of this Order, "Essential Businesses" shall be those businesses in the below listed areas, any additional businesses or related determinations shall be made by the Office of Emergency Management in consultation with the County Judge. Requests for an exemption from this Order must be received in writing by the Kaufman County Office of Emergency Management Department.

(a) HEALTHCARE / PUBLIC HEALTH

- 1) Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- 2) Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- 3) Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)
- 4) Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric

- Residential, Rural Health Clinics and Federally Qualified Health Centers)
- 5) Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
 - 6) Public health / community health workers, including those who compile, model, analyze and communicate public health information
 - 7) Blood and plasma donors and the employees of the organizations that operate and manage related activities
 - 8) Workers that manage health plans, billing, and health information, who cannot practically work remotely
 - 9) Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
 - 10) Workers performing cyber security functions at healthcare and public health facilities, who cannot practically work remotely
 - 11) Workers conducting research critical to COVID-19 response
 - 12) Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
 - 13) Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
 - 14) Pharmacy employees necessary for filling prescriptions
 - 15) Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
 - 16) Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death;

and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident.

(b) LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS

- 1) Personnel in emergency management, law enforcement, Emergency Management Systems, fire, and corrections, including front line and management
- 2) Emergency Medical Technicians
- 3) 911 call center employees
- 4) Fusion Center employees
- 5) Hazardous material responders from government and the private sector.
- 6) Workers – including contracted vendors -- who maintain digital systems infrastructure supporting law enforcement and emergency service operations.
- 7) Food and Agriculture
- 8) Workers supporting groceries, pharmacies and other retail that sells food and beverage products
- 9) Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees
- 10) Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging
- 11) Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically
- 12) Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs

- 13) Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor- managed inventory controllers and blockchain managers
- 14) Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail
- 15) Company cafeterias - in-plant cafeterias used to feed employees
- 16) Workers in food testing labs in private industries and in institutions of higher education
- 17) Workers essential for assistance programs and government payments
- 18) Employees of companies engaged in the production of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids
- 19) Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants and associated regulatory and government workforce
- 20) Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products
- 21) Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

(c) ELECTRIC INDUSTRY

- 1) Workers who maintain, ensure, or restore the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians
- 2) Workers needed for safe and secure operations at nuclear generation
- 3) Workers at generation, transmission, and electric blackstart facilities

- 4) Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities
- 5) Mutual assistance personnel
- 6) IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cyber security engineers; cyber security risk management
- 7) Vegetation management crews and traffic workers who support
- 8) Environmental remediation/monitoring technicians
- 9) Instrumentation, protection, and control technicians

(d) PETROLEUM WORKERS

- 1) Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport
- 2) Crude oil storage facilities, pipeline, and marine transport
- 3) Petroleum refinery facilities
- 4) Petroleum security operations center employees and workers who support emergency response services
- 5) Petroleum operations control rooms/centers
- 6) Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feed stocks for chemical manufacturing
- 7) Onshore and offshore operations for maintenance and emergency response
- 8) Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them

(e) NATURAL GAS AND PROPANE WORKERS

- 1) Natural gas transmission and distribution pipelines, including compressor stations
- 2) Underground storage of natural gas

- 3) Natural gas processing plants, and those that deal with natural gas liquids
- 4) Liquefied Natural Gas (LNG) facilities
- 5) Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls
- 6) Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation
- 7) Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls
- 8) Propane gas service maintenance and restoration, including call centers
- 9) Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feed stocks for chemical manufacturing
- 10) Propane gas storage, transmission, and distribution centers

(f) WATER AND WASTEWATER

Employees needed to operate and maintain drinking water and wastewater/drainage infrastructure, including:

- 1) Operational staff at water authorities
- 2) Operational staff at community water systems
- 3) Operational staff at wastewater treatment facilities
- 4) Workers repairing water and wastewater conveyances and performing required sampling or monitoring
- 5) Operational staff for water distribution and testing
- 6) Operational staff at wastewater collection facilities
- 7) Operational staff and technical support for SCADA Control systems
- 8) Chemical disinfectant suppliers for wastewater and personnel protection
- 9) Workers that maintain digital systems infrastructure supporting water and wastewater operations

(g) TRANSPORTATION AND LOGISTICS

- 1) Employees supporting or enabling transportation functions, including dispatchers, maintenance and repair technicians,

warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel)

- 2) Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
- 3) Mass transit workers
- 4) Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment
- 5) Maritime transportation workers - port workers, mariners, equipment operators
- 6) Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions, and services
- 7) Automotive repair and maintenance facilities
- 8) Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations
- 9) Postal and shipping workers, to include private companies
- 10) Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- 11) Air transportation employees, including air traffic controllers, ramp personnel, aviation security, and aviation management
- 12) Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers

(h) PUBLIC WORKS

- 1) Workers who support the operation, inspection, and maintenance of essential dams, locks and levees
- 2) Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel,

construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues

- 3) Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences
- 4) Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications
- 5) Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste

(i) COMMUNICATIONS AND INFORMATION TECHNOLOGY

- 1) Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations, Internet Exchange Points, and manufacturers and distributors of communications equipment
- 2) Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- 3) Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- 4) Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- 5) Installation, maintenance and repair technicians that establish, support or repair service as needed
- 6) Central office personnel to maintain and operate central office, data centers, and other network office facilities
- 7) Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who

interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting

- 8) Dispatchers involved with service repair and restoration
- 9) Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- 10) Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- 11) Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure
- 12) Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel
- 13) Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- 14) Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- 15) Support required for continuity of services, including janitorial/cleaning personnel

(j) OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS

- 1) Workers to ensure continuity of building functions
- 2) Security staff to maintain building access control and physical security measures

- 3) Elections personnel
- 4) Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- 5) Trade Officials (FTA negotiators; international data flow administrators)
- 6) Weather forecasters
- 7) Workers that maintain digital systems infrastructure supporting other critical government operations
- 8) Workers at operations centers necessary to maintain other essential functions
- 9) Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- 10) Customs workers who are critical to facilitating trade in support of the national emergency response supply chain
- 11) Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing
- 12) Hotel Workers where hotels are used for COVID-19 mitigation and containment measures

(k) CRITICAL MANUFACTURING

- 1) Workers necessary for the manufacturing of materials and products needed for medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base.
- 2) Hazardous Materials
- 3) Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
- 4) Workers who support hazardous materials response and cleanup
- 5) Workers who maintain digital systems infrastructure supporting hazardous materials management operations

(l) FINANCIAL SERVICES

- 1) Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- 2) Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- 3) Workers who support financial operations, such as those staffing data and security operations centers

(m) CHEMICAL

- 1) Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
- 2) Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items
- 3) Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products
- 4) Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/ or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections
- 5) Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing

(n) DEFENSE INDUSTRY BASE

- 1) Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers
- 2) Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/contractor-operated and government-owned/government-operated facilities

(o) ESSENTIAL GOVERNMENT FUNCTIONS

Services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Government Functions." This notwithstanding, certain government facilities may be closed to the public, except by appointment only. All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.

(p) ESSENTIAL CRITICAL INFRASTRUCTURE

Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cyber security and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense

and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines from the CDC. The following CISA document is incorporated by reference and intended to be used as guidance under this Order regarding permissible and necessary operations.

https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_508C_0.pdf

(q) ESSENTIAL RETAIL

Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, gas stations and convenience stores, farmers' markets that sell food products and household staples. Food cultivation, including fanning, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto sales and repair facilities, hardware stores, and related facilities. Businesses that supply products needed for people to work from home.

(r) PROVIDERS OF BASIC NECESSITIES TO ECONOMICALLY DISADVANTAGED POPULATIONS

Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

(s) ESSENTIAL SERVICES NECESSARY TO MAINTAIN ESSENTIAL OPERATIONS OF RESIDENCES OR OTHER ESSENTIAL

BUSINESSES

Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, lawn maintenance services, pool services and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with support or supplies needed to operate.

(t) **NEWS MEDIA**

Newspapers, television, radio, and other media services.

(u) **CHILDCARE SERVICES**

Childcare facilities providing services that enable employees exempted in this Order to work as permitted.

5. Additional Information

- (a) Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators may apply for an "essential business" exemption under this Order.
- (b) If someone in a household has tested positive for Coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.
- (c) Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
- (d) This Order shall be effective until 11:59 p.m. on April 8, 2020, or until it

is either rescinded, superseded, or amended pursuant to applicable law.

- (e) The County of Kaufman must promptly provide copies of this Order by posting on the County of Kaufman 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.

- (f) The Kaufman County Sheriff's Office, the Kaufman County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days.

IT IS SO ORDERED this 24rd day of March, 2020.



Hal Richards,
COUNTY JUDGE

EXHIBIT D

To Ordinance No. _____

Texas Governor Greg Abbott EXECUTIVE ORDER GA 11
Relating to Airport Screening and Self-quarantine during the COVID-19 Disaster.



GOVERNOR GREG ABBOTT

March 26, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

3:24 pm O'CLOCK

MAR 26 2020

Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-11 relating to airport screening and self-quarantine
during the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
March 26, 2020

EXECUTIVE ORDER
GA 11

Relating to airport screening and self-quarantine during the COVID-19 disaster.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

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

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, Executive Order GA-09 on March 22, 2020, and Executive Order GA-10 on March 24, 2020, all in response to the COVID-19 disaster; and

WHEREAS, many cases of COVID-19 in the State of Texas were caused by people who transmitted the virus to Texans after flying here from other states and countries; and

WHEREAS, Dr. Deborah Birx, the White House Coronavirus Response Coordinator, recently urged everyone who traveled from the New York metropolitan area to self-quarantine for 14 days to ensure that COVID-19 does not spread to others; and

WHEREAS, Dr. Anthony Fauci, a member of the White House Coronavirus Task Force, likewise called for 14 days of self-quarantine of travelers from New York so that New York does not act as a “seeding point to the rest of the country;” and

WHEREAS, after the Governor of Florida imposed a quarantine on all air travelers arriving from the New York Tri-State Area, which is experiencing substantial community spread of COVID-19, the Mayor of New York City remarked to the press, “I understand it. We are the epicenter;” and

WHEREAS, the “governor is responsible for meeting . . . the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders . . . hav[ing] the force and effect of law;” and

WHEREAS, under Section 418.017(a), the “governor may use all available resources of

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:24 pm O'CLOCK
MAR 26 2020

state government and of political subdivisions that are reasonably necessary to cope with a disaster;” and

WHEREAS, under Section 418.018(c), the “governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;” and

WHEREAS, under Section 418.173, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective at noon on March 28, 2020:

Every person who enters the State of Texas as the final destination through an airport, from a point of origin or point of last departure in New York, New Jersey, Connecticut, or the City of New Orleans, or in any other state or city as may be proclaimed hereafter, shall be subject to mandatory self-quarantine for a period of 14 days from the time of entry into Texas or the duration of the person’s presence in Texas, whichever is shorter. This order to self-quarantine shall not apply to people traveling in connection with military service, emergency response, health response, or critical-infrastructure functions, as may be determined by the Texas Division of Emergency Management. Each person covered under this order to self-quarantine shall be responsible for all associated costs, including transportation, lodging, food, and medical care.

A covered person shall use a form prescribed by the Texas Department of Public Safety (DPS) to designate a quarantine location in Texas, such as a residence or a hotel, and provide a full name, date of birth, home address, telephone number, and driver license or passport information. DPS Troopers, or other approved peace officers, shall collect a completed form from each covered person immediately upon disembarking and verify it against the person’s driver license or passport. Providing false information on this form is a criminal offense under Section 37.10 of the Texas Penal Code. Questions about this form should be directed to DPS at (800) 525-5555.

A covered person shall proceed directly from the airport to the designated quarantine location entered on the DPS form. Any covered person exhibiting symptoms of COVID-19 shall be escorted to the designated quarantine location by a DPS Trooper.

A covered person shall remain in the designated quarantine location for a period of 14 days or the duration of the person’s presence in Texas, whichever is shorter, leaving only to seek medical care or to depart from Texas. During that period, a covered person shall not allow visitors into or out of the designated quarantine location, other than a health department employee, physician, or healthcare provider, and shall not visit any public spaces.

DPS Special Agents will conduct unannounced visits to designated quarantine locations to verify compliance by confirming the physical presence of covered persons. Any failure to comply with this order to self-quarantine shall be a criminal offense punishable by a fine not to exceed \$1,000, confinement in jail for

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MAR 26 2020

a term not to exceed 180 days, or both.

This executive order shall remain in effect and in full force until modified, amended, rescinded, or superseded by the governor.



Given under my hand this the 26th
day of March, 2020.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in blue ink that reads "Ruth R. Hughs".

RUTH R. HUGHS
Secretary of State

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