

March 16, 2020

**RESOLUTION CONFIRMING AND CONTINUING THE MAYOR'S
DECLARATION OF DISASTER
(COVID-19)**

WHEREAS, the novel coronavirus (COVID-19) outbreak has been recognized as a pandemic by the World Health Organization and is a contagious respiratory virus; and

WHEREAS, as of March 16, 2020, there are 57 confirmed cases of COVID-19 located in multiple Texas counties; and

WHEREAS, as of March 16, 2020, there are no confirmed cases in Lubbock County; and

WHEREAS, certain schools, universities, and other governmental entities are beginning to alter their schedules, and some venues are beginning to temporarily close, as precautionary responses to the increasing presence of COVID-19 in Texas; and

WHEREAS, costs incurred to prepare for and respond to COVID-19 are expected to mount at the local level; and

WHEREAS, the City of Lubbock has already taken numerous steps to prepare for COVID-19, such as coordinating preparedness efforts across state and local agencies, and working with local partners to promote appropriate mitigation efforts; and

WHEREAS, it is critical for the City of Lubbock to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the citizens of Lubbock and the surrounding area; and

WHEREAS, declaring a state of disaster will facilitate and expedite the use and deployment of resources to enhance preparedness and response; and

WHEREAS, on March 13, 2020, pursuant to Section 418.014 of the Texas Government Code, the Governor declared a state of disaster for the State of Texas; and

WHEREAS, on March 13, 2020, Lubbock County, Texas declared a state of disaster.

WHEREAS, on the **16th day of March, 2020 at 5:00 P.M.**, the Mayor of the City of Lubbock issued a Declaration of Disaster, pursuant to his authority under §418.108(a) of the Texas Government Code,

WHEREAS, the state of local disaster declared by the Mayor may continue for a period of not more than seven days from the date of the declaration unless continued or renewed by the City Council of Lubbock,

AND WHEREAS, the City Council of Lubbock has determined that it is necessary to renew and continue the state of local disaster,

NOW, THEREFORE, IT IS HEREBY RESOLVED AND DECLARED BY THE CITY COUNCIL OF THE CITY OF LUBBOCK, TEXAS:

1. That the City Council consents to the Mayor's Declaration of a Local State of Disaster, including restrictions on mass gatherings, and hereby renews and continues the local state of disaster for the City of Lubbock, Texas pursuant to §418.108(b) of the Texas Government Code.
2. Pursuant to §418.108(c) of the Government Code, this renewal and continuation of the declaration of a local state of disaster, including restrictions on mass gatherings, shall be given prompt and general publicity and shall be filed promptly with the Lubbock City Secretary.
4. Pursuant to §418.108(d) of the Government Code, this renewal and continuation of the declaration of a local state of disaster continues activation of the emergency management plan for the City of Lubbock.
5. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster continues activation of the city's emergency management plan. The furnishing of aid and assistance under the declaration is hereby authorized. The appropriate preparedness and response aspects of the plan are continued; and
6. The use of all available resources of the City of Lubbock that are reasonably necessary to cope with this disaster are hereby authorized; and
7. To the extent permitted by law, any local ordinance or administrative rule prescribing the procedures for conduct of City business or any local ordinance or administrative rule that would in any way prevent, hinder, or delay necessary action in coping with this disaster, including any local ordinance or administrative rule regarding contracting or procurement which would impede the City's emergency response necessary to cope with this declared disaster, are hereby suspended, but only for the duration of this declared local disaster and only for that limited purpose; and
8. Pursuant to §418.108(g) of the Government Code, the Mayor of the City of Lubbock may control ingress to and egress from a disaster area within the incorporated limits of the City of Lubbock and control the movement of persons and the occupancy of premises in that area; and
9. Pursuant to §122.006 of the Health & Safety Code, the City of Lubbock may adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and
10. 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; and

11. 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 and outdoor public and private gatherings of 200 persons or more, anywhere in the City of Lubbock, beginning at **5:00 P.M. on March 17, 2020**; and
12. For all other gatherings, it is strongly recommended that citizens adhere to the Social Distancing Protocols established by the United States Centers for Disease Control and Prevention (CDC); and
13. Further, organizations that serve high-risk populations (defined below) should follow the Social Distancing Protocols; and
14. Definitions and further guidance:
 - a. For purposes of this Declaration, a "Mass Gathering" is any event or convening, subject to the exceptions and clarifications set forth below, that brings together, or is likely to bring together, two hundred (200) or more persons at the same time in a single room or other single confined or enclosed space, such as, and without limitation, any auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, cafeteria, or any other confined indoor or 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 and (ii) where people are present and they are typically within arm's length of one another for extended periods.
 - c. A "Mass Gathering" does not include the following:
 - (i) Lubbock Preston Smith International Airport;
 - (ii) public or private schools;
 - (iii) licensed day care facilities
 - (iv) places of worship;
 - (v) weddings and funerals;
 - (vi) museums (so long as visitors are generally not within arm's length of one another for extended periods);
 - (vii) spaces where 200 or more persons may be in transit or waiting for transit, such as bus stops;

- (viii) office space, hotels, or residential buildings;
- (ix) grocery stores, shopping malls, outdoor markets, or other retail establishments where large numbers of people are present but where it is unusual for them to be within arm's length of one another for extended periods;
- (x) hospitals, medical facilities, and shelters; and
- (xi) jails and detention centers.

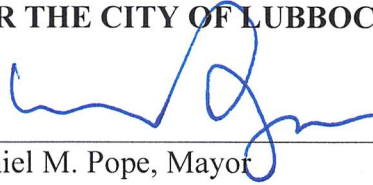
In all such settings, it is recommended that the public voluntarily follow Social Distancing Protocols and harm reduction measures such as providing hand sanitizer and tissues, when possible. However, any large gathering space that is part of any building included in this subparagraph is subject to the prohibition on Mass Gatherings if the space holds 200 or more people.

- d. 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 200 or more people are not present in any single space at the same time. This Declaration also does not prohibit use of enclosed spaces where 200 or more people may be present at different times during the day, so long as 200 or more people are not present in the space at the same time. For any gathering covered by this subsection, compliance with Social Distancing Protocols, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces, is strongly encouraged.
 - e. "High-Risk Populations" include people who are:
 - (i) 60 years old and older;
 - (ii) People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems;
 - (iii) People who are pregnant or were pregnant in the last two weeks; and
 - (iv) People experiencing homelessness.
15. The Mayor may update the mass gathering restrictions set out in this Declaration as necessary to respond to the evolving circumstances of this outbreak during the duration of the Disaster Declaration issued on this date and any extension of the Declaration by the City Council of the City of Lubbock; and
16. That this proclamation shall take effect immediately from and after its issuance; and

17. That the City Council shall review the local state of disaster and the restrictions on mass gatherings at its regularly scheduled meeting on April 14, 2020.

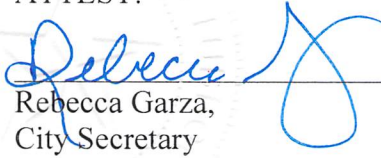
SO ORDERED this the 16th day of March, 2020.

FOR THE CITY OF LUBBOCK, TEXAS:



Daniel M. Pope, Mayor

ATTEST:



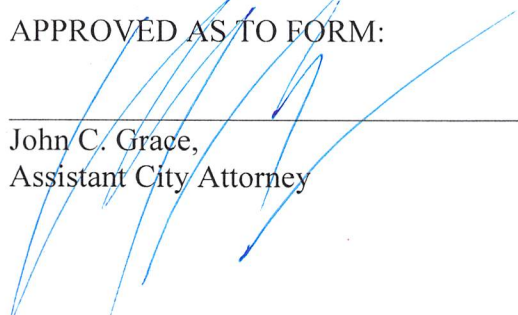
Rebecca Garza,
City Secretary

APPROVED AS TO CONTENT:



W. Jarrett Atkinson,
City Manager

APPROVED AS TO FORM:


John C. Grace,
Assistant City Attorney

DECLARATION OF DISASTER
(COVID-19)

WHEREAS, the novel coronavirus (COVID-19) outbreak has been recognized as a pandemic by the World Health Organization and is a contagious respiratory virus; and

WHEREAS, as of March 16, 2020, there are 57 confirmed cases of COVID-19 located in multiple Texas counties; and

WHEREAS, as of March 16, 2020, there are no confirmed cases in Lubbock County; and

WHEREAS, certain schools, universities, and other governmental entities are beginning to alter their schedules, and some venues are beginning to temporarily close, as precautionary responses to the increasing presence of COVID-19 in Texas; and

WHEREAS, costs incurred to prepare for and respond to COVID-19 are expected to mount at the local level; and

WHEREAS, the City of Lubbock has already taken numerous steps to prepare for COVID-19, such as coordinating preparedness efforts across state and local agencies, and working with local partners to promote appropriate mitigation efforts; and

WHEREAS, it is critical for the City of Lubbock to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the citizens of Lubbock and the surrounding area; and

WHEREAS, declaring a state of disaster will facilitate and expedite the use and deployment of resources to enhance preparedness and response; and

WHEREAS, on March 13, 2020, pursuant to Section 418.014 of the Texas Government Code, the Governor declared a state of disaster for the State of Texas; and

WHEREAS, on March 13, 2020, Lubbock County, Texas declared a state of disaster; and

WHEREAS, in light of recommendations from the Centers for Disease Control regarding social distancing protocols, it is necessary to issue guidance regarding public and private gatherings in order to mitigate the spread of the disease and preserve and protect public health.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF LUBBOCK, TEXAS that COVID-19 poses an imminent threat of disaster to the City of Lubbock, and therefore:

- 1) Pursuant to §418.108(a) of the Government Code, a local state of disaster is hereby declared for the City of Lubbock, Texas; and
- 2) Pursuant to §418.108(b) of the Government Code, the state of disaster 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 of Lubbock; and
- 3) Pursuant to §418.108(c) of the Government Code, this declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary; and
- 4) Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster activates the city's emergency management plan. The furnishing of aid and assistance under the declaration is hereby authorized. The appropriate preparedness and response aspects of the plan are activated and take effect immediately after this local state of disaster is declared; and
- 5) The use of all available resources of the City of Lubbock that are reasonably necessary to cope with this disaster are hereby authorized; and
- 6) To the extent permitted by law, any local ordinance or administrative rule prescribing the procedures for conduct of City business or any local ordinance or administrative rule that would in any way prevent, hinder, or delay necessary action in coping with this disaster, including any local ordinance or administrative rule regarding contracting or procurement which would impede the City's emergency response necessary to cope with this declared disaster, are hereby suspended, but only for the duration of this declared local disaster and only for that limited purpose; and
- 7) Pursuant to §418.108(g) of the Government Code, the Mayor of the City of Lubbock may control ingress to and egress from a disaster area within the incorporated limits of the City of Lubbock and control the movement of persons and the occupancy of premises in that area; and
- 8) Pursuant to §122.006 of the Health & Safety Code, the City of Lubbock may adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and
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11) For all other gatherings, it is strongly recommended that citizens adhere to the Social Distancing Protocols established by the United States Centers for Disease Control and Prevention (CDC); and

12) Further, organizations that serve high-risk populations (defined below) should follow the Social Distancing Protocols; and

13) Definitions and further guidance:

a. For purposes of this Declaration, a "Mass Gathering" is any event or convening, subject to the exceptions and clarifications set forth below, that brings together, or is likely to bring together, two hundred (200) or more persons at the same time in a single room or other single confined or enclosed space, such as, and without limitation, any auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, cafeteria, or any other confined indoor or outdoor space.

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c. A "Mass Gathering" does not include the following:

(i) Lubbock Preston Smith International Airport;

(ii) public or private schools;

(iii) licensed day care facilities

(iv) places of worship;

(v) weddings and funerals;

(vi) museums (so long as visitors are generally not within arm's length of one another for extended periods);

- (vii) spaces where 200 or more persons may be in transit or waiting for transit, such as bus stops;
- (viii) office space, hotels, or residential buildings;
- (ix) grocery stores, shopping malls, outdoor markets, or other retail establishments where large numbers of people are present but where it is unusual for them to be within arm's length of one another for extended periods;
- (x) hospitals, medical facilities, and shelters; and
- (xi) jails and detention centers.

In all such settings, it is recommended that the public voluntarily follow Social Distancing Protocols and harm reduction measures such as providing hand sanitizer and tissues, when possible. However, any large gathering space that is part of any building included in this subparagraph is subject to the prohibition on Mass Gatherings if the space holds 200 or more people.

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e. "High-Risk Populations" include people who are:

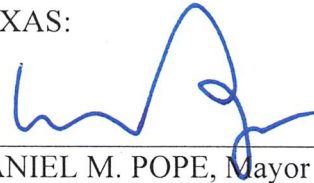
- (i) 60 years old and older;
- (ii) People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems;
- (iii) People who are pregnant or were pregnant in the last two weeks; and
- (iv) People experiencing homelessness.

14) The Mayor may update the mass gathering restrictions set out in this Declaration as necessary to respond to the evolving circumstances of this outbreak during the duration of the Disaster Declaration issued on this date and any extension of the Declaration by the City Council of the City of Lubbock; and

15) That this proclamation shall take effect immediately from and after its issuance.

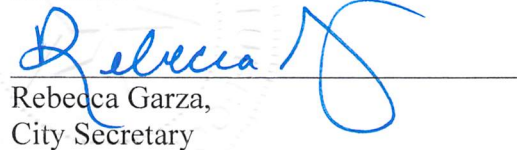
SO DECLARED and ORDERED on March 16, 2020 at 5:00 o'clock P.M.

FOR THE CITY OF LUBBOCK,
TEXAS:



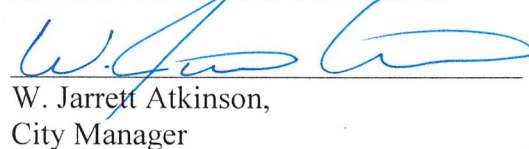
DANIEL M. POPE, Mayor

ATTEST:



Rebecca Garza,
City Secretary

APPROVED AS TO CONTENT:



W. Jarrett Atkinson,
City Manager

APPROVED AS TO FORM:



John C. Grace,
Assistant City Attorney

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