



**Office of Emergency Management
City of Kirby**

DECLARATION OF PUBLIC HEALTH EMERGENCY

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

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

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

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

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

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

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

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

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

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WHEREAS, the identification of “community spread” cases of COVID-19 in the United States signals that transmission of the virus is no longer strictly limited to travel to China, or contact with travelers who have visited China; and

WHEREAS, on March 12, 2020, Bexar County/San Antonio confirmed their first case of travel-related COVID-19; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the mayor is designated as the emergency management director of the City of Kirby, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated, request assistance from the governor of state resources, and access funds available for disaster relief and reimbursement at the state and federal level; and

WHEREAS, by this Declaration of Public Health Emergency, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

WHEREAS, pursuant to the authority granted to the Mayor under the Texas Disaster Act of 1975, I authorize the use of all available resources of state government and political subdivisions to assist in the City’s response to this situation; and

WHEREAS, I, Lisa B. Pierce, the Mayor of the City of Kirby have determined that extraordinary and immediate measures must be taken to respond quickly prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19;

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY OF KIRBY:

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

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2. Pursuant to §418.108(b) of the Government Code, the state of disaster and public health emergency shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council.
3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk.
4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of Kirby's emergency management plan.
5. Pursuant to §418.020(c) of the Government Code, this declaration authorizes the City to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing unity or emergency shelters for evacuees, subject to compensation requirements.
6. Pursuant to §122.006 of the Health and Safety Code, this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals, regulating ingress and egress from the City, and fining those who do not comply with the City's rules.
7. Pursuant to the Texas Disaster Act of 1975, I, Lisa B. Pierce, as Mayor of the City of Kirby, in coordination and consultation with the Local Health Authority, and Director of the Metropolitan Health District further issue further guidance and restrictions set out within the Declaration Regarding Public and Private Gatherings attached hereto as Exhibit 1, and incorporated herein.
8. The Local Health Authority and Director of Health may update restrictions set out in Exhibit 1 as necessary to respond to the evolving circumstances of this outbreak during the duration of this Declaration and any extension by the Kirby City Council without the issuance of a new Declaration.
9. As Mayor, I further reserve all other authority and powers conferred by state law to respond as necessary to this situation.

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

ORDERED this 13th day of March, 2020.

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Lisa B. Pierce

MAYOR LISA B. PIERCE
City of Kirby

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Declaration Regarding Public and Private Gatherings

1. The virus that causes COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle an influx of patients and safeguard public health and safety.
2. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Declaration prohibits all indoor public and private gatherings and outdoor gatherings within an enclosed space of 500 persons or more anywhere in the City of Kirby beginning at 11:30 A.M. on March 13, 2020 and continuing for seven (7) days, unless extended consistent with requirements of state law.
3. For all other gatherings, it is strongly recommended that social distancing protocols established by the United States Centers for Disease Control and Prevention (CDC) and found within the "Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission" issued by the United States Centers for Disease Control and Prevention ("CDC") on or around March 11, 2020 (available online at www.cdc.gov/coronavirus/2019ncov/downloads/community-mitigation-strategy.pdf), including canceling, rescheduling, or not attending events with more than 250 persons.
4. Further, organizations that serve high-risk populations (defined below) should follow CDC guidance for social distancing.
5. Definitions and further guidance:
 - a. For purposes of this Declaration, a "Mass Gathering" is any event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together five hundred (500) or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
 - b. A "Mass Gathering" includes events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure

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and (ii) where people are present and they are within arm's length of one another for extended periods.

- c. This Declaration also does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, so long as 500 people are not present in any single space at the same time. This Declaration also does not prohibit use of enclosed spaces where 500 or more people may be present at different times during the day, so long as 500 or more people are not present in the space at the same time. For any gathering covered by this subsection c., compliance with Social Distancing Recommendations, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces is strongly encouraged.
 - d. For purposes of clarity, a "Mass Gathering" does not include the following: (i) San Antonio International Airport; (ii) public or private schools and places of worship; (iii) museums (so long as visitors are generally not within arm's length of one another for extended periods); (iv) spaces where 500 or more persons may be in transit or waiting for transit such as bus stops; (v) office space, hotels, or residential buildings; (vi) grocery stores, shopping malls, outdoor markets, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm's length of one another for extended periods; (vii) hospitals, medical facilities and shelters; and (viii) jails and detention centers. In all such settings, it is recommended that the public follow Social Distancing Recommendations, and harm reduction measures such as hand sanitizer and tissues should be provided when possible. However, any specific large gathering space that is part of any building included in this subparagraph d. is subject to the prohibition on Mass Gatherings if the space holds 50 or more people.
 - e. "High-Risk Populations" include people who are:
 - 60 years old and older;
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems;
 - People who are pregnant or were pregnant in the last two weeks.
 - People experiencing homelessness.
6. The Local Health Authority and Director of Health may update restrictions set out in this Exhibit as necessary to respond to the evolving circumstances of this outbreak during the

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duration of the Mayor's Declaration of Public Health Emergency and any extension by the Kirby City Council.

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