

Ordinance Approving and Extending the Second Amended Order Regarding Public and Private Gatherings Ordered by the Mayor of the City of Corpus Christi Texas on March 18, 2020; providing for penalties; and declaring an emergency

WHEREAS, in March 2020, a respiratory disease caused by a novel coronavirus was detected in Wuhan City, Hubei Province, China. The virus has been named "SARS-CoV-2" and the disease it causes has been named "coronavirus disease 2019" ("COVID-19"). 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 and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing , and prevention of onward spread of the disease; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the United States could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas; and

WHEREAS, according to the Center for Disease Control ("CDC"), it is likely that at some point, widespread transmission of COVID-19 in the United States will occur; and

WHEREAS, the CDC warns that widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time; schools, childcare centers, workplaces, and other places for mass gatherings may experience more absenteeism; public health and healthcare systems may become overloaded with elevated rates of hospitalizations and deaths; other critical infrastructure, such as law enforcement, emergency medical services, and transportation industry may also be affected; and health care providers and hospitals may be overwhelmed; and

WHEREAS, COVID-19 testing capacity is inadequate to obtain levels of community infections, and there is an ongoing risk and likelihood of significant numbers of COVID-19-positive patients being identified in the City of Corpus Christi; and

WHEREAS, the City of Corpus Christi's Local Health Authority is taking steps to ensure the spread of COVID-19 is contained, the community is kept safe, and the exposure risk is minimized; and

WHEREAS, the City, including its Local Health Authority, Health Department, Department of Emergency Management, and other City partners, have been working successfully and diligently to implement CDC guidelines, but now require additional tools and resources to protect the public health given the current state of the epidemic and the need for a sustained response; and

WHEREAS, it is necessary to the public health of the residents of the City of Corpus Christi and surrounding areas that those persons under investigation, persons under management , and quarantined persons remain within the confines of their homes or in safe, secure facilities during the quarantine period following their exposure to the virus; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, as amended, Texas Government Code Annotated, Chapter 418, (the "Texas Disaster Act"), the Mayor is designated as the Emergency Management Director of the City of Corpus Christi, and may exercise the powers granted to the Governor on an appropriate local scale; and

WHEREAS, a declaration of local disaster due to this 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, on March 13, 2020, the Mayor of the City of Corpus Christi Texas issued a Declaration of Local State of Disaster due to this public health emergency, in which he declared 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, the Mayor did 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, the City of Corpus Christi, and the people and communities of the City have suffered or face imminent threat to the public health and the potential for loss of life and property resulting from a disaster: the introduction, transmission, or spread (or imminent threat of the same) of COVID-19 in the City of Corpus Christi; and

WHEREAS, the Mayor of the City of Corpus Christi determined that emergency measures must be taken to either prepare for or respond to a disaster due to this public health emergency in order 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, and to prevent or minimize the loss of life; and

WHEREAS, during the state of disaster the Mayor and the Nueces County Judge issued the following orders in the interest of public health, safety and welfare:

- a. Order Regarding Public and Private Gatherings ordered on March 14, 2020;
and
- b. First Amended Order Regarding Public and Private Gatherings ordered on March 16, 2020; and
- c. [Second Amended Order Regarding Public and Private Gatherings ordered on March 18, 2020;](#)

WHEREAS, Section 16-3 (c) Code of Ordinances, City of Corpus Christi, requires the City Council to consent to the continuation of a local state of disaster declared by the Mayor for a period in excess of 7 days;

WHEREAS, [the Declaration of Local State of Disaster was extended by action of the City Council](#)

on March 17, 2020;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF CORPUS CHRISTI, TEXAS:

Section 1. That the following order issued by the Mayor (attached) during the state of disaster is adopted by the City Council, shall remain in effect, and shall continue to have the force and effect of law until the earlier of 12:01 a.m. on April 17, 2020 or the date the State or National Emergency declaration is terminated, which order is subject to extension pursuant to the requirements of state law:

a. Second Amended Order Regarding Public and Private Gatherings ordered on March 16, 2020.

Section 2. That the orders issued during the local state of disaster shall have the force and effect of law until the state of disaster is terminated.

Section 3. Publicity and Filing. Pursuant to §418.108(c) of the Texas Disaster Act, the orders issued under the declaration of a local state of disaster due to this public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

Section 4. A violation of this ordinance or of the orders continued or issued hereunder is a violation of the emergency management plans, punishable by a fine of up to \$500 per violation and separate day of violation, imprisonment of up to 180 days per violation and separate day of violation, and additional amounts as authorized by law.

Section 5. Publication shall be made as required by the City Charter.

Section 6. That upon written request of the Mayor of five Council members, copy attached, the City Council (1) finds and declares an emergency due to the need for immediate action necessary for the efficient and effective administration of City affairs and (2) suspends the Charter rule that requires consideration of and voting upon ordinances at two regular meetings so that this ordinance is passed and takes effect upon first reading as an emergency measure on this the ____ day of March, 2020.

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Joe McComb
Mayor

_____ day of _____, 2020

Corpus Christi, Texas

PASSED AND APPROVED on this the _____ day of _____, _____

TO THE MEMBERS OF THE CITY COUNCIL

Corpus Christi, Texas

For the reasons set forth in the emergency clause of the foregoing ordinance, an emergency exists requiring suspension of the Charter rule as to consideration and voting upon ordinances at two regular meetings: I/we, therefore, request that you suspend said Charter rule and pass this ordinance finally on the date it is introduced or at the present meeting of the City Council.

Respectfully,

Respectfully,

Joe McComb
Mayor

Council Members

The above ordinance was passed by the following vote:

Joe McComb	_____
Roland Barrera	_____
Rudy Garza	_____
Paulette M. Guajardo	_____
Gil Hernandez	_____
Michael Hunter	_____
Ben Molina	_____
Everett Roy	_____
Greg Smith	_____