

**CITY OF ODESSA, TEXAS  
MAYORAL DECLARATION OF LOCAL DISASTER  
DUE TO PUBLIC HEALTH EMERGENCY**

**WHEREAS**, in December 2019, a novel respiratory disease named "SARS-CoV-2" that causes a disease named "coronavirus disease 2019" ("COVID-19") was detected in Wuhan City, Hubei Province, China, which symptoms include fever, cough, and shortness of breath that may result in mild to severe illness, and in some cases death; 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**, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

**WHEREAS**, on March 13, 2020, President Donald Trump declared a State of National Emergency for the United States of America; and

**WHEREAS**, on March 13, 2020, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19; and

**WHEREAS**, as of March 18, 2020, the World Health Organization reported that the global number of confirmed cases of COVID-19 surpassed 180,000 resulting in 7,529 deaths; the United States Centers for Disease Control and Prevention ("CDC") confirmed 4,226 US cases and 75 deaths; and there are 57 confirmed cases of COVID-19 located in multiple Texas counties; and

**WHEREAS**, as of March 18, 2020, there are no confirmed cases of COVID-19 in Odessa; however, there is an ongoing risk and likelihood of COVID-19-positive patients being identified in the City of Odessa; and

**WHEREAS**, pursuant to the Texas Disaster Act of 1975, as amended, Texas Government Code, Chapter 418, (the "Texas Disaster Act"), the Mayor is designated as an Emergency Management Director of the City of Odessa, 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**, the City of Odessa, and the people and communities of the City face imminent threat to the public health and the potential for loss of life and property resulting from the introduction, transmission, or spread (or imminent threat of the same) of COVID-19 in the City of Odessa; and

**WHEREAS**, for more information on COVID-19, please visit the Centers for Disease Control and Prevention website at <https://www.cdc.gov/coronavirus/2019-ncov/index.html>.

**WHEREAS**, I, David R. Turner, the Mayor of the City of Odessa have determined that emergency measures must be taken to either prepare for or respond to a disaster due to this public health emergency in order to respond quickly, to 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

**NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF ODESSA, TEXAS:**

**Section 1. Declaration of Local State of Disaster.** That a local state of disaster and public health emergency is hereby declared for the City of Odessa and incorporated areas pursuant to §418.108(a) of the Texas Disaster Act.

**Section 2. Duration of Local State of Disaster.** Pursuant to §418.108(b) of the Texas Disaster Act, 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.

**Section 3. Publicity and Filing.** Pursuant to §418.108(c) of the Texas Disaster Act, this 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. Activation of the City Emergency Management Plan.** Pursuant to §418.108(d) of the Texas Disaster Act, this declaration of a local state of disaster due to this public health emergency activates the City of Odessa Emergency Management Plan.

**Section 5. Temporary Housing and Emergency Shelter.** Pursuant to §418.020(d) of the Texas Disaster Act, this declaration authorizes the City to: (1) temporarily or permanently acquire by lease, purchase, or other means sites required for temporary housing units or emergency shelters for disaster victims; and (2) enter into arrangements necessary to prepare or equip the sites for installation and use of temporary housing units or emergency shelters, including arrangements necessary for the transportation and purchase of temporary housing units or emergency shelters.

**Section 6.** Pursuant to **§122.006** of the **Texas Health and Safety Code**, the City is authorized to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals. The City of Odessa hereby declares 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.

**Section 7.** Pursuant to the authority granted to the Mayor under the Texas Disaster Act, the use of all available resources of state government and political subdivisions to assist in the City's response to this situation are authorized.

**Section 8.** Pursuant to the City Code, the Mayor may exercise emergency powers including, but not limited to, implementing a curfew and ordering closures of businesses.

**Section 9.** That all rules and regulations that may inhibit or prevent prompt response to this threat are suspended for the duration of the incident.

**Section 10.** That all gatherings are limited to no more than 50 people.

For purposes of this declaration, a gathering is any event or convening, subject to the exceptions and clarifications set forth below, that brings together, or is likely to bring together, fifty (50) or more persons at the same time in a single room or other single confined or enclosed space.

A gathering does not include the following:

- (i) a government-owned facility or a facility in which government business is being conducted;
- (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 50 or more persons may be in transit or waiting for transit, such as bus stops;
- (viii) office space, hotels, motels, or residential buildings;
- (ix) grocery stores 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) health care facilities, which include but are not limited to, clinics and medical offices, hospice homes, mental health and addiction treatment centers, nursing homes, rehabilitation centers, and shelters; and
- (xi) jails and detention centers.

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 this declaration by the City Council of the City of Odessa.

**Section 11.** That individuals at increased risk of severe illness, must not attend gatherings of more than 10 people. "Individuals at increased risk of severe illness" includes but is not limited to individuals 60 years and older; with compromised immune systems; with medical conditions such as diabetes, heart disease or disorders, kidney disease, or chronic obstructive pulmonary disease (COPD) or other lung conditions; who are pregnant or were pregnant in the last two weeks; experiencing homelessness.

**Section 12.** That for essential meetings, create smaller groups and consider holding video/audio meetings instead. For workplaces, promote telecommuting; ensure employees do not work while sick; do not require a doctor's note for employees who are sick; maximize flexibility in sick leave benefits; and minimize the number of employees working within arm's length of one another.

**Section 13.** That citizens must adhere to the Social Distancing Protocols established by the CDC at all gatherings.

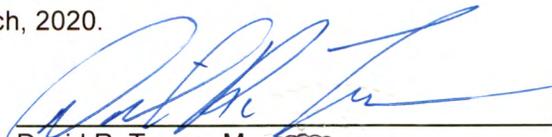
**Section 14.** That operators of public spaces must provide ways for patrons to maintain safe social distancing, for example, maintaining six feet of separation between individuals; have hand washing capabilities, hand sanitizers and tissues available; and frequently cleaning high touch surface areas like counter tops, hand rails, and door knobs.

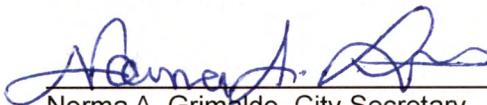
**Section 15.** A person who violates an order or proclamation of the Mayor issued hereunder is guilty of a crime punishable as a Class C misdemeanor by a fine not to exceed \$500.00.

**Section 16.** This proclamation shall take effect immediately upon its issuance.

ORDERED this <sup>18<sup>th</sup></sup> day of March, 2020.

RECEIVED  
MAR 18 2020

  
David R. Turner, Mayor

ATTEST BY CITY SECRETARY <sup>2:05 pm</sup>  
  
Norma A. Grimaldo, City Secretary

