

CITY OF SMILEY, TEXAS

P.O. Box 189
Smiley, Texas 78159

March 16th, 2020

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 30th, 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, on March 5th, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

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

WHEREAS, the Center for Disease Control and Prevention (CDC) is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and

WHEREAS, over 1,629 cases of COVID-19 have been reported in the United States, including 41 deaths; and

WHEREAS, President Donald J. Trump declared a national emergency on March 13th, 2020; and

WHEREAS, Texas Governor Greg Abbott declared a public health disaster on March 13th, 2020; and

WHEREAS, reports received as of March 15th, 2020, report more than 56 cases in Texas, and 49 states in the United States reporting more than 3,000 confirmed cases from government agencies and the CDC; and

WHEREAS, COVID-19 as compared to the seasonal flu shows results of a vast fatality rate difference of 1% and 0.1%; and

WHEREAS, COVID-19 as compared to H1N1, Swine Flu, had a fatality rate of only 0.02 percent; and

WHEREAS, COVID-19 is more contagious than seasonal influenza once symptoms appear, it may be possible to control by testing widely and quickly isolating those who have the disease; and

WHEREAS, the Department of State Health Services (DSHS), the Texas Division of Emergency Management, and other state agencies continue their ongoing preparations so that all of state government is working together to limit the spread of the virus and protect all Texans; and

WHEREAS, the estimated difference between a 0.1 percent and a 1.0 percent fatality rate could result in approximately 360,000 deaths in the United States of America; and

WHEREAS, the responsibility of local, state and national government is dependent on how we respond when the difference in fatality rates demands extreme measures be taken to combat the coronavirus as compared to the seasonal flu; and

WHEREAS, the CDC recommends that citizens stop handshaking, clean hands at the door, schedule regular hand washing, avoid touching faces and cover coughs and sneezes, disinfect surfaces like doorknobs, tables, desks, and handrails regularly, and increase ventilation by opening windows or adjusting air conditioning; and

WHEREAS, the CDC recommends the use of video conferencing for meetings when possible, and adjusting or postponing large meetings or gatherings; and

WHEREAS, the CDC recommends citizens stay home if they are feeling sick or when they have a sick family member in their home; and

WHEREAS, households with vulnerable seniors and those with underlying health conditions should conduct themselves as if they were a significant risk to the person with underlying conditions; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the United States is no longer limited to those who traveled to China, or had contact with travelers who have visited China; and

WHEREAS, a large gathering of unidentifiable individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the emergency management director of the City of Smiley, 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 and request assistance from the Governor of state resources; and

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

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

WHEREAS, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of all Smiley residents; and

WHEREAS, the City of Smiley will work collaboratively with Gonzales County to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; 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, Mike Mills, the Mayor of the City of Smiley, Texas 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 SMILEY, TEXAS:

1. That a local state of disaster and public health emergency is hereby declared for the City of Smiley pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.108(b) of the Government Code, the state of disaster and public health emergency shall continue for a period of not more than seven (7) 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 Smiley's emergency management plan.
5. Pursuant to §418.020(c) of the Government Code, this declaration authorizes the City to utilize private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements.
6. Pursuant to §122.006 of the Health and Safety Code, this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals or medical facilities, regulating ingress and egress from the City, and fining those who do not comply with the City's rules.
7. The City Secretary is directed to give prompt and general publicity of the issuance of this DECLARATION.
8. This proclamation shall take effect immediately from and after its issuance.
9. The Local Health Authority and Director of Health may update restrictions set out in Exhibit "A" as necessary to respond to the evolving circumstances of this outbreak during the duration of this Declaration and any extension by the City Council without the issuance of a new Declaration.
10. As Mayor, I further reserve all other authority and powers conferred by state law to respond as necessary to this situation.

ORDERED this 16th day of March, 2020.



MAYOR MIKE MILLS

City of Smiley, Texas

EXHIBIT "A"

Public Health Emergency Rules and Regulations

All public places:

Requested to provide sanitation outside of their business and post notice to the public: All persons are required to sanitize prior to entry and exit of their building.

Public places are to sanitize all public areas every hour.

All public and private gatherings and public spaces are limited to an occupancy of 25 persons maximum effectively immediately.

City Staff and Recommendation to all Employers:

All municipal buildings shall be disinfected daily. In person payments shall not be accepted. Online, drop box and mail-in payments ONLY at City Hall.

Municipal Court settings for the next 30 days shall be continued and reset, subject to the approval of the Municipal Court Judge, and no in person pleas will be accepted.

If applicable, playground equipment in the city parks are closed until further notice.

All employers are recommended to enforce employee policies directing sick employees to isolate and stay home and out of the public except for securing medical care.

All events scheduled to be held at all City owned property within the next 30 days shall be rescheduled. This length of time may further be extended at the direction of the City Council.

Violations shall be considered a Class C misdemeanor and are punishable by no more than a \$500 fine.