



FILED FOR RECORD

AT 4:42 O'CLOCK P. M.

DATE 7/10/20

ZONIA G. MORALES

CLERK COUNTY COURT JIM HOGG CO. TEXAS
BY Zonia G. Morales DEPUTY

**JIM HOGG COUNTY SUPPLEMENTAL EMERGENCY ORDER
RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY AND THE
REOPENING OF SCHOOLS FOR FACE-TO FACE INSTRUCTION (20-010)**

WHEREAS, the Commissioner of Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 continues to represent a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and,

WHEREAS, pursuant to Texas Government Code Section 418.108, Jim Hogg County Judge Juan Carlos Guerra issued a Declaration of Local Disaster for Public Health Emergency on March 18, 2020, due to the imminent threat arising from the Coronavirus (COVID-19); and,

WHEREAS, on March 25, 2020, in accordance with Texas Government Code Section 418.108(b), the Commissioners Court of Jim Hogg County issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Jim Hogg County Emergency Management Plan and extends the Declaration of Local Disaster; and,

WHEREAS, in accordance with Texas Government Code Section 418.108(b), the consent of the Commissioners Court authorizes the Jim Hogg County Judge to continue to exercise powers granted under the Texas Disaster Act of 1975; and,

WHEREAS, Judge Juan Carlos Guerra has previously issued Amended Emergency Orders related to the Coronavirus Disease (COVID-19) Public Health Emergency, in furtherance of his authority under Chapter 418 of the Texas Government Code to protect the overall health, safety and welfare of the public by slowing the spread of the virus; and,

WHEREAS, Jim Hogg County and surrounding counties, including Webb County, have seen an increase in the number of cases and hospitalizations related to COVID-19 and have not shown a downward trajectory; and

WHEREAS, on June 26, 2020, Governor Abbott issued Executive Order GA-28 relating to the reopening of Texas in response to the COVID-19 disaster, which continues to require every person in Texas to minimize social gatherings and minimize in-person contact, with people who are not in the same household and, if leaving the home, implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation, as set forth by the Governor's Strike Force to Open Texas; and

WHEREAS, the Health Resources and Services Administration, an agency of the U.S. Department of Health and Human Services, has designated Jim Hogg County as a medically underserved area; and

WHEREAS, the Texas Department of State Health Services has designated Jim Hogg County as having a shortage of health professionals; and

WHEREAS, The Texas Department of State Health Services reports that Jim Hogg County is situated within Texas Trauma Service Area "T"; and

WHEREAS, the estimated population of Texas Trauma Service Area "T" is 300,996; and

WHEREAS, the Texas Department of State Health Services reports that there are ninety-five (95) available hospital beds with thirteen (13) available ICU beds within Texas Trauma Service Area "T"; and

WHEREAS, the U.S. Census Bureau reports that approximately 20% of the Jim Hogg County population is 65 years of age or older; and

WHEREAS, the CDC has found that persons 65 years old and older are at a higher risk of severe illness from COVID-19; and

WHEREAS, the State of Texas and the County of Jim Hogg must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical and business leaders; and,

WHEREAS, Jim Hogg County has determined that additional hygiene measures are necessary to stop the continued spread of COVID-19; and

WHEREAS, the ongoing evaluation of circumstances involving the moderate potential spread of the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the Order to be amended; and,

WHEREAS, the County Judge has determined that extraordinary emergency measures are necessary to be taken to continue with the mitigation of this public health emergency, in order to protect the health and safety of the citizens of Jim Hogg County, including school age children, while facilitating a cooperative response amongst the citizens of Jim Hogg County, and reopen

businesses and industrial aspects of the County of Jim Hogg as well as our public and private schools in a safe environment; and,

WHEREAS, Section 418.108(g) of the Texas Government Code allows county officials to possess general emergency authority to control the movement of persons and the occupancy of premises in a local disaster area under the jurisdiction and authority of a county judge and where such orders may regulate or restrict access onto public and private school facilities.

THEREFORE, PURSUANT TO THE AUTHORITY OF THE TEXAS DISASTER ACT of 1975, Jim Hogg County Judge Juan Carlos Guerra hereby issues this **AMENDED ORDER** as follows:

CLOSURE OF SCHOOLS TO STUDENTS FOR FACE-TO-FACE INSTRUCTION.

1. Public and private school facilities shall remain closed for on-campus face-to-face instruction for all school age students and shall not reopen for face-to-face instruction until after **October 2, 2020**.
2. Remote instruction shall be permitted as per the private or public-school's instructional plans.
3. School personnel may return to school campuses and facilities to conduct remote instruction and related instructional activities, to provide food distribution, and to perform administrative duties. Such duties and activities to be conducted consistent with the health guidance and protocols issued by the Texas Education Agency.

Effect. This Order shall remain in full force and effect unless it is modified, rescinded, superseded, or amended pursuant to applicable law, the status of COVID-19 in the County of Jim Hogg County, Texas. This Order amends prior Orders, and in the event of a conflict or apparent conflict between the Orders, this Order shall be in control. The County of Jim Hogg must promptly provide copies of this Order by posting on the Jim Hogg County website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

Severability. The sections, paragraphs, sentences, clauses and phrases of this Executive Order are severable and if any phrase, clause, sentence, paragraph or section of this Executive Order should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end, the provisions of this Executive Order are severable.

Interpretation and Additional Terms. To the greatest extent possible, this Executive

Order shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of the executive orders of the Texas Governor either existing or as, if and when issued, which are made applicable to all jurisdictions by law shall be automatically incorporated into and constitute terms of this Executive Order, enforceable as if set forth herein without necessity for the issuance of any further orders.

Enforcement. In accordance with the limitations contained in the executive orders of Governor Greg Abbott, that any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Executive Order in accordance with the authority granted under the Texas Disaster Act of 1975.

ORDERED this ^{10th} 9th day of July 2020.



Juan Carlos Guerra, Jim Hogg County Judge

ATTEST:



Zonia Morales, Jim Hogg County Clerk