



**NOTICE OF SPECIAL MEETING AGENDA  
LANCASTER CITY COUNCIL  
MUNICIPAL CENTER CITY COUNCIL CHAMBERS  
211 N. HENRY STREET, LANCASTER, TEXAS**

**Monday, June 1, 2020 - 7:00 PM**



**While a quorum of Councilmembers will be physically present at City Hall, one or more Councilmembers may attend via video or audio link due to the COVID-19 emergency situation.**

**IMPORTANT NOTICE: Due to the COVID-19 (coronavirus) state of emergency and consistent with the Governor's Order regarding modifications to the Texas Open Meetings Act ("TOMA"), and executive orders the public will not be admitted to the physical meeting location.**

Public comments will be taken during the Public Testimony and may be made by Public Testimony Comment form prior to 5:00p.m., and by joining the Zoom Webinar prior to 7:00p.m.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86985809385?pwd=ZFIKNTFISDRTMElnZy9ZUWRPcHQyZz09>

Password: 878068

The meeting will be broadcast live via video at the following address:

<http://www.lancaster-tx.com/324/Watch-Meetings>

**PUBLIC TESTIMONY:**

At this time citizens who have pre-registered before the call to order will be allowed to speak on consent or action item on the agenda, with the exception of public hearings, for a length of time not to exceed three minutes. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

**CALL TO ORDER**

**ACTION:**

1. Discuss and consider a resolution authorizing submission of applications to Dallas County for funding under the Fiscal Year 2020 United States Department of Housing and Urban Development, Community Development Block Grant (CDBG) Program for reconstruction of existing roadways: Cumberland Street from Daniieldale Road to Springfield Avenue and Trippie Street from Cedardale Road north to dead end as primary and secondary projects.
2. Discuss and consider an ordinance extending the previously declared local public health disaster resulting from COVID-19 until June 30, 2020, and adopting and ratifying all national, state, and county executive or emergency orders regarding COVID-19.
3. Discuss and consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and Dallas County to receive allocated Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds to cover eligible expenses and cost incurred due to the COVID-19 global health crisis.

**ADJOURNMENT**

### **Certificate**

**I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on May 29, 2020 @ 5:30 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.**

A handwritten signature in blue ink, appearing to read "Sorangel O. Arenas", is written over a horizontal line.

Sorangel O. Arenas  
City Secretary

## LANCASTER CITY COUNCIL

### City Council Special Meeting

1.

**Meeting Date:** 06/01/2020

**Policy Statement:** This request supports the City Council 2019-2020 Policy Agenda

**Goal(s):** Sound Infrastructure

**Submitted by:** Andrew Waits, Director of Public Works

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#### **Agenda Caption:**

Discuss and consider a resolution authorizing submission of applications to Dallas County for funding under the Fiscal Year 2020 United States Department of Housing and Urban Development, Community Development Block Grant (CDBG) Program for reconstruction of existing roadways: Cumberland Street from Daniieldale Road to Springfield Avenue and Trippie Street from Cedardale Road north to dead end as primary and secondary projects.

#### **Background:**

The City of Lancaster is eligible to receive two hundred fifty thousand fifteen dollars and zero cents (\$250,015.00) in CDBG funds for fiscal year 2020. CDBG funds may only be used on projects that eliminate blight, a community threatening condition, or primarily benefit low/moderate income residents. The primary objective of the program is to develop sustainable urban communities that meet the public service and housing needs of low and moderate income households. Federal rules allow each community to tailor its program to address specific local needs. City Council has expressed the desire to continue focus on roadway infrastructure for submission.

#### **Operational Considerations:**

For the Fiscal Year 2020 program year the City of Lancaster would like to request that our FY 2020 funds (\$250,015.00), be used for the reconstruction of Cumberland Street from Daniieldale Road to Springfield Avenue at an estimated cost of one hundred fourteen thousand five hundred dollars (\$114,500.00). The secondary location submitted is Trippie Street from Cedardale Road, north to the dead end which is estimated to cost one hundred twenty-six thousand dollars and zero cents (\$126,000.00). The two projects total two hundred forty thousand five hundred dollars and zero cents (\$240,500.00). We currently have \$166,979.00 approved for Laurel Street from Dallas Avenue to Elm Street and Lyle Street from Trippie Street to Franklin Street, awaiting completion by Dallas County Road and Bridge Division.

#### **Legal Considerations:**

The resolution and agreement has been reviewed and approved as to form by the City Attorney.

#### **Public Information Considerations:**

This item is being considered at a Special Meeting of the City Council noticed in accordance with the Texas Open Meetings Act.

#### **Fiscal Impact:**

The City of Lancaster has a fiscal year 2020 allocation amount of two hundred fifty thousand fifteen dollars and zero cents (\$250,015.00). Projects that are approved but not completed due to lack of funds may be designated for carry-over until funds are available.

**Options/Alternatives:**

1. City Council may approve the resolution, as presented.
2. City Council may deny the resolution.

**Recommendation:**

Staff recommends approval of the resolution as presented.

**Attachments**

Resolution

Exhibit A Cumberland St. Application

Exhibit B Trippie Street Application

2010 Low to Moderate Areas

CDBG Streets Trippie-Cumberland 2020

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**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING SUBMISSION OF APPLICATIONS TO DALLAS COUNTY FOR FISCAL YEAR 2020 FUNDS AVAILABLE THROUGH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR RECONSTRUCTION OF EXISTING ROADWAYS: (1) CUMBERLAND STREET FROM DANIELDALE ROAD TO SPRINGFIELD AVENUE; AND (2) TRIPPIE STREET FROM CEDARDALE ROAD NORTH TO THE DEAD END; DESIGNATING A REPRESENTATIVE FOR ALL MATTERS RELATED TO PROJECTS; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENTS; PROVIDING A REPEALING CLAUSE, PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Dallas County has determined, based upon the 2010 United States Census information, that the City of Lancaster is eligible to receive two hundred fifty thousand fifteen dollars and zero cents (\$250,015.00) of Community Development Block Grant (CDBG) funds for fiscal year 2020; and

**WHEREAS**, The City Council of the City of Lancaster desires that the funds for fiscal year 2020 be used for roadway projects; and

**WHEREAS**, the City of Lancaster could benefit greatly from Community Development Block funds as administered by and through Dallas County;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** The City Council of the City of Lancaster, Texas hereby approves the submission of a project application to Dallas County for funding under the Fiscal Year 2020 Community Development Block Grant program for reconstruction of existing roadways: (1) Cumberland Street from Daniieldale Road to Springfield Avenue as depicted on "Exhibit A," and (2) Trippie Street from Cedardale Road North to the Dead End as depicted on "Exhibit B", which are attached hereto and incorporated herein by reference.

**SECTION 2.** The City Manager shall act as the City's authorized representative in all matters related to the application and provide assurances that all requirements of the Community Development Block Grant Program are observed.

**SECTION 3.** Any prior resolutions of the City Council in conflict with the provisions contained in this resolution are hereby repealed and revoked.

**SECTION 4.** Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

**SECTION 5.** This resolution shall take effect immediately from and after its passage and it is duly resolved.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 1st day of June 2020.

**ATTEST:**

**APPROVED:**

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Sorangel O. Arenas, City Secretary

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Clyde C. Hairston, Mayor

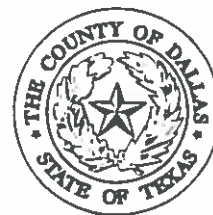
**APPROVED AS TO FORM:**

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David T. Ritter, City Attorney


**CDBG**

# FY2020 DALLAS COUNTY CDBG PROJECT/ACTIVITY APPLICATION



**Due: May 15, 2020 4:00 P.M.**

*Each project/activity must be on a separate application.*

**NAME OF CITY** Lancaster, Texas

**TITLE OF PROJECT/ACTIVITY** Street Reconstruction  
Cumberland Street From Daniieldale Road to Springfield Avenue, Length 1340  
feet Width 22 feet

- (1.) Number of beneficiaries 17 homes 68 people
- (2.) Percentage of beneficiaries that are low/moderate income 63.6%
- (3.) How was number of beneficiaries/percentage of beneficiaries being low/moderate income calculated?  
☐ by a survey conducted on \_\_\_\_\_  
☒ by 2010 census data \_\_\_\_\_  
☐ other, explain \_\_\_\_\_
- (4.) Please provide below the required information for the project:
 

Census Tract <u>167.03</u>	Block Group <u>3</u>
Census Tract _____	Block Group _____
Census Tract _____	Block Group _____
Census Tract _____	Block Group _____
- (5.) Identify which national CDBG objective this project addresses:  
☒ primarily assists low/moderate income  
☐ eradicates blight  
☐ eliminates community-threatening condition

- (6.) Is the service area for this project city-wide?  
[ ] Yes  
[X] No If no, a map with the project's service area boundaries clearly marked must be attached. In addition, for capital improvement projects, the map must **clearly** show the location of the project and its beginning and ending points.
- (7.) Describe proposed project: This description should specifically explain what will be undertaken, where it will occur, why it needs to be undertaken, and what problems it will solve. **Please be very specific in the description.** If, for instance, the proposed project involves improving a road or replacing a water line, be sure to state that the project will cover a certain amount of linear feet from Point A to Point B; any problems with the road/line, etc.

Reconstruction of street listed below, Type (E) Mill in place, adding stabilizer, Prime, Single course chip seal, level up and two inch (2") hot mix asphalt overlay.

Cumberland Street From Daniieldale Road to Springfield Avenue

Length 1340'      Width 22'

Estimated Cost \$114,500.00

This street has not been repaired/ replaced in over 15 years. Street has extensive road base failure and alligator cracking.

This project will be managed by Dallas County District #3 Engineering Department. The street reconstruction will be done by Dallas County Road and Bridge District #3 under a Master Interlocal Agreement between Dallas County and the City of Lancaster.

- (8.) Project represents:  
[X] new project/activity  
[ ] continuation of an on-going activity such as code enforcement **(please note that all "continuation projects" must have a fully-completed application; please do not use verbiage such as "same as last year" or "refer to previous application")**  
  
[ ] completion of an existing project, such as a capital improvement project, that has received funding in the past, but still needs additional funding in order to be constructed **(please note that all "completion of existing projects" must have a fully-completed application; please do not use verbiage such as "same as last year" or "refer to previous application")**

(9.) Attach a line-item budget for the proposed project/activity. Describe within this budget how proposed costs are derived. **If the project is for a code program, please be sure that the provided budget is for two years.** For capital improvement projects, also provide itemized costs and quantities for such components including, but not limited to, right-of-way/easement acquisition, surveying/engineering design, utility relocation, construction management, materials, and permits/fees. Where possible for capital improvement projects, have the estimates provided by a licensed professional engineer.

(10.) Describe how project/activity is to be funded:

• FY2020 CDBG funding being allocated	<u>\$250,015.00</u>
• CDBG funding from completed/canceled projects now being reallocated	<u>0</u>
• Non-CDBG funding that has been allocated	<u>0</u>
• Additional funding still needed	<u>0</u>

**TOTAL BUDGET \$250,015.00**

\*

(11.) If carry-over CDBG funding from previous projects is going to be used, identify the previous projects from which this funding is being reallocated and the amounts being reallocated (please note that carryover funds are not available until the project is officially completed and all outstanding invoices have been paid).

N/A

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(12.) If non-CDBG funding is to be used, please describe whether the source of this funding (e.g.--City bond funds, City revenues, state/federal grant, private funding, etc.) has already been secured or when such funding will become available.

N/A

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- (13.) If additional funding will still be needed, describe how additional funding will be provided (i.e., through future CDBG funds, city bond program, etc.).

N/A

- (14.) Describe what portions of the project, to the extent applicable, that will be implemented/ managed by the County, the City, another organization, or some combination of these entities.

The City will provide utility locates prior to the street reconstruction. Dallas County will implement and manage the project.

- (15.) Proposed start date for implementing project July 1, 2020

- (16.) Proposed completion date November 1, 2020

Contact person for project: Andrew Waits

Title: Director of Public Works

Phone number: 972-218-2326

E-Mail address: [await@lancaster-tx.com](mailto:await@lancaster-tx.com)

Authorized signature: 



# FY2020 DALLAS COUNTY CDBG PROJECT/ACTIVITY APPLICATION



**Due: May 15, 2020 4:00 P.M.**

*Each project/activity must be on a separate application.*

**NAME OF CITY** Lancaster, Texas

**TITLE OF PROJECT/ACTIVITY** Street Reconstruction

**Trippie Street From Cedardale Road North to Dead End Length 2,483 feet Width 24 feet**

- (1.) Number of beneficiaries 24 homes 96 people
- (2.) Percentage of beneficiaries that are low/moderate income 63.6%
- (3.) How was number of beneficiaries/percentage of beneficiaries being low/moderate income calculated?  
☐ by a survey conducted on \_\_\_\_\_  
☒ by 2010 census data \_\_\_\_\_  
☐ other, explain \_\_\_\_\_
- (4.) Please provide below the required information for the project:
 

Census Tract <u>167.03</u>	Block Group <u>3</u>
Census Tract _____	Block Group _____
Census Tract _____	Block Group _____
Census Tract _____	Block Group _____
- (5.) Identify which national CDBG objective this project addresses:  
☒ primarily assists low/moderate income  
☐ eradicates blight  
☐ eliminates community-threatening condition

- (6.) Is the service area for this project city-wide?  
[ ] Yes  
[X] No If no, a map with the project's service area boundaries clearly marked must be attached. In addition, for capital improvement projects, the map must **clearly** show the location of the project and its beginning and ending points.

- (7.) Describe proposed project: This description should specifically explain what will be undertaken, where it will occur, why it needs to be undertaken, and what problems it will solve. **Please be very specific in the description.** If, for instance, the proposed project involves improving a road or replacing a water line, be sure to state that the project will cover a certain amount of linear feet from Point A to Point B; any problems with the road/line, etc.

Reconstruction of street listed below, Type (E) Mill in place, adding stabilizer, Prime, Single course chip seal, level up and two inch (2") hot mix asphalt overlay.

Cumberland Street From Trippie Street From Cedardale Road North to Dead End.

Length 2,483' Width 24'

Estimated Cost \$126,000.00

This street has not been repaired/ replaced in over 15 years. Street has extensive road base failure and alligator cracking.

This project will be managed by Dallas County District #3 Engineering Department. The street reconstruction will be done by Dallas County Road and Bridge District #3 under a Master Interlocal Agreement between Dallas County and the City of Lancaster.

- (8.) Project represents:  
[X] new project/activity  
[ ] continuation of an on-going activity such as code enforcement **(please note that all "continuation projects" must have a fully-completed application; please do not use verbiage such as "same as last year" or "refer to previous application")**  
  
[ ] completion of an existing project, such as a capital improvement project, that has received funding in the past, but still needs additional funding in order to be constructed **(please note that all "completion of existing projects" must have a fully-completed**

application; please do not use verbiage such as "same as last year" or "refer to previous application")

- (9.) Attach a line-item budget for the proposed project/activity. Describe within this budget how proposed costs are derived. **If the project is for a code program, please be sure that the provided budget is for two years.** For capital improvement projects, also provide itemized costs and quantities for such components including, but not limited to, right-of-way/easement acquisition, surveying/engineering design, utility relocation, construction management, materials, and permits/fees. Where possible for capital improvement projects, have the estimates provided by a licensed professional engineer.

- (10.) Describe how project/activity is to be funded:

• FY2020 CDBG funding being allocated	<u>\$250,015.00</u>
• CDBG funding from completed/canceled projects now being reallocated	<u>0</u>
• Non-CDBG funding that has been allocated	<u>0</u>
• Additional funding still needed	<u>0</u>

**TOTAL BUDGET \$250,015.00**

\*

- (11.) If carry-over CDBG funding from previous projects is going to be used, identify the previous projects from which this funding is being reallocated and the amounts being reallocated (please note that carryover funds are not available until the project is officially completed and all outstanding invoices have been paid).

N/A

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- (12.) If non-CDBG funding is to be used, please describe whether the source of this funding (e.g.—City bond funds, City revenues, state/federal grant, private funding, etc.) has already been secured or when such funding will become available.

N/A

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- (13.) If additional funding will still be needed, describe how additional funding will be provided (i.e., through future CDBG funds, city bond program, etc.).

N/A

- (14.) Describe what portions of the project, to the extent applicable, that will be implemented/ managed by the County, the City, another organization, or some combination of these entities.

The City will provide utility locates prior to the street reconstruction. Dallas County will implement and manage the project.

- (15.) Proposed start date for implementing project July 1, 2020

- (16.) Proposed completion date November1, 2020

Contact person for project: Andrew Waits

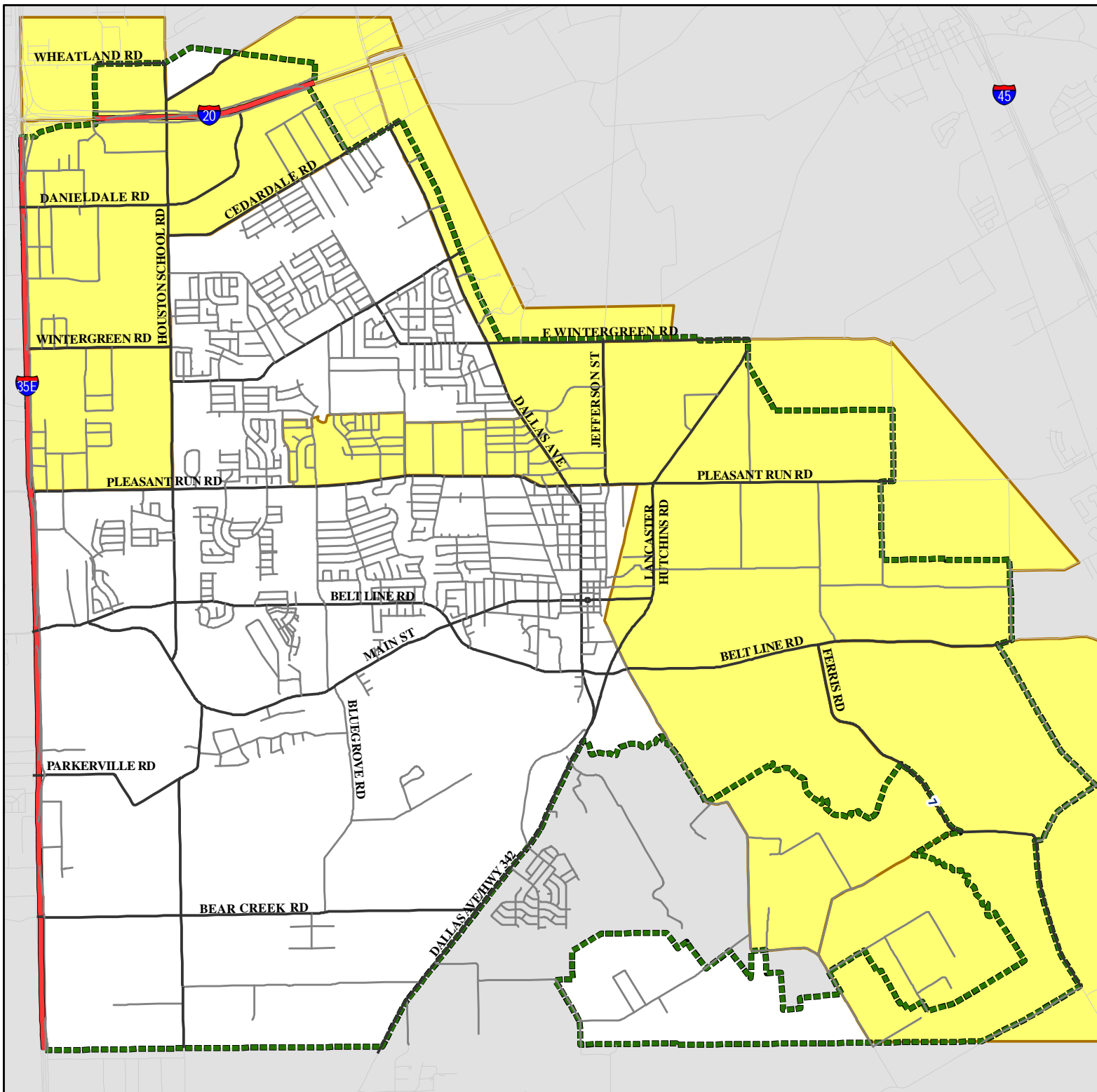
Title: Director of Public Works

Phone number: 972-218-2326

E-Mail address: [awaits@lancaster-tx.com](mailto:awaits@lancaster-tx.com)

Authorized signature: 


City of Lancaster  
2010 Census  
Block Group  
Low - Moderate  
Income Areas



**Legend**

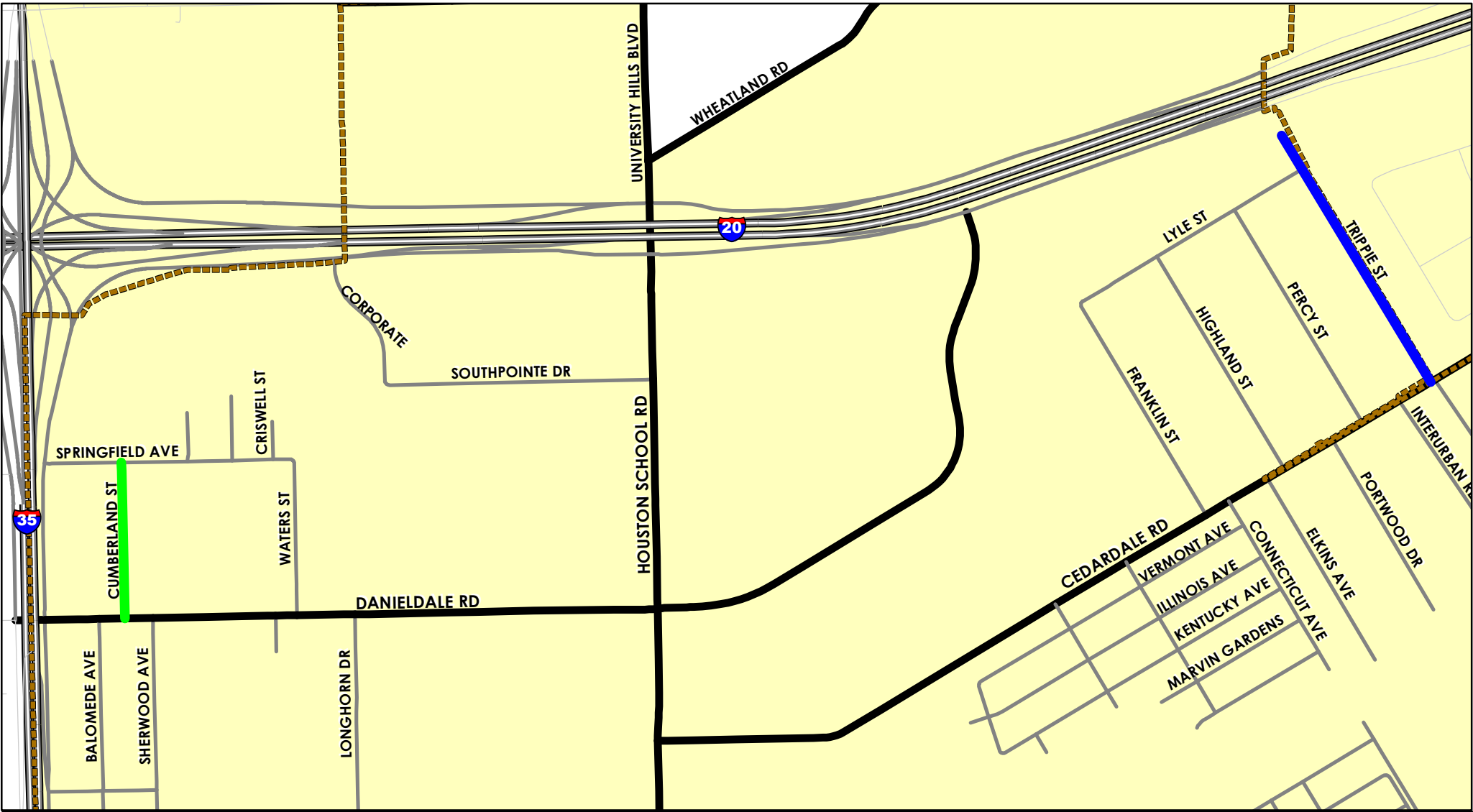
 City Limits

**2010 Block Groups**

 Low to Moderate Income



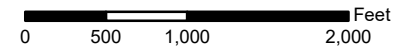
0 0.375 0.75 1.5 Miles



- Cumberland St
- Trippie St
- City Limits
- Low to Moderate Income

Street Name	From	To	Length	Tract	BG
Trippie St	Cedardale Rd	North End	2,479 Feet	016703	3
Cumberland St	Danieldale Rd	Springfield Ave	1,342 Feet	016703	3

## City of Lancaster Eligible CDBG Street Repairs 2020



## LANCASTER CITY COUNCIL

### City Council Special Meeting

2.

**Meeting Date:** 06/01/2020

**Policy Statement:** This request supports the City Council 2019-2020 Policy Agenda

**Goal(s):** Healthy, Safe & Engaged Community

**Submitted by:** Carey Neal, Assistant to the City Manager

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#### **Agenda Caption:**

Discuss and consider an ordinance extending the previously declared local public health disaster resulting from COVID-19 until June 30, 2020, and adopting and ratifying all national, state, and county executive or emergency orders regarding COVID-19.

#### **Background:**

On March 12, 2020, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency due to a novel coronavirus (COVID-19). Judge Jenkins also issued an order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus. As such, Mayor Clyde C. Hairston also issued a Declaration of Local Disaster for Public Health Emergency and issued an order to further ensure the safety of residents and visitors of the City of Lancaster.

On March 16, 2020, Council ratified the Declaration of Local Disaster and the order of Mayor Clyde C. Hairston at a Regular Meeting of the City Council. Three additional amended orders were issued by Mayor Hairston on March 20th, 21st, 22nd and 23rd.

On April 27, 2020, City Council ratified the previous COVID-19 orders adopted by Dallas County by Mayor Hairston for the city. The Orders ratified for Stay Home Stay Safe were issued on March 24th, March 30th, March 31st, April 2nd, April 3rd, April 6th, April 8th, April 16th, April 17th, April 18th, and on April 23, 2020. The Orders ratified for Long Term Care Facilities were issued on March 29th, April 1st, April 7th, April 18th, and April 23, 2020.

On May 4, 2020, Dallas County Judge Jenkins issued a Supplemental Order on Reopened Services and Food Processing Plants effective until 11:59 p.m. on May 15, 2020. The order addresses Reopened Services that may operate in Dallas County in compliance with the order guidelines. Reopened Services must comply with Minimum Standard Health Protocols listed in the Governor's Report to Open Texas, issued April 27, 2020.

On May 8, 2020, Dallas County Judge Clay Jenkins extended the previously issued Long Term Care Facilities order effective until 11:59 on May 15, 2020.

On May 8, 2020, Dallas County Judge Clay Jenkins issued a Supplemental Order on Reopened Services and Food Processing Plants effective until 11:59 p.m. on May 15, 2020.

On May 12, 2020, Governor Abbott extended the Disaster Proclamation for the State of Texas which renews the disaster proclamation for all Texas counties.

On May 15, 2020, Dallas County Judge Clay Jenkins issued a Supplemental Order on Continuing



Requirements After Expiration of Stay Home, Stay Safe effective until 11:59 p.m. on May 20, 2020.

On May 15, 2020, Dallas County Judge Clay Jenkins extended the Long Term Care Facilities order effective until 11:59 on May 20, 2020.

On May 15, 2020, Dallas County Judge Clay Jenkins issued a Supplemental Order on Reopened Services and Food Processing Plants effective until 11:59 p.m. on May 20, 2020.

On May 19, 2020, Dallas County Judge Clay Jenkins extended the Order of Continuance of Local Disaster For Public Health that was adopted and passed by the Commissioner Court of Dallas County.

On May 20, 2020, Dallas County Judge Clay Jenkins issued a Supplemental Order on Continuing Requirements After Expiration of Stay Home, Stay Safe effective until 11:59 p.m. on June 12, 2020.

On May 20, 2020, Dallas County Judge Clay Jenkins extended the Long Term Care Facilities order effective until 11:59 on June 12, 2020.

On May 20, 2020, Dallas County Judge Clay Jenkins extended the Supplemental Order on Requirements for Food Processing Plants After Expiration of Stay Home, Stay Safe order effective until 11:59 on June 12, 2020.

**Legal Considerations:**

The City Attorney has reviewed and approved the ordinance as to form.

**Public Information Considerations:**

This item is being considered at a regular meeting of the City Council noticed in accordance with Texas Open Meetings Act.

**Options/Alternatives:**

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

**Recommendation:**

Staff recommends approval of the ordinance, as presented.

**Attachments**

Ordinance

Exhibit A

Exhibit B

Exhibit C

Extended Declaration of Local Disaster

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## ORDINANCE NO

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, EXTENDING THE PREVIOUSLY DECLARED LOCAL DISASTER DUE TO A PUBLIC HEALTH EMERGENCY; MAKING FINDINGS RELATED THERETO; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN EXPIRATION DATE OF JUNE 30, 2020.**

**WHEREAS**, beginning in or about December 2019, a novel coronavirus, now designated COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

**WHEREAS**, symptoms of COVID-19 include fever, coughing, and shortness of breath and, in some cases, the virus has caused death; and

**WHEREAS**, the City of Lancaster is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

**WHEREAS**, the City of Lancaster has established emergency protective measures, mitigation procedures, and emergency response plans for this type of health emergency; and

**WHEREAS**, on or about March 13, 2020, Texas Governor Greg Abbott declared a state of disaster in all Texas counties, and thereafter Dallas County Judge Clay Jenkins declared a local state of disaster due to a public health emergency; and

**WHEREAS**, on or about Monday, March 16, 2020, Mayor Clyde C. Hairston issued a Declaration of Local State of Disaster for Public Health Emergency; with concurrent Orders dated March 13, 2020 and March 16, 2020 mirroring the Order and Amended Order of Dallas County Judge Clay Jenkins pursuant to City Council Resolution No. 2020-03-23; and

**WHEREAS**, Texas Governor Greg Abbott extended the disaster declaration for the second time on May 12<sup>th</sup>, and issued additional Executive Orders to further provide guidance regarding COVID-19 on May 18<sup>th</sup>, May 21<sup>st</sup>, and May 22, 2020, attached hereto as “**Exhibit A**,” and

**WHEREAS**, Dallas County Judge Clay Jenkins extended the local disaster declaration of public health emergency on April 3<sup>rd</sup> to extend to May 20<sup>th</sup> and issued an extension of the disaster declaration of health emergency on May 19<sup>th</sup> and issued additional Orders to further provide guidance regarding COVID-19 on May 20, 2020, attached hereto as “**Exhibit B**,” and

**WHEREAS**, Lancaster Mayor Clyde C. Hairston also extended the local disaster declaration of public health on April 3<sup>rd</sup> to extend to May 30<sup>th</sup> and issued an extension of the disaster declaration of the health emergency on June 1<sup>st</sup> to extend to June 30<sup>th</sup> additional Orders to further provide guidance regarding COVID-19 were issued on May 4<sup>th</sup>, May 8<sup>th</sup>, May 14<sup>th</sup>, May 15<sup>th</sup>, and May 20, 2020, attached hereto as “**Exhibit C**,” and

**WHEREAS**, The City Council of the City of Lancaster, Texas deems it in the public interest to extend the Local State of Disaster for Public Health Emergency, and to locally adopt and ratify the various orders attached as “**Exhibit C**”, as well as all national, state, and county orders regarding COVID-19 issued subsequent to the effective date of this Ordinance; and

**WHEREAS**, the May 20<sup>th</sup> Dallas County order expires at 11:59 p.m. on June 12, 2020 and the May 20<sup>th</sup> Mayoral Order expires at 11:59 p.m. on June 12, 2020; and

**WHEREAS**, the May 12<sup>th</sup> Disaster Proclamation issued by Governor Abbott for the State of Texas which renews the disaster proclamation for all Texas counties;

**WHEREAS**, upon approval of this Ordinance, the Disaster Declaration expires at 11:59 p.m. on June 30, 2020, unless otherwise repealed, extended or otherwise amended by the City Council, or by one or more superseding county, state, or national orders.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, THAT:**

#### **SECTION 1**

All of the above findings are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance as if fully set forth herein.

#### **SECTION 2**

This Ordinance and the regulations adopted hereunder are intended to mirror the regulations set forth by the State of Texas under the currently-active Executive Orders issued by the Governor, including but not limited to GA-17, GA-18, and GA-19, GA-20, GA-21, GA-22, GA-23, GA-24, GA-25 and the Supplemental Order of County Judge Clay Jenkins (“Continuing Requirement After Expiration of Stay Home, Stay Safe”) dated May 20, 2020. Any amendments to the Executive Orders or County Orders after the date of Resolution and prior to 11:59 p.m. on May 30, 2020 shall be automatically adopted by the City and shall modify this Ordinance to the extent that they conflict with any portion of this Ordinance.

#### **SECTION 3**

A local state of disaster due to public health emergency previously declared for the City of Lancaster, Texas, pursuant to Section 418.108(a) of the Texas Government Code is hereby extended.

#### **SECTION 4**

Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster due to public health emergency previously declared by the Mayor and/or City Council shall continue from the date of adoption of this Ordinance to 11:59 p.m. on May; 30, 2020, unless action is taken by the City Council of the City of Lancaster, Texas, to repeal, extend or otherwise amend this Ordinance.

#### **SECTION 5**

Pursuant to Section 418.108(c) of the Texas Government Code, this Ordinance declaring a local state of disaster due to public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary’s Office.

## **SECTION 6**

Pursuant to Section 418.108(d) of the Government Code, this Ordinance declaring a local state of disaster has resulted in activation of the appropriate aspects of the City's emergency management plans.

## **SECTION 7**

Closures and cancellations referenced in this Ordinance (and the state and county orders referenced herein) may be extended, modified or revoked until the threat posed by COVID-19 has passed, as determined by the City Manager in consultation with the Mayor.

## **SECTION 8**

The City Manager is granted the authority to direct non-emergency City personnel to work from home or to otherwise telecommute, as may be required, to mitigate community spread of COVID-19.

## **SECTION 9**

This Ordinance hereby authorizes the City to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, and insuring compliance for those who do not comply with the City's ordinances, pursuant to Section 122.006 of the Texas Health and Safety Code.

## **SECTION 10**

This Ordinance hereby incorporates by reference the provisions of any Executive Order or similar directive issued by the President of the United States, the Governor of the State of Texas, or the County Judge of Dallas County heretofore issued, or issued subsequent to the effective date of this Ordinance issued in response to the COVID-19 public health emergency.

## **SECTION 11**

This Ordinance hereby authorizes the use of all lawfully available enforcement tools. In summary, the following orders have been issued by the Dallas County Judge and ratified and locally adopted by Mayoral Order, as demonstrated by Exhibit C, and those orders are hereby ratified and locally adopted within the City of Lancaster, Texas by the City Council and it is so ORDERED THAT:

**Effective as of 11:59 p.m. on May 20, 2020, and continuing until 11:59 p.m. on June 12, 2020, unless amended by City Council or affected by a superseding state or county order pursuant to Section 2, above:**

- 1. All Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Recovery Payments to individuals shall be exempt from "garnishment" as that term is described in Chapter 63 of the Texas Civil Practice and Remedies Code, except for garnishment for child support payments. All CARE Act Payments shall remain exempt from garnishment when deposited into an account in a financial institution. This provision is enacted to ensure Dallas County residents can use their CARES Act Recovery Payments for their housing, food, medical and other essential needs during the COVID19 emergency period, all as defined in Section 2 [of the May 20<sup>th</sup> Dallas County Order].**

2. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:

- i. The number of COVID-19 tests performed; and
- ii. The number of positive COVID-19 tests.

Reports shall be made to Dallas County Judge Clay Jenkins at [Clay.Jenkins@dallascounty.org](mailto:Clay.Jenkins@dallascounty.org) and Dallas County Health and Human Services Director Dr. Philip Huang at [Philip.Huang@dallascounty.org](mailto:Philip.Huang@dallascounty.org). Reporting laboratories shall not provide names or any other identifiable health information that could be used to identify an individual patient.

3. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.
4. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
5. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
  - i. groceries, beverages, toilet articles, and ice;
  - ii. restaurant, cafeteria, and boarding-house meals; and
  - iii. medicine, pharmaceutical and medical equipment, and supplies.
6. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
7. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
8. Nursing homes, retirement, and long-term care facilities are instructed by this Order

to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.

9. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
10. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.

## **SECTION 12**

Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster due to public health emergency shall continue from the date of adoption of this Ordinance to 11:59 p.m. on June 30, 2020, at which time it shall expire without further action by the City Council, unless action is taken by the City Council of the City of Lancaster, Texas, prior to the expiration date to repeal, extend or otherwise amend this Ordinance.

## **SECTION 13**

This Ordinance shall become effective from and after its passage and publication.

**DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ON THIS 1<sup>st</sup> DAY OF JUNE, 2020.**

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Clyde C. Hairston, Mayor

**ATTEST:**

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Sorangel O. Arenas, City Secretary

**APPROVED AS TO FORM:**

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David T. Ritter, City Attorney

## "EXHIBIT A"

### Governor Orders:

- May 12<sup>th</sup>,
- May 18<sup>th</sup>,
- May 21<sup>st</sup>,
- May 22<sup>nd</sup>



GOVERNOR GREG ABBOTT

May 12, 2020

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4 PM O'CLOCK

MAY 12 2020  
  
Secretary of State

The Honorable Ruth R. Hughs  
Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the declaration stating that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment



# PROCLAMATION

BY THE

## Governor of the State of Texas

---

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID- 19) poses an imminent threat of disaster for all counties in the State of Texas; and

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

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, on April 12, 2020, I issued a proclamation renewing the disaster declaration for all Texas counties; and

WHEREAS, a state of disaster continues to exist in all counties due to COVID-19;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for all counties in Texas.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

IN TESTIMONY WHEREOF, I have  
hereunto signed my name and have  
officially caused the Seal of State to be  
affixed at my office in the City of

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SECRETARY OF STATE  
4 PM O'CLOCK

MAY 12 2020

Governor Greg Abbott  
May 12, 2020

Proclamation  
Page 2



ATTESTED BY:

A handwritten signature in black ink, appearing to read "Ruth R. Hughs", is written over a horizontal line.

RUTH R. HUGHS  
Secretary of State

Austin, Texas, this the 12th day of  
May, 2020.

A handwritten signature in black ink, appearing to read "Greg Abbott", is written over a horizontal line.

GREG ABBOTT  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4:51 PM O'CLOCK

MAY 12 2020



GOVERNOR GREG ABBOTT

May 18, 2020

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
1:30pm O'CLOCK

MAY 18 2020  
*[Signature]*

Secretary of State

The Honorable Ruth R. Hughs  
Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-23 relating to the expanded opening of Texas in  
response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

*[Signature of Gregory S. Davidson]*

Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment

# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
May 18, 2020

## EXECUTIVE ORDER GA 23

*Relating to the expanded opening of Texas in response to the COVID-19 disaster.*

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WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, I issued proclamations renewing the disaster declaration for all counties in Texas on April 12 and May 12, 2020; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined on March 19, April 17, and May 15, 2020, that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating certain obligations for Texans in accordance with the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC) on March 16, 2020, which called upon Americans to take actions to slow the spread of COVID-19 for 15 days; and

WHEREAS, I issued Executive Order GA-14 on March 31, 2020, based on the President's announcement that the restrictive Guidelines should extend through April 30, 2020, in light of advice from Dr. Anthony Fauci and Dr. Deborah Birx, and also based on guidance by DSHS Commissioner Dr. Hellerstedt and Dr. Birx that the spread of COVID-19 can be reduced by minimizing social gatherings; and

WHEREAS, Executive Order GA-14 superseded Executive Order GA-08 and expanded the social-distancing restrictions and other obligations for Texans, aimed at slowing the spread of COVID-19 and protecting public health and safety; and

WHEREAS, after more than two weeks of having in effect the heightened restrictions like those required by Executive Order GA-14, which had saved lives, it was clear that the disease still presented a serious threat across Texas that could persist in certain areas, but also that COVID-19 had wrought havoc on many Texas businesses and workers affected by the restrictions that were necessary to protect human life; and

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MAY 18 2020

WHEREAS, on April 17, 2020, I therefore issued Executive Order GA-17, creating the Governor's Strike Force to Open Texas to study and make recommendations on safely and strategically restarting and revitalizing all aspects of the Lone Star State—work, school, entertainment, and culture; and

WHEREAS, also on April 17, 2020, I issued Executive Order GA-16 to generally continue through April 30, 2020, the same social-distancing restrictions and other obligations for Texans according to federal guidelines, but also to offer a safe, strategic first step to Open Texas; and

WHEREAS, I subsequently issued Executive Orders GA-18 and GA-21 on April 27 and May 5, 2020, respectively, to expand the services that are reopened in Texas; and

WHEREAS, as normal business operations resume, everyone must act safely, and to that end Executive Orders GA-18 and GA-21, as well as this executive order, provide that all persons should follow the health protocols recommended by DSHS, which whenever achieved will mean compliance with the minimum standards for safely reopening, but which should not be used to fault those who act in good faith but can only substantially comply with the standards in light of scarce resources and other extenuating COVID-19 circumstances; and

WHEREAS, in coping with the COVID-19 disaster, and especially as services are being reopened in Texas, government officials should look for the least restrictive means of combatting the threat to public health; and

WHEREAS, on May 7, 2020, I issued Executive Order GA-22 to remove confinement in jail as an available penalty for non-compliance with any state or local executive order issued in response to COVID-19; and

WHEREAS, Texas must continue to protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, the "governor is responsible for meeting ... the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the "governor may issue executive orders ... hav[ing] the force and effect of law;" and

WHEREAS, under Section 418.016(a), the "governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;" and

WHEREAS, under Section 418.017(a), the "governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster;" and

WHEREAS, under Section 418.018(c), the "governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;" and

WHEREAS, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed \$1,000, and may be subject to regulatory enforcement;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately, and continuing through June 3, 2020, subject to extension based on the status of COVID-19 in Texas and the recommendations of the Governor's Strike Force to Open Texas, the White House Coronavirus Task Force, and the CDC:

In accordance with guidance from DSHS Commissioner Dr. Hellerstedt, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in Texas shall, except where necessary to provide or obtain Covered Services, minimize social gatherings and minimize in-person contact with people who are not in the same household. People over the age of 65, however, are strongly encouraged to stay at home as much as possible; to maintain appropriate distance from any member of the household who has been out of the residence in the previous 14 days; and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.

"Covered Services" shall consist of everything listed by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.0 or any subsequent version, plus religious services conducted in churches, congregations, and houses of worship. These covered services are not subject to the conditions and limitations, including occupancy or operating limits, set forth below for other covered services.

"Covered Services" shall also consist of the following to the extent they are not already CISA services or religious services, subject to the conditions and limitations set forth below:

1. Retail services that may be provided through pick-up, delivery by mail, or delivery to the customer's doorstep.
2. In-store, non-CISA retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment.
3. Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant, effective until 12:01 a.m. on Friday, May 22, 2020, when this provision is superseded by the provision set forth below for expanded dine-in restaurant services; provided, however, that
  - a. this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages; and
  - b. any components of the restaurants that have interactive functions or exhibits, including child play areas, interactive games, and video arcades, must remain closed.
4. Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening; provided, however, that components of the movie theaters that have video arcades or interactive games must remain closed.
5. Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food-court dining areas, play areas, video arcades, and interactive displays and settings must

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MAY 18 2020

- remain closed.
6. Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that
    - a. local public museums and local public libraries may so operate only if permitted by the local government; and
    - b. any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed.
  7. Golf course operations.
  8. Local government operations, including county and municipal governmental operations relating to licensing (including marriage licenses), permitting, recordation, and document-filing services, as determined by the local government.
  9. Wedding venues and the services required to conduct weddings; provided, however, that for weddings held indoors other than at a church, congregation, or house of worship, the facility may operate at up to 25 percent of the total listed occupancy of the facility.
  10. Wedding reception services, for facilities that operate at up to 25 percent of the total listed occupancy of the facility.
  11. Cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade; provided, however, that all such salons, shops, and establishments must ensure at least six feet of social distancing between operating work stations.
  12. Tanning salons; provided, however, that all such salons must ensure at least six feet of social distancing between operating work stations.
  13. Swimming pools, as determined by each pool owner; provided, however, that
    - a. indoor swimming pools may operate at up to 25 percent of the total listed occupancy of the pool facility; and
    - b. outdoor swimming pools may operate at up to 25 percent of normal operating limits as determined by the pool owner.
  14. Non-CISA services provided by office workers in offices that operate at up to the greater of (i) ten individuals, or (ii) 25 percent of the total office workforce; provided, however, that the individuals maintain appropriate social distancing.
  15. Non-CISA manufacturing services, for facilities that operate at up to 25 percent of the total listed occupancy of the facility.
  16. Gyms and exercise facilities and classes that operate at up to 25 percent of the total listed occupancy of the gym or exercise facility; provided, however, that locker rooms and shower facilities must remain closed, but restrooms may open.
  17. Starting immediately for all Texas counties except Deaf Smith, El Paso, Moore, Potter, and Randall counties:
    - a. Massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; provided, however, that all such facilities must ensure at least six feet of social distancing between operating work stations.
    - b. Personal-care and beauty services that have not already been reopened, such as tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services; provided, however, that (i) all such facilities must ensure at least six feet of social distancing between operating work stations; and (ii) to the extent such services are licensed or otherwise regulated by Texas law, such services may operate only as permitted by Texas law.
    - c. Child-care services other than youth camps as described below; provided, however, that to the extent such services are licensed or otherwise regulated by Texas law, such services may operate only as permitted by Texas law.
  18. Starting at 12:01 a.m. on Friday, May 22, 2020, for all Texas counties except Deaf

Smith, El Paso, Moore, Potter, and Randall counties:

- a. Dine-in restaurant services, for restaurants that operate at up to 50 percent of the total listed occupancy of the restaurant; provided, however that (i) this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages; and (ii) any components of the restaurants that have interactive functions or exhibits, including child play areas, interactive games, and video arcades, must remain closed.
  - b. Bars and similar establishments that are not restaurants as defined above, that hold a permit from the Texas Alcoholic Beverage Commission, and that are not otherwise expressly prohibited in this executive order, for such establishments that operate at up to 25 percent of the total listed occupancy of the establishment; provided, however, that any components of the establishments that have interactive functions or exhibits, including child play areas, interactive games, and video arcades, must remain closed.
  - c. Aquariums, natural caverns, and similar facilities (excluding zoos) that operate at up to 25 percent of the total listed occupancy or, for outdoor areas, at up to 25 percent of the normal operating limits as determined by the facility owner; provided, however, that (i) local public facilities may so operate only if permitted by the local government; and (ii) any components of the facilities that have interactive functions or exhibits, including child play areas, must remain closed.
  - d. Bowling alleys, bingo halls, simulcast racing to the extent authorized by state law, and skating rinks that operate at up to 25 percent of the total listed occupancy of the establishment; provided, however, that (i) bowling alleys must ensure at least six feet of social distancing between operating lanes; and (ii) components of the establishments that have video arcades must remain closed.
  - e. Rodeos and equestrian events that operate at up to 25 percent of the total listed occupancy or, for outdoor areas, at up to 25 percent of the normal operating limits as determined by the facility owner; provided, however, that this authorizes only the rodeo or equestrian event and not larger gatherings, such as county fairs, in which such an event may be held.
  - f. Drive-in concerts, under guidelines that facilitate appropriate social distancing, that generally require spectators to remain in their vehicles, and that minimize in-person contact between people who are not in the same household or vehicle.
  - g. Amateur sporting events (i) at which there is no access to the general public allowed; and (ii) for which all participants have tested negative for COVID-19 prior to the event, are quarantined for the duration of the event, are temperature-checked and monitored for symptoms daily, and are tested again for COVID-19 at the end of the event.
19. Starting at 12:01 a.m. on Friday, May 29, 2020, for Deaf Smith, El Paso, Moore, Potter, and Randall counties:
- a. All services that were restored for other Texas counties on Monday, May 18 and Friday, May 22, 2020, in numbers 17 and 18 above.
20. Starting at 12:01 a.m. on Friday, May 29, 2020, for all Texas counties:
- a. Outdoor areas of zoos that operate at up to 25 percent of the normal operating limits as determined by the zoo owner; provided, however, that (i) indoor areas of zoos, other than restrooms, must remain closed; (ii) any components of the zoos that have interactive functions or exhibits, including child play areas, must remain closed; and (iii) local public zoos may so operate only if permitted by the local government.
21. Starting at 12:01 a.m. on Sunday, May 31, 2020, for all Texas counties:



- a. Professional basketball, baseball, softball, golf, tennis, football, and car racing events, with no spectators physically present on the premises of the venue, as approved on a league-by-league basis by DSHS, in consultation with the Office of the Governor and any recommendations by the advisory Strike Force to Open Texas, based on whether the league has submitted a plan that applies to all events and that meets the minimum health and safety standards; provided, however, that each league must submit, along with a request for approval in the manner prescribed by DSHS, a plan that incorporates applicable minimum standard health protocols recommended by DSHS, as applicable, and such additional measures as are needed to ensure a safe plan for conducting the event.
  - b. Youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths.
  - c. Youth sports programs; provided, however, that practices may begin, but games and similar competitions may not begin until June 15, 2020.
22. For Texas counties that have filed with DSHS, and are in compliance with, the requisite attestation form promulgated by DSHS regarding five or fewer cases of COVID-19, those services, establishments, and facilities listed above with 25 percent occupancy or operating limits may, as otherwise defined and limited above, operate at up to 50 percent.
23. Such additional services as may be enumerated by future executive orders or proclamations by the governor.

For the Covered Services listed above with limits based on "total listed occupancy," the total listed occupancy limits refer to the maximum occupant load set by local or state law, but for purposes of this executive order, staff members are not included in determining operating levels except for non-CISA manufacturing service providers and non-CISA services provided by office workers. The "total listed occupancy" limits do not apply to outdoor areas, events, facilities, or establishments. Additionally, valet services are prohibited except for vehicles with placards or plates for disabled parking.

Notwithstanding anything herein to the contrary, the governor may by proclamation identify any county or counties in which Covered Services other than CISA services and religious services are thereafter prohibited, in the governor's sole discretion, based on the governor's determination in consultation with medical professionals that only CISA services and religious services should be permitted in the county, including based on factors such as an increase in the transmission of COVID-19 or in the amount of COVID-19-related hospitalizations or fatalities.

In providing or obtaining Covered Services, all persons (including individuals, businesses and other organizations, and any other legal entity) should use good-faith efforts and available resources to follow the minimum standard health protocols recommended by DSHS, found at [www.dshs.texas.gov/coronavirus](http://www.dshs.texas.gov/coronavirus). All persons should also follow, to the extent not inconsistent with the DSHS minimum standards, the Guidelines from the President and the CDC, as well as other CDC recommendations. Individuals are encouraged to wear appropriate face coverings, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering. Nothing in this executive order or the DSHS minimum standards precludes requiring a customer wishing to obtain services to follow additional hygiene measures.

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Religious services should be conducted in accordance with the joint guidance issued and updated by the attorney general and governor. Nothing in this executive order, the DSHS minimum standards, or the joint guidance issued and updated by the attorney general and governor precludes churches, congregations, and houses of worship from using school campuses for their religious services or other allowed services.

Except as specifically allowed above, people shall avoid visiting interactive amusement venues such as video arcades, amusement parks, or water parks, unless these enumerated establishments or venues are specifically added as a Covered Service by proclamation or future executive order of the governor. Notwithstanding anything herein to the contrary, the governor may by proclamation add to this list of establishments or venues that people shall avoid visiting. To the extent any of the establishments or venues that people shall avoid visiting also offer Covered Services permitted above, such as restaurant services, these establishments or venues can offer only the Covered Services and may not offer any other services.

This executive order does not prohibit people from accessing Covered Services or engaging in safe daily activities, such as going to the grocery store or gas station; providing or obtaining other Covered Services; visiting swimming pools, parks, beaches, rivers, or lakes; hunting or fishing; attending youth club meetings or events; or engaging in physical activity like jogging, bicycling, or other outdoor sports, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.

In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities whenever possible.

In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance by students for the 2019-2020 school year, except for the following:

1. Public education students (accompanied by an adult if needed) may, as allowed by the school consistent with the minimum standard health protocols found in guidance issued by the Texas Education Agency (TEA), visit his or her school campus (a) for limited non-instructional administrative tasks such as cleaning out lockers, collecting personal belongings, and returning school items like band instruments and books; or (b) for graduating seniors, to complete post-secondary requirements that cannot be accomplished absent access to the school facility and its resources, excluding any activity or assessment which can be done virtually.
2. Beginning June 1, 2020, public school districts may offer, and public education students may accordingly visit school campuses for, in-person classroom instructional activities and learning options, such as summer school programs, special education evaluations, specialized assessments, and individualized tutoring, under the minimum standard health protocols found in guidance issued by the TEA.
3. Public education teachers and staff are encouraged to continue to work remotely

- from home if possible, but may return to schools to conduct remote video instruction, to perform administrative duties, and, beginning June 1, 2020, to provide in-person classroom instructional activities and learning options as permitted and offered by school districts, under the minimum standard health protocols found in guidance issued by the TEA.
4. Private schools and institutions of higher education may reopen campuses and are encouraged to establish similar standards to allow students, teachers, and staff to return to schools for the limited purposes set forth above.
  5. Notwithstanding anything herein to the contrary, schools may conduct graduation ceremonies consistent with the minimum standard health protocols found in guidance issued by the TEA.

This executive order, as it pertains to cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade, is retroactive to April 2, 2020, to the extent necessary to supersede and nullify the existence of any prior or existing state or local executive order, the violation of which could form the basis for confinement in jail. To the extent any order issued by local officials in response to COVID-19 would allow confinement in jail of a person inconsistent with this executive order or any prior state executive order, that order is superseded retroactive to April 2, 2020.

All existing state executive orders relating to COVID-19 are amended to eliminate confinement in jail as an available penalty for any violation of the executive orders. No jurisdiction can confine a person in jail as a penalty for violating any executive order, or any order issued by local officials, in response to the COVID-19 disaster. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail, that order is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any order issued in response to the COVID-19 disaster. This amendment and suspension operates retroactively to April 2, 2020, and supersedes any contrary local or state order.

This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts Covered Services allowed by this executive order, allows gatherings prohibited by this executive order, or expands the list or scope of Covered Services as set forth in this executive order. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

This executive order supersedes Executive Orders GA-21 and GA-22, but does not supersede Executive Orders GA-10, GA-13, GA-17, GA-19, or GA-20. This executive order shall remain in effect and in full force until 11:59 p.m. on June 3, 2020, unless it is modified, amended, rescinded, or superseded by the governor.

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
1:30 PM O'CLOCK

MAY 18 2020



Given under my hand this the 18th  
day of May, 2020.

A handwritten signature in black ink, reading "Greg Abbott", written over a horizontal line.

GREG ABBOTT  
Governor

ATTESTED BY:

A handwritten signature in black ink, reading "R. Hughs", written over a horizontal line.

RUTH R. HUGHS  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
1:30 PM O'CLOCK

MAY 18 2020



GOVERNOR GREG ABBOTT

May 21, 2020

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
12:45 PM O'CLOCK

MAY 21 2020  
  
Secretary of State

The Honorable Ruth R. Hughs  
Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-24 relating to the termination of air travel restrictions as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment

# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
May 21, 2020

## EXECUTIVE ORDER GA 24

*Relating to the termination of air travel restrictions as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster.*

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WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, I issued proclamations renewing the disaster declaration for all counties in Texas on April 12 and May 12, 2020; and

WHEREAS, the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, has determined on March 19, April 17, and May 15, 2020, that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, I issued Executive Orders GA-11 and GA-12 on March 26 and March 29, 2020, respectively, to impose a mandatory self-quarantine for people traveling to Texas from certain areas experiencing substantial community spread of COVID-19; and

WHEREAS, I issued Executive Order GA-20 on April 27, 2020, to narrow the scope of these travel restrictions in light of social-distancing restrictions that have slowed the spread of COVID-19 in Texas and in other states; and

WHEREAS, in coping with the COVID-19 disaster, and especially as services are being reopened in Texas, government officials should look for the least restrictive means of combatting the threat to public health; and

WHEREAS, the "governor is responsible for meeting ... the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the "governor may issue executive orders ... hav[ing] the force and effect of law;"

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
12:45 PM O'CLOCK

MAY 21 2020

authority vested in me by the Constitution and laws of the State of Texas, do hereby order that all restrictions contained in Executive Order GA-20 are terminated in their entirety, effective immediately. Any mandatory self-quarantine already in effect as a result of Executive Order GA-20 is hereby terminated, also effective immediately.

This executive order supersedes Executive Order GA-20, as well as Executive Orders GA-11 and GA-12 that it superseded, but does not supersede Executive Orders GA-10, GA-13, GA-17, GA-19, or GA-23. This executive order shall remain in effect and in full force until modified, amended, rescinded, or superseded by the governor.



Given under my hand this the 21st  
day of May, 2020.

A handwritten signature in black ink, reading "Greg Abbott", written over a horizontal line.

GREG ABBOTT  
Governor

ATTESTED BY:

A handwritten signature in black ink, reading "Ruth R. Hughs", written over a horizontal line.

RUTH R. HUGHS  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
12:45 PM O'CLOCK

MAY 21 2020



GOVERNOR GREG ABBOTT

May 22, 2020

The Honorable Ruth R. Hughs  
Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3 PM O'CLOCK

MAY 22 2020  
  
Secretary of State

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-25 relating to the closing of county and municipal jails  
to in-person visitation in response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment



# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
May 22, 2020

## EXECUTIVE ORDER GA 25

*Relating to in-person visitation at county and municipal jails during the COVID-19 disaster.*

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WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, I issued proclamations renewing the disaster declaration for all counties in Texas on April 12 and May 12, 2020; and

WHEREAS, the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, has determined on March 19, April 17, and May 15, 2020, that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, the jail population in Texas presents unique challenges in mitigating against and responding to the spread of COVID-19; and

WHEREAS, my office has worked with the Texas Commission on Jail Standards and with state and local officials to address these challenges while protecting the health of all Texans, including inmates in county and municipal jails; and

WHEREAS, I have temporarily suspended a rule of the Texas Commission on Jail Standards, at that agency's request, so that county and municipal jails are not required to allow in-person visitation during the COVID-19 disaster; and

WHEREAS, some county and municipal jails are now reportedly considering resumption of in-person visitation, which would risk further spread of COVID-19, both inside and outside the jails, and consume personal protective equipment; and

WHEREAS, allowing in-person visitation would subject inmates and staff to an unacceptable risk of importing COVID-19 into county and municipal jails, where it could spread rapidly and threaten the health and safety of inmates and staff; and

WHEREAS, the "governor is responsible for meeting ... the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code,

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3PM O'CLOCK

MAY 22 2020

and the legislature has given the governor broad authority to fulfill that responsibility;  
and

WHEREAS, under Section 418.012, the "governor may issue executive orders ...  
hav[ing] the force and effect of law;" and

WHEREAS, under Section 418.017(a), the "governor may use all available resources of  
state government and of political subdivisions that are reasonably necessary to cope with  
a disaster;" and

WHEREAS, under Section 418.018(c), the "governor may control ingress and egress to  
and from a disaster area and the movement of persons and the occupancy of premises in  
the area;" and

WHEREAS, failure to comply with any executive order issued during the COVID-19  
disaster is an offense punishable under Section 418.173 by a fine not to exceed \$1,000,  
and may be subject to regulatory enforcement;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and  
authority vested in me by the Constitution and laws of the State of Texas, do hereby order  
the following on a statewide basis effective immediately:

All county and municipal jails are closed to in-person visitation, and every person in  
Texas shall avoid in-person visitation at closed jails; provided, however, that this  
restriction does not apply to visitation by (i) an attorney meeting with a client; or (ii) a  
religious leader or member of the clergy. Any visitation allowed under this executive  
order should be conducted in accordance with guidance issued by the Texas  
Commission on Jail Standards.

This executive order shall remain in effect and in full force until modified, amended,  
rescinded, or superseded by the governor.



Given under my hand this the 22nd  
day of May, 2020.

A handwritten signature of Greg Abbott in black ink.

GREG ABBOTT  
Governor

ATTESTED BY:

A handwritten signature of Ruth R. Hughes in black ink.

RUTH R. HUGHES  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3PM O'CLOCK  
MAY 22 2020

## "EXHIBIT B"

### Dallas County Orders:

- May 4<sup>th</sup>,
- May 8<sup>th</sup>
- May 14<sup>th</sup>,
- May 15<sup>st</sup> ,
- May 20<sup>th</sup>



## **DALLAS COUNTY**

### **SUPPLEMENTAL ORDER OF COUNTY JUDGE CLAY JENKINS ON REOPENED SERVICES AND FOOD PROCESSING PLANTS**

**DATE ORDER ISSUED: May 4, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules are followed;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, County Judge Clay Jenkins hereby ISSUES the following Supplemental Order as follows:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of 5:00 p.m. on May 4, 2020, and continuing until 11:59 p.m. on May 15, 2020:
  - a. "Reopened Services" may operate in Dallas County in compliance with this Order. For purposes of this Order, "Reopened Services" means:
    - i. Retail services that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep;
    - ii. In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment;
    - iii. Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that (a)



## DALLAS COUNTY

this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51 percent sign required by Texas law as determined by the Texas Alcoholic Beverage Commission, and (b) valet services are prohibited except for vehicles with placards or plates for disabled parking;

- iv. Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening;
  - v. Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food court dining areas, play areas, and interactive displays and settings must remain closed;
  - vi. Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that (a) local public museums and local public libraries may so operate only if permitted by the local government, and (b) any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed;
  - vii. Services provided by an individual working alone in an office; and
  - viii. Golf course operations.
  - ix. Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.
- b. Reopened Services must comply Minimum Standard Health Protocols, in *The Governor's Report to Open Texas*, issued April 27, 2020. For clarity, to the extent the Governor's Minimum Standard Health Protocols are recommendations, the Health Protocols are adopted as mandatory rules in Dallas County. Individuals, employers, employees, and customers in Dallas County must comply with the following applicable Minimum Standard Health Protocols, to the greatest extent possible:
- i. Minimum Standard Health Protocols for All Individuals.
  - ii. Minimum Standard Health Protocols for All Employers.
  - iii. Minimum Standard Health Protocols for Retailers.
  - iv. Minimum Standard Health Protocols for Retail Customers.
  - v. Minimum Standard Health Protocols for Restaurants.
  - vi. Minimum Standard Health Protocols for Restaurant Customers.
  - vii. Minimum Standard Health Protocols for Movie Theaters.
  - viii. Minimum Standard Health Protocols for Movie Theater Customers.
  - ix. Minimum Standard Health Protocols for Museums and Libraries.
  - x. Minimum Standard Health Protocols for All Museum and Library Visitors.
  - xi. Minimum Standard Health Protocols for Outdoor Sports Participants.
  - xii. Minimum Standard Health Protocols for Churches/Places of Worship.
  - xiii. Minimum Standard Health Protocols for Single-Person Offices.

The Steps to Open Texas Business, which include the Minimum Standard Health Protocols, collectively, are attached as Exhibit C to these Emergency Regulations. Any reference to the geographic area of Texas in Order GA-18 shall instead mean the Dallas County. Whenever the phrase "Governor Abbott's executive order GA-



## DALLAS COUNTY

18" is used in the Minimum Standard Health Protocols, it shall instead mean this Supplemental Order. Any reference to the word "recommended" in the Minimum Standard Health Protocols, adopted as part of these Emergency Regulations, shall instead mean "must comply to the greatest extent possible."

2. **Food Preparation and Processing Plants.** All food manufacturing and processing plants, including meat and poultry processing facilities, fruit and vegetable plants, dairy plants, and other food and beverage plants. In addition to OSHA and CDC guidelines, all food preparation and processing plants must follow the Rules for Food Preparation and Processing Plants set forth in Exhibit A.
3. **Covering of Nose and Mouth:** Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is necessary to help slow the spread of the virus. To the greatest extent possible all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when patronizing an Essential Business or Reopened Service, or using public transportation pursuant to the rules outlined in Exhibit B. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order. To the greatest extent possible, all non-medical employees who work at an Essential Businesses and Reopened Service or perform services that are exempt under this Order must wear face coverings over their noses and mouths while performing their work. An owner or operator of an Essential Business or Reopened Service may refuse admission or service to any individual who fails to wear face covering. Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The enforcement provisions set forth in this Order are not applicable to this cloth covering requirement and no law enforcement officer shall stop, detain, or arrest any person based on a person failing to wear a cloth covering or mask.
4. This Order shall be in effect until 11:59 p.m. on May 15, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
5. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
6. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days.

**IT IS SO ORDERED**  
**CLAY JENKINS**  
**DALLAS COUNTY JUDGE**



## **DALLAS COUNTY**

### **EXHIBIT A**

#### **Rules for Food Preparation and Processing Plants**

##### **Rules for Food Preparation and Processing Plants:**

- Food preparation and processing plants shall implement a system whereby all employees take their temperature at home and upon arriving at work are screened for the following: new or worsening cough, shortness of breath, sore throat, loss of taste or smell, feeling feverish or an onsite measured temperature greater than or equal to 100.0 degrees Fahrenheit, or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home;
- Employees must wash or disinfect hands upon entering the plant, after any interaction with other employees, and after the use of any shared items;
- To the greatest extent possible, all employees must wear cloth face coverings over the nose and mouth;
- Food preparation and processing plants shall regularly and frequently clean and disinfect any regularly touched surfaces, such as restrooms, doorknobs, tables, and chairs;
- Remove turnstiles and other physical barriers at the entrance that would be touched by employees one after the other;
- Food preparation and processing plants shall implement a system by which all employees maintain at least 6 feet separation from one another and other individuals, including:
  - Mark out 6 foot distances for workers to stand in while they wait to punch in or create methods for employee time-tracking other than using a common time-clock to minimize workers congregating;
  - Stagger start, break and lunch times;
  - Mark out a 6 foot line in front of supervisor/management desk;
  - No meetings without 6 foot distances between chairs or people;
  - Identify areas where employees congregate – such as locker rooms, donning and doffing areas for PPE, breakrooms, etc. and ensure social distancing is possible in these areas;
  - Restrict specific areas of the plant to individuals who need to be in that area;
  - Consider physical barriers on the line or reduce line speeds so that lines can operate with fewer employees spaced further apart; and
  - To the greatest extent possible, create alternating shifts for different types of work activities, or split plant operations from one shift into two, to create situations in which fewer employees have to interact.



## DALLAS COUNTY

### EXHIBIT B

#### Guidance on Covering Nose and Mouth

A significant percentage of individuals with the COVID-19 virus lack symptoms. Because an infected person can transmit the virus to others before showing any symptoms, the covering of a person's nose and mouth when visiting an Essential Business or Reopened Service is necessary to help prevent the spread of COVID-19. This is consistent with the findings of the CDC and Dallas County Health Authority.

Staying home is the best way to help reduce the spread of the virus, but if an individual must leave their place of residence to visit an Essential Business or Reopened Service, wearing a fabric face mask shall be used as outlined in this Order. Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The face coverings recommended are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders.

**The public in general and Essential Business employees shall comply with the following:**

- A. To the greatest extent possible, all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when:
  - 1) patronizing an Essential Business or Reopened Service; and
  - 2) using public transportation, taxis, or ride shares.
- B. This section shall not apply to persons that are:
  - 1) riding in a personal vehicle;
  - 2) that are alone in a separate single space, such as an enclosed office;
  - 3) that are in the presence only of other members of their household or residence;
  - 4) engaging in outdoor activity;
  - 5) eating; or
  - 6) when wearing a covering poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Children under the age of two (including infants) should not wear cloth face coverings. Those between the ages of two and nine should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order.

All COVID-19 Suspected Positives, those currently being tested, and untested individuals with cough and/or fever, and household members of same category of individuals shall not leave their residence without a mask or cloth face covering to prevent the spread to others.





## DALLAS COUNTY

To the greatest extent possible, all individuals working for an Essential Business or Reopened Service must wear a mask or cloth face covering whenever in public and whenever performing job duties in the presence of others. To the greatest extent possible, employers shall provide employees with a mask or face covering. An owner or operator of an Essential Business or Reopened Service may refuse admission or service to any individual who fails to wear face covering.

The enforcement provisions set forth in this Order are not applicable to this cloth covering requirement and no law enforcement officer shall stop, detain, or arrest any person based on a person failing to wear a cloth covering or mask.

Medical grade (N95) and surgical masks should be reserved and used only by medical professionals and first responders. Cloth face coverings are not intended for use by healthcare workers, first responders, and others whose work requires close contact with people who are ill.

Cloth coverings should be made in accordance with CDC Guidance, which can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>



## **DALLAS COUNTY**

### **AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS REGARDING LONG-TERM CARE FACILITIES**

**DATE ORDER ISSUED: May 8, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19,;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, County Judge Clay Jenkins issue this Order. This Order does not supersede or replace any other orders issued by Judge Jenkins pursuant to and under the authority of the Local Disaster for Public Health Emergency and such other orders remain in full force and effect pursuant to their terms:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. This Order shall be in effect beginning at 1:00 p.m. on May 8, 2020 and continuing until 11:59 p.m. on May 15, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
2. This Order applies to all Long-Term Care Facilities, including Skilled Nursing Facilities and Assisted Living Facilities, and Nursing Homes (henceforth referred to as "Facilities") in Dallas County, Texas.
3. If a resident of a Facility is identified with a COVID-19 diagnosis, the Facility shall do the following:
  - a. Immediately notify all staff (from all levels of care or any job description within the Facility) that a resident has been diagnosed with COVID-19. This notification shall be done in staff meetings, by phone or text message or email.
  - b. All residents (in all levels of care within the Facility) who are mentally competent shall be informed immediately that a resident has been diagnosed with COVID-



## DALLAS COUNTY

19. If the Facility learns of the diagnosis while the resident is asleep, the resident shall be notified immediately after they wake. The Facility shall insure that the notification is documented and maintained in its records, including noting the time and method of delivery of the notification.
  - c. Family members and responsible parties of all residents (in all levels of care within a facility with the exception of independent living) shall be informed immediately by phone, text message or email.
  - d. The Dallas County Probate Courts shall be informed immediately that a resident of the facility has been diagnosed with COVID-19. The Facility shall send notification by email to LaNasha D. Houze, Director of Operations for the Dallas County Probate Courts, at [LaNasha.Houze@dallascounty.org](mailto:LaNasha.Houze@dallascounty.org).
  - e. A notification statement of diagnosis of COVID-19 in a resident shall also be posted for public access within 30 minutes of identification of a case. The notice shall be posted at the main entrance to the Facility and prominently displayed on the Facility website. This website posting must be on the Facility local webpage in addition to the Facility corporate website.
  - f. Proof of the completion of all notifications in 3(a)-3(d) shall be provided to Dallas County Health and Human Services within six business hours of the identification of a resident's diagnosis of COVID-19. For purposes of this subsection, business hours are from 8 a.m. to 6 p.m.
4. After the first positive test of a staff member or resident, a Facility must test all residents and staff of the Facility for COVID-19. Facilities with current positive cases and that have not done comprehensive testing must conduct an assessment of their current infection levels by testing all staff and residents who were either not previously tested or were tested previously but are now exhibiting symptoms of COVID-19. Facilities must coordinate testing of Facility staff and residents with Dallas County Health and Human Services.
  - a. Facilities must provide Dallas County Health and Human Services, or any provider performing testing on behalf of DCHHS, access to residents and staff for COVID-19 testing.
  - b. Facilities cannot deter residents or staff from receiving a COVID-19 test.
5. If an Facility has any resident with a diagnoses of COVID-19, the Facility shall institute the following measures within the same level of care:
  - a. All health care personnel must wear facemasks while in the Facility and consider having all health care personnel wear all recommended personal protective equipment ("PPE") (gown, gloves, eye protection, N95 respirator or, if not available, a facemask) for the care of all residents, regardless of presence of symptoms. The Facility should also implement protocols for extended use of eye protection and facemasks. The Facility shall insure that all health care personnel must have temperature and symptom checks prior to each shift. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;



## DALLAS COUNTY

- b. The facility will be closed to new admissions and will also close all services, including outpatient rehabilitation. Facilities cannot accept new admissions until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member. This provision does not apply to a COVID-19 Facility, as designated by the Dallas County Health Authority, which receives convalescing COVID-19 patients from acute care hospitals.
  - c. Any and all of the staff at the Facility shall not work at any Facility other than the impacted Facility, and the administrator any Facility shall keep a list of all employees who have worked at any other Facilities, including the name and contact information for the administrator at the other Facility.
6. Hospitals and surgical centers shall test all patients for COVID-19 before referring the patient to a Facility.
  - a. Hospitals and surgical centers shall test patients for COVID-19 regardless of whether the patient is exhibiting symptoms or not.
  - b. Hospitals and surgical centers shall provide the patient's COVID-19 test results in writing to the referring Facility before the patient may be transferred from the hospital or surgical center to the Facility.
7. Any standards prohibiting improper transfer of patients under this Order will be strictly enforced.
8. If a Facility has any resident with a diagnoses of COVID-19, the Facility may allow transfer of a resident to home care, but only after a patient has been tested as negative for COVID-19. In the case of such a transfer, the Facility must provide a copy of this order to those in the household to which the resident is being transferred. Those persons in the household to which the resident is transferred are ordered to isolate at home for 14 days. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
9. If a Facility has any resident with a diagnosis of COVID-19, the Facility may allow transfer of a resident to a hospital, but only after the Facility has provided notice to the receiving hospital that the patient is coming from a Facility with identified COVID-19. If the patient is transferred by ambulance, the Facility must also provide notice to the ambulance providers that the patient is coming from a Facility with identified COVID-19. The hospital may transfer the resident back to the same Facility that initially transferred the patient.
10. Facilities can accept convalescing (recovering) patients with COVID-19 if they are no longer deemed infectious as per CDC and local health authority guidelines.
11. Facilities can accept new admissions if the individuals are transferred from a facility closed by state health authorities.



## **DALLAS COUNTY**

12. The Facility shall inform the Texas Health and Human Services Commission of all COVID-19 cases, the same day of identification of each new case. The notification must also include a tally of total cases.

13. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is required to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**IT IS SO ORDERED**

**CLAY JENKINS**  
**DALLAS COUNTY JUDGE**



## **DALLAS COUNTY**

### **SUPPLEMENTAL ORDER OF COUNTY JUDGE CLAY JENKINS ON REOPENED SERVICES AND FOOD PROCESSING PLANTS**

**DATE ORDER ISSUED: May 8, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules are followed;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, the May 4, 2020 Supplemental Order of County Judge Clay Jenkins is hereby AMENDED as follows:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of 1:00 p.m. on May 8, 2020, and continuing until 11:59 p.m. on May 15, 2020:
  - a. "Reopened Services" may operate in Dallas County in compliance with this Order. For purposes of this Order, "Reopened Services" means:
    - i. Retail services that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep;
    - ii. In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment;
    - iii. Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that (a)



## DALLAS COUNTY

this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51 percent sign required by Texas law as determined by the Texas Alcoholic Beverage Commission, and (b) valet services are prohibited except for vehicles with placards or plates for disabled parking;

- iv. Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening;
- v. Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food court dining areas, play areas, and interactive displays and settings must remain closed;
- vi. Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that (a) local public museums and local public libraries may so operate only if permitted by the local government, and (b) any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed;
- vii. Services provided by an individual working alone in an office; and
- viii. Golf course operations.
- ix. Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.
- x. Starting at 12:01 a.m. on Friday, May 8, 2020:
  - 1. Cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade; provided, however, that all such salons, shops, and establishments must ensure at least six feet of social distancing between operating work stations.
  - 2. Tanning salons; provided, however, that all such salons must ensure at least six feet of social distancing between operating work stations.
  - 3. Swimming pools; provided, however, that (i) indoor swimming pool is may operate at up to 25 percent of the total listed occupancy of the pool facility; (ii) outdoor swimming pools may operate at up to 25 percent of normal operating limits as determined by the pool operator; and (iii) local public swimming pools may so operate only if permitted by the local government.
- xi. Starting at 12:01 a.m. on Monday, May 18, 2020:
  - 1. Services provided by office workers in offices that operate at up to the greater of (i) five individuals, or (ii) 25 percent of the total office workforce; provided, however, that the individuals maintain appropriate social distancing.
  - 2. Manufacturing services, for facilities that operate at up to 25 percent of the total listed occupancy of the facility.
  - 3. Gyms and exercise facilities and classes that operate at up to 25 percent of the total listed occupancy of the gym or exercise facility;



## DALLAS COUNTY

provided, however, that locker rooms and shower facilities must remain closed, but restrooms may open.

- b. Reopened Services must comply Minimum Standard Health Protocols, in *The Governor's Report to Open Texas*. For clarity, to the extent the Governor's Minimum Standard Health Protocols are recommendations, the Health Protocols are adopted as mandatory rules in Dallas County. Individuals, employers, employees, and customers in Dallas County must comply with the following applicable Minimum Standard Health Protocols, to the greatest extent possible:

- i. Minimum Standard Health Protocols for All Individuals.
- ii. Minimum Standard Health Protocols for All Employers.
- iii. Minimum Standard Health Protocols for Retailers.
- iv. Minimum Standard Health Protocols for Retail Customers.
- v. Minimum Standard Health Protocols for Restaurants.
- vi. Minimum Standard Health Protocols for Restaurant Customers.
- vii. Minimum Standard Health Protocols for Movie Theaters.
- viii. Minimum Standard Health Protocols for Movie Theater Customers.
- ix. Minimum Standard Health Protocols for Museums and Libraries.
- x. Minimum Standard Health Protocols for All Museum and Library Visitors.
- xi. Minimum Standard Health Protocols for Outdoor Sports Participants.
- xii. Minimum Standard Health Protocols for Churches/Places of Worship.
- xiii. Minimum Standard Health Protocols for Single-Person Offices.
- xiv. Minimum Standard Health Protocols for Wedding Venues.
- xv. Minimum Standard Health Protocols for Wedding Reception Venues.
- xvi. Minimum Standard Health Protocols for Barber Shops.
- xvii. Minimum Standard Health Protocols for Cosmetology / Hair Salons.
- xviii. Minimum Standard Health Protocols for Nail Salons / Shops.
- xix. Minimum Standard Health Protocols for Tanning Salons.
- xx. Minimum Standard Health Protocols for Gyms / Exercise Facilities.
- xxi. Minimum Standard Health Protocols for Manufacturers.
- xxii. Minimum Standard Health Protocols for Office-Based Employers.

The Steps to Open Texas Business, which include the Minimum Standard Health Protocols, collectively, are attached as Exhibit C to these Emergency Regulations. Any reference to the geographic area of Texas in Order GA-21 shall instead mean the Dallas County. Whenever the phrase "Governor Abbott's executive order GA-21" is used in the Minimum Standard Health Protocols, it shall instead mean this Supplemental Order. Any reference to the word "recommended" in the Minimum Standard Health Protocols, adopted as part of these Emergency Regulations, shall instead mean "must comply to the greatest extent possible."

2. **Food Preparation and Processing Plants.** All food manufacturing and processing plants, including meat and poultry processing facilities, fruit and vegetable plants, dairy plants, and other food and beverage plants. In addition to OSHA and CDC guidelines, all food preparation and processing plants must follow the Rules for Food Preparation and Processing Plants set forth in Exhibit A.
3. **Covering of Nose and Mouth:** Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth





## **DALLAS COUNTY**

is necessary to help slow the spread of the virus. To the greatest extent possible all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when patronizing an Essential Business or Reopened Service, or using public transportation pursuant to the rules outlined in Exhibit B. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order. To the greatest extent possible, all non-medical employees who work at an Essential Businesses and Reopened Service or perform services that are exempt under this Order must wear face coverings over their noses and mouths while performing their work. An owner or operator of an Essential Business or Reopened Service may refuse admission or service to any individual who fails to wear face covering. Wearing a face covering is not a substitute for maintaining 6-feet social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The enforcement provisions set forth in this Order are not applicable to this cloth covering requirement and no law enforcement officer shall stop, detain, or arrest any person based on a person failing to wear a cloth covering or mask.

4. This Order shall be in effect until 11:59 p.m. on May 15, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
5. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
6. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

**CLAY JENKINS**

**DALLAS COUNTY JUDGE**



## **DALLAS COUNTY**

### **EXHIBIT A**

#### **Rules for Food Preparation and Processing Plants**

##### **Rules for Food Preparation and Processing Plants:**

- Food preparation and processing plants shall implement a system whereby all employees take their temperature at home and upon arriving at work are screened for the following: new or worsening cough, shortness of breath, sore throat, loss of taste or smell, feeling feverish or an onsite measured temperature greater than or equal to 100.0 degrees Fahrenheit, or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home;
- Employees must wash or disinfect hands upon entering the plant, after any interaction with other employees, and after the use of any shared items;
- To the greatest extent possible, all employees must wear cloth face coverings over the nose and mouth;
- Food preparation and processing plants shall regularly and frequently clean and disinfect any regularly touched surfaces, such as restrooms, doorknobs, tables, and chairs;
- Remove turnstiles and other physical barriers at the entrance that would be touched by employees one after the other;
- Food preparation and processing plants shall implement a system by which all employees maintain at least 6 feet separation from one another and other individuals, including:
  - Mark out 6 foot distances for workers to stand in while they wait to punch in or create methods for employee time-tracking other than using a common time-clock to minimize workers congregating;
  - Stagger start, break and lunch times;
  - Mark out a 6 foot line in front of supervisor/management desk;
  - No meetings without 6 foot distances between chairs or people;
  - Identify areas where employees congregate – such as locker rooms, donning and doffing areas for PPE, breakrooms, etc. and ensure social distancing is possible in these areas;
  - Restrict specific areas of the plant to individuals who need to be in that area;
  - Consider physical barriers on the line or reduce line speeds so that lines can operate with fewer employees spaced further apart; and
  - To the greatest extent possible, create alternating shifts for different types of work activities, or split plant operations from one shift into two, to create situations in which fewer employees have to interact.



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### EXHIBIT B

#### Guidance on Covering Nose and Mouth

A significant percentage of individuals with the COVID-19 virus lack symptoms. Because an infected person can transmit the virus to others before showing any symptoms, the covering of a person's nose and mouth when visiting an Essential Business or Reopened Service is necessary to help prevent the spread of COVID-19. This is consistent with the findings of the CDC and Dallas County Health Authority.

Staying home is the best way to help reduce the spread of the virus, but if an individual must leave their place of residence to visit an Essential Business or Reopened Service, wearing a fabric face mask shall be used as outlined in this Order. Wearing a face covering is not a substitute for maintaining 6-feet social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The face coverings recommended are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders.

**The public in general and Essential Business employees shall comply with the following:**

- A. To the greatest extent possible, all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when:
  - 1) patronizing an Essential Business or Reopened Service; and
  - 2) using public transportation, taxis, or ride shares.
- B. This section shall not apply to persons that are:
  - 1) riding in a personal vehicle;
  - 2) that are alone in a separate single space, such as an enclosed office;
  - 3) that are in the presence only of other members of their household or residence;
  - 4) engaging in outdoor activity;
  - 5) eating; or
  - 6) when wearing a covering poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Children under the age of two (including infants) should not wear cloth face coverings. Those between the ages of two and nine should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order.

All COVID-19 Suspected Positives, those currently being tested, and untested individuals with cough and/or fever, and household members of same category of individuals shall not leave their residence without a mask or cloth face covering to prevent the spread to others.



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To the greatest extent possible, all individuals working for an Essential Business or Reopened Service must wear a mask or cloth face covering whenever in public and whenever performing job duties in the presence of others. To the greatest extent possible, employers shall provide employees with a mask or face covering. An owner or operator of an Essential Business or Reopened Service may refuse admission or service to any individual who fails to wear face covering.

The enforcement provisions set forth in this Order are not applicable to this cloth covering requirement and no law enforcement officer shall stop, detain, or arrest any person based on a person failing to wear a cloth covering or mask.

Medical grade (N95) and surgical masks should be reserved and used only by medical professionals and first responders. Cloth face coverings are not intended for use by healthcare workers, first responders, and others whose work requires close contact with people who are ill.

Cloth coverings should be made in accordance with CDC Guidance, which can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>



## **DALLAS COUNTY**

### **SUPPLEMENTAL ORDER OF COUNTY JUDGE CLAY JENKINS ON CONTINUING REQUIREMENTS AFTER EXPIRATION OF STAY HOME, STAY SAFE**

**DATE ORDER ISSUED: May 14, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules are followed;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, County Judge Clay Jenkins hereby ISSUES the following Supplemental Order as follows:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of 11:59 p.m. on May 15, 2020, and continuing until 11:59 p.m. on May 20, 2020:
  - a. All Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Recovery Payments to individuals shall be exempt from "garnishment" as that term is described in Chapter 63 of the Texas Civil Practice and Remedies Code, except for garnishment for child support payments. All CARE Act Payments shall remain exempt from garnishment when deposited into an account in a financial institution. This provision is enacted to ensure Dallas County residents can use their CARES Act Recovery



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Payments for their housing, food, medical and other essential needs during the COVID-19 emergency period.

- b. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:
  - i. The number of COVID-19 tests performed; and
  - ii. The number of positive COVID-19 tests.

Reports shall be made to Dallas County Judge Clay Jenkins at [Clay.Jenkins@dallascounty.org](mailto:Clay.Jenkins@dallascounty.org) and Dallas County Health and Human Services Director Dr. Philip Huang at [Philip.Huang@dallascounty.org](mailto:Philip.Huang@dallascounty.org). Reporting laboratories shall not provide names or any other identifiable health information that could be used to identify an individual patient.

- c. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.
- d. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
- e. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
  - i. groceries, beverages, toilet articles, and ice;
  - ii. restaurant, cafeteria, and boarding-house meals; and
  - iii. medicine, pharmaceutical and medical equipment, and supplies.
- f. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
- g. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other



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community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.

- h. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
- i. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
- j. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.
- k. This Order shall be in effect until 11:59 p.m. on May 20, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
- l. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
- m. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

**CLAY JENKINS**  
**DALLAS COUNTY JUDGE**



## **DALLAS COUNTY**

### **AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS REGARDING LONG-TERM CARE FACILITIES**

**DATE ORDER ISSUED: May 15, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, County Judge Clay Jenkins issue this Order. This Order does not supersede or replace any other orders issued by Judge Jenkins pursuant to and under the authority of the Local Disaster for Public Health Emergency and such other orders remain in full force and effect pursuant to their terms:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. This Order shall be in effect beginning at 6:00 p.m. on May 15, 2020 and continuing until 11:59 p.m. on May 20, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
2. This Order applies to all Long-Term Care Facilities, including Skilled Nursing Facilities and Assisted Living Facilities, and Nursing Homes (henceforth referred to as "Facilities") in Dallas County, Texas.
3. If a resident of a Facility is identified with a COVID-19 diagnosis, the Facility shall do the following:
  - a. Immediately notify all staff (from all levels of care or any job description within the Facility) that a resident has been diagnosed with COVID-19. This notification shall be done in staff meetings, by phone or text message or email.
  - b. All residents (in all levels of care within the Facility) who are mentally competent shall be informed immediately that a resident has been diagnosed with COVID-





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19. If the Facility learns of the diagnosis while the resident is asleep, the resident shall be notified immediately after they wake. The Facility shall insure that the notification is documented and maintained in its records, including noting the time and method of delivery of the notification.
  - c. Family members and responsible parties of all residents (in all levels of care within a facility with the exception of independent living) shall be informed immediately by phone, text message or email. Upon request, Facilities shall inform family members of the total number of cases in the Facility.
  - d. The Dallas County Probate Courts shall be informed immediately that a resident of the facility has been diagnosed with COVID-19. The Facility shall send notification by email to LaNasha D. Houze, Director of Operations for the Dallas County Probate Courts, at [LaNasha.Houze@dallascounty.org](mailto:LaNasha.Houze@dallascounty.org).
  - e. A notification statement of diagnosis of COVID-19 in a resident shall also be posted for public access within 30 minutes of identification of a case. The notice shall be posted at the main entrance to the Facility and prominently displayed on the Facility website. This website posting must include the total number of positive cases at the Facility and must be posted on the Facility local webpage in addition to the Facility corporate website. A Facility may not remove postings of positive cases until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member.
  - f. Proof of the completion of all notifications in 3(a)-3(d) shall be provided to Dallas County Health and Human Services within six business hours of the identification of a resident's diagnosis of COVID-19. For purposes of this subsection, business hours are from 8 a.m. to 6 p.m.
4. After the first positive test of a staff member or resident, a Facility must test all residents and staff of the Facility for COVID-19. Facilities with current positive cases and that have not done comprehensive testing must conduct an assessment of their current infection levels by testing all staff and residents who were either not previously tested or were tested previously but are now exhibiting symptoms of COVID-19. Facilities must coordinate testing of Facility staff and residents with Dallas County Health and Human Services.
  - a. Facilities must provide Dallas County Health and Human Services, or any provider performing testing on behalf of DCHHS, access to residents and staff for COVID-19 testing.
  - b. Facilities cannot deter residents or staff from receiving a COVID-19 test.
5. If an Facility has any resident with a diagnoses of COVID-19, the Facility shall institute the following measures within the same level of care:
  - a. All health care personnel must wear facemasks while in the Facility and consider having all health care personnel wear all recommended personal protective equipment ("PPE") (gown, gloves, eye protection, N95 respirator or, if not available, a facemask) for the care of all residents, regardless of presence of symptoms. The Facility should also implement protocols for extended use of eye protection and facemasks. The Facility shall insure that all health care personnel must have temperature and symptom



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checks prior to each shift. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;

b. The facility will be closed to new admissions and will also close all services, including outpatient rehabilitation. Facilities cannot accept new admissions until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member. This provision does not apply to (i) a COVID-19 Facility, as designated by the Dallas County Health Authority, which receives convalescing COVID-19 patients from acute care hospitals; or (ii) upon approval of the Dallas County Health Authority, a Facility with a specific wing or unit where COVID-19 residents are cohorted in isolation separated from the rest of the Facility pursuant to CDC guidelines, to include separate entrance/exit from the rest of the Facility with dedicated direct care staff.

c. Any and all of the staff at the Facility shall not work at any Facility other than the impacted Facility, and the administrator any Facility shall keep a list of all employees who have worked at any other Facilities, including the name and contact information for the administrator at the other Facility.

6. Hospitals and surgical centers shall test all patients for COVID-19 before referring the patient to a Facility.

a. Hospitals and surgical centers shall test patients for COVID-19 regardless of whether the patient is exhibiting symptoms or not.

b. Hospitals and surgical centers shall provide the patient's COVID-19 test results in writing to the referring Facility before the patient may be transferred from the hospital or surgical center to the Facility.

7. Any standards prohibiting improper transfer of patients under this Order will be strictly enforced.

8. If a Facility has any resident with a diagnoses of COVID-19, the Facility may allow transfer of a resident to home care, but only after a patient has been tested as negative for COVID-19. In the case of such a transfer, the Facility must provide a copy of this order to those in the household to which the resident is being transferred. Those persons in the household to which the resident is transferred are ordered to isolate at home for 14 days. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.

9. If a Facility has any resident with a diagnosis of COVID-19, the Facility may allow transfer of a resident to a hospital, but only after the Facility has provided notice to the receiving hospital that the patient is coming from a Facility with identified COVID-19. If the patient is transferred by ambulance, the Facility must also provide notice to the ambulance providers that the patient is coming from a Facility with identified COVID-19. The hospital may transfer the resident back to the same Facility that initially transferred the patient.

10. Facilities can accept convalescing (recovering) patients with COVID-19 if they are no longer deemed infectious as per CDC and local health authority guidelines.



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11. Facilities can accept new admissions if the individuals are transferred from a facility closed by state health authorities.
12. The Facility shall inform the Texas Health and Human Services Commission of all COVID-19 cases, the same day of identification of each new case. The notification must also include a tally of total cases.
13. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is required to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**IT IS SO ORDERED**

**CLAY JENKINS  
DALLAS COUNTY JUDGE**



## DALLAS COUNTY

### **SUPPLEMENTAL ORDER OF COUNTY JUDGE CLAY JENKINS ON REQUIREMENTS FOR FOOD PROCESSING PLANTS AFTER EXPIRATION OF STAY HOME, STAY SAFE**

DATE ORDER ISSUED: May 15, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, the Centers for Disease Control and Prevention have identified meat and food processing plants as a cause of COVID-19 outbreaks across the United States;

WHEREAS, Dallas County has confirmed cases of COVID-19 in multiple meat and food processing plants;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, County Judge Clay Jenkins hereby ISSUES the following Supplemental Order as follows:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of 11:59 p.m. on May 15, 2020, and continuing until 11:59 p.m. on May 20, 2020:
  - a. **Food Preparation and Processing Plants.** All food manufacturing and processing plants, including meat and poultry processing facilities, fruit and vegetable plants, dairy plants, and other food and beverage plants must adhere to OSHA and CDC guidelines, and must follow the Rules for Food Preparation and Processing Plants set forth below:
    - i. Food preparation and processing plants shall implement a system whereby all employees take their temperature at home and upon arriving at work are



## **DALLAS COUNTY**

screened for the following: new or worsening cough, shortness of breath, sore throat, loss of taste or smell, feeling feverish or an onsite measured temperature greater than or equal to 100.0 degrees Fahrenheit, or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home;

- ii. Employees must wash or disinfect hands upon entering the plant, after any interaction with other employees, and after the use of any shared items;
- iii. To the greatest extent possible, all employees should wear cloth face coverings over the nose and mouth;
- iv. Food preparation and processing plants shall regularly and frequently clean and disinfect any regularly touched surfaces, such as restrooms, doorknobs, tables, and chairs;
- v. Remove turnstiles and other physical barriers at the entrance that would be touched by employees one after the other;
- vi. To the greatest extent possible, food preparation and processing plants shall implement a system by which all employees maintain at least 6 feet separation from one another and other individuals, including:
  - 1. Mark out 6 foot distances for workers to stand in while they wait to punch in or create methods for employee time-tracking other than using a common time-clock to minimize workers congregating;
  - 2. Stagger start, break and lunch times;
  - 3. Mark out a 6 foot line in front of supervisor/management desk;
  - 4. No meetings without 6 foot distances between chairs or people;
  - 5. Identify areas where employees congregate – such as locker rooms, donning and doffing areas for PPE, breakrooms, etc. and ensure social distancing is possible in these areas;
  - 6. Restrict specific areas of the plant to individuals who need to be in that area;
  - 7. Consider physical barriers on the line or reduce line speeds so that lines can operate with fewer employees spaced further apart; and
  - 8. Create alternating shifts for different types of work activities, or split plant operations from one shift into two, to create situations in which fewer employees have to interact.
- b. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.



## **DALLAS COUNTY**

- c. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

**CLAY JENKINS**  
**DALLAS COUNTY JUDGE**



## **DALLAS COUNTY**

### **SUPPLEMENTAL ORDER OF COUNTY JUDGE CLAY JENKINS ON CONTINUING REQUIREMENTS AFTER EXPIRATION OF STAY HOME, STAY SAFE**

**DATE ORDER ISSUED: May 20, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules are followed;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, County Judge Clay Jenkins hereby ISSUES the following Supplemental Order as follows:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of 11:59 p.m. on May 20, 2020, and continuing until 11:59 p.m. on June 12, 2020:
  - a. All Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Recovery Payments to individuals shall be exempt from "garnishment" as that term is described in Chapter 63 of the Texas Civil Practice and Remedies Code, except for garnishment for child support payments. All CARE Act Payments shall remain exempt from garnishment when deposited into an account in a financial institution. This provision is enacted to ensure Dallas County residents can use their CARES Act Recovery



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Payments for their housing, food, medical and other essential needs during the COVID-19 emergency period.

- b. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:
  - i. The number of COVID-19 tests performed; and
  - ii. The number of positive COVID-19 tests.

Reports shall be made to Dallas County Judge Clay Jenkins at [Clay.Jenkins@dallascounty.org](mailto:Clay.Jenkins@dallascounty.org) and Dallas County Health and Human Services Director Dr. Philip Huang at [Philip.Huang@dallascounty.org](mailto:Philip.Huang@dallascounty.org). Reporting laboratories shall not provide names or any other identifiable health information that could be used to identify an individual patient.

- c. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.
- d. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
- e. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
  - i. groceries, beverages, toilet articles, and ice;
  - ii. restaurant, cafeteria, and boarding-house meals; and
  - iii. medicine, pharmaceutical and medical equipment, and supplies.
- f. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
- g. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other





## **DALLAS COUNTY**

community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.

- h. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
- i. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
- j. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.
- k. This Order shall be in effect until 11:59 p.m. on June 12, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
- l. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
- m. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

**CLAY JENKINS**  
**DALLAS COUNTY JUDGE**



## **DALLAS COUNTY**

### **AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS REGARDING LONG-TERM CARE FACILITIES**

**DATE ORDER ISSUED: May 20, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19,;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, County Judge Clay Jenkins issue this Order. This Order does not supersede or replace any other orders issued by Judge Jenkins pursuant to and under the authority of the Local Disaster for Public Health Emergency and such other orders remain in full force and effect pursuant to their terms:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. This Order shall be in effect beginning at 11:59 p.m. on May 20, 2020 and continuing until 11:59 p.m. on June 12, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
2. This Order applies to all Long-Term Care Facilities, including Skilled Nursing Facilities and Assisted Living Facilities, and Nursing Homes (henceforth referred to as "Facilities") in Dallas County, Texas.
3. If a resident of a Facility is identified with a COVID-19 diagnosis, the Facility shall do the following:
  - a. Immediately notify all staff (from all levels of care or any job description within the Facility) that a resident has been diagnosed with COVID-19. This notification shall be done in staff meetings, by phone or text message or email.
  - b. All residents (in all levels of care within the Facility) who are mentally competent shall be informed immediately that a resident has been diagnosed with COVID-



## DALLAS COUNTY

19. If the Facility learns of the diagnosis while the resident is asleep, the resident shall be notified immediately after they wake. The Facility shall insure that the notification is documented and maintained in its records, including noting the time and method of delivery of the notification.
  - c. Family members and responsible parties of all residents (in all levels of care within a facility with the exception of independent living) shall be informed immediately by phone, text message or email. Upon request, Facilities shall inform family members of the total number of cases in the Facility.
  - d. The Dallas County Probate Courts shall be informed immediately that a resident of the facility has been diagnosed with COVID-19. The Facility shall send notification by email to LaNasha D. Houze, Director of Operations for the Dallas County Probate Courts, at [LaNasha.Houze@dallascounty.org](mailto:LaNasha.Houze@dallascounty.org).
  - e. A notification statement of diagnosis of COVID-19 in a resident shall also be posted for public access within 30 minutes of identification of a case. The notice shall be posted at the main entrance to the Facility and prominently displayed on the Facility website. This website posting must include the total number of positive cases at the Facility and must be posted on the Facility local webpage in addition to the Facility corporate website. A Facility may not remove postings of positive cases until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member.
  - f. Proof of the completion of all notifications in 3(a)-3(d) shall be provided to Dallas County Health and Human Services within six business hours of the identification of a resident's diagnosis of COVID-19. For purposes of this subsection, business hours are from 8 a.m. to 6 p.m.
4. After the first positive test of a staff member or resident, a Facility must test all residents and staff of the Facility for COVID-19. Facilities with current positive cases and that have not done comprehensive testing must conduct an assessment of their current infection levels by testing all staff and residents who were either not previously tested or were tested previously but are now exhibiting symptoms of COVID-19. Facilities must coordinate testing of Facility staff and residents with Dallas County Health and Human Services.
  - a. Facilities must provide Dallas County Health and Human Services, or any provider performing testing on behalf of DCHHS, access to residents and staff for COVID-19 testing.
  - b. Facilities cannot deter residents or staff from receiving a COVID-19 test.
5. If an Facility has any resident with a diagnoses of COVID-19, the Facility shall institute the following measures within the same level of care:
  - a. All health care personnel must wear facemasks while in the Facility and consider having all health care personnel wear all recommended personal protective equipment ("PPE") (gown, gloves, eye protection, N95 respirator or, if not available, a facemask) for the care of all residents, regardless of presence of symptoms. The Facility should also implement protocols for extended use of eye protection and facemasks. The Facility shall insure that all health care personnel must have temperature and symptom



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checks prior to each shift. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;

b. The facility will be closed to new admissions and will also close all services, including outpatient rehabilitation. Facilities cannot accept new admissions until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member. This provision does not apply to (i) a COVID-19 Facility, as designated by the Dallas County Health Authority, which receives convalescing COVID-19 patients from acute care hospitals; or (ii) upon approval of the Dallas County Health Authority, a Facility with a specific wing or unit where COVID-19 residents are cohorted in isolation separated from the rest of the Facility pursuant to CDC guidelines, to include separate entrance/exit from the rest of the Facility with dedicated direct care staff.

c. Any and all of the staff at the Facility shall not work at any Facility other than the impacted Facility, and the administrator any Facility shall keep a list of all employees who have worked at any other Facilities, including the name and contact information for the administrator at the other Facility.

6. Hospitals and surgical centers shall test all patients for COVID-19 before referring the patient to a Facility.

a. Hospitals and surgical centers shall test patients for COVID-19 regardless of whether the patient is exhibiting symptoms or not.

b. Hospitals and surgical centers shall provide the patient's COVID-19 test results in writing to the referring Facility before the patient may be transferred from the hospital or surgical center to the Facility.

7. Any standards prohibiting improper transfer of patients under this Order will be strictly enforced.

8. If a Facility has any resident with a diagnoses of COVID-19, the Facility may allow transfer of a resident to home care, but only after a patient has been tested as negative for COVID-19. In the case of such a transfer, the Facility must provide a copy of this order to those in the household to which the resident is being transferred. Those persons in the household to which the resident is transferred are ordered to isolate at home for 14 days. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.

9. If a Facility has any resident with a diagnosis of COVID-19, the Facility may allow transfer of a resident to a hospital, but only after the Facility has provided notice to the receiving hospital that the patient is coming from a Facility with identified COVID-19. If the patient is transferred by ambulance, the Facility must also provide notice to the ambulance providers that the patient is coming from a Facility with identified COVID-19. The hospital may transfer the resident back to the same Facility that initially transferred the patient.

10. Facilities can accept convalescing (recovering) patients with COVID-19 if they are no longer deemed infectious as per CDC and local health authority guidelines.



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11. Facilities can accept new admissions if the individuals are transferred from a facility closed by state health authorities.
12. The Facility shall inform the Texas Health and Human Services Commission of all COVID-19 cases, the same day of identification of each new case. The notification must also include a tally of total cases.
13. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is required to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**IT IS SO ORDERED**

**CLAY JENKINS  
DALLAS COUNTY JUDGE**



## **DALLAS COUNTY**

### **SUPPLEMENTAL ORDER OF COUNTY JUDGE CLAY JENKINS ON REQUIREMENTS FOR FOOD PROCESSING PLANTS AFTER EXPIRATION OF STAY HOME, STAY SAFE**

**DATE ORDER ISSUED: May 20, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, the Centers for Disease Control and Prevention have identified meat and food processing plants as a cause of COVID-19 outbreaks across the United States;

WHEREAS, Dallas County has confirmed cases of COVID-19 in multiple meat and food processing plants;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, County Judge Clay Jenkins hereby ISSUES the following Supplemental Order as follows:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of 11:59 p.m. on May 20, 2020, and continuing until 11:59 p.m. on June 12, 2020:
  - a. **Food Preparation and Processing Plants.** All food manufacturing and processing plants, including meat and poultry processing facilities, fruit and vegetable plants, dairy plants, and other food and beverage plants must adhere to OSHA and CDC guidelines, and must follow the Rules for Food Preparation and Processing Plants set forth below:
    - i. Food preparation and processing plants shall implement a system whereby all employees take their temperature at home and upon arriving at work are



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screened for the following: new or worsening cough, shortness of breath, sore throat, loss of taste or smell, feeling feverish or an onsite measured temperature greater than or equal to 100.0 degrees Fahrenheit, or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home;

- ii. Employees must wash or disinfect hands upon entering the plant, after any interaction with other employees, and after the use of any shared items;
- iii. To the greatest extent possible, all employees should wear cloth face coverings over the nose and mouth;
- iv. Food preparation and processing plants shall regularly and frequently clean and disinfect any regularly touched surfaces, such as restrooms, doorknobs, tables, and chairs;
- v. Remove turnstiles and other physical barriers at the entrance that would be touched by employees one after the other;
- vi. To the greatest extent possible, food preparation and processing plants shall implement a system by which all employees maintain at least 6 feet separation from one another and other individuals, including:
  1. Mark out 6 foot distances for workers to stand in while they wait to punch in or create methods for employee time-tracking other than using a common time-clock to minimize workers congregating;
  2. Stagger start, break and lunch times;
  3. Mark out a 6 foot line in front of supervisor/management desk;
  4. No meetings without 6 foot distances between chairs or people;
  5. Identify areas where employees congregate – such as locker rooms, donning and doffing areas for PPE, breakrooms, etc. and ensure social distancing is possible in these areas;
  6. Restrict specific areas of the plant to individuals who need to be in that area;
  7. Consider physical barriers on the line or reduce line speeds so that lines can operate with fewer employees spaced further apart; and
  8. Create alternating shifts for different types of work activities, or split plant operations from one shift into two, to create situations in which fewer employees have to interact.
- b. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.



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- c. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

**CLAY JENKINS**  
**DALLAS COUNTY JUDGE**



## "EXHIBIT C"

### Mayor Hairston Orders:

- May 4<sup>th</sup>,
- May 8<sup>th</sup>
- May 14<sup>th</sup>,
- May 15<sup>st</sup> ,
- May 20<sup>th</sup>



**SUPPLEMENTAL ORDER OF MAYOR CLYDE C. HAIRSTON ON REOPENED  
SERVICES AND FOOD PROCESSING PLANTS**

DATE ORDER ISSUED: May 4, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Mayor Hairston issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules are followed;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, Lancaster Mayor Clyde C. Hairston hereby ISSUES the following Supplemental Order as follows:

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE  
SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. Effective as of 5:00 p.m. on May 4, 2020, and continuing until 11:59 p.m. on May 15, 2020:
  - a. "Reopened Services" may operate in the City of Lancaster in compliance with this Order. For purposes of this Order, "**Reopened Services**" means:
    - i. Retail services that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep;
    - ii. In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment;
    - iii. Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that (a)



this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51 percent sign required by Texas law as determined by the Texas Alcoholic Beverage Commission, and (b) valet services are prohibited except for vehicles with placards or plates for disabled parking;

- iv. Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening;
  - v. Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food court dining areas, play areas, and interactive displays and settings must remain closed;
  - vi. Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that (a) local public museums and local public libraries may so operate only if permitted by the local government, and (b) any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed;
  - vii. Services provided by an individual working alone in an office; and
  - viii. Golf course operations.
  - ix. Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.
- b. Reopened Services must comply Minimum Standard Health Protocols, in *The Governor's Report to Open Texas*, issued April 27, 2020. For clarity, to the extent the Governor's Minimum Standard Health Protocols are recommendations, the Health Protocols are adopted as mandatory rules in the City of Lancaster. Individuals, employers, employees, and customers in the City of Lancaster must comply with the following applicable Minimum Standard Health Protocols, to the greatest extent possible:
- i. Minimum Standard Health Protocols for All Individuals.
  - ii. Minimum Standard Health Protocols for All Employers.
  - iii. Minimum Standard Health Protocols for Retailers.
  - iv. Minimum Standard Health Protocols for Retail Customers.
  - v. Minimum Standard Health Protocols for Restaurants.
  - vi. Minimum Standard Health Protocols for Restaurant Customers.
  - vii. Minimum Standard Health Protocols for Movie Theaters.
  - viii. Minimum Standard Health Protocols for Movie Theater Customers.
  - ix. Minimum Standard Health Protocols for Museums and Libraries.
  - x. Minimum Standard Health Protocols for All Museum and Library Visitors.
  - xi. Minimum Standard Health Protocols for Outdoor Sports Participants.
  - xii. Minimum Standard Health Protocols for Churches/Places of Worship.
  - xiii. Minimum Standard Health Protocols for Single-Person Offices.

The Steps to Open Texas Business, which include the Minimum Standard Health Protocols, collectively, are attached as Exhibit C to these Emergency Regulations. Any reference to the geographic area of Texas in Order GA-18 shall instead mean the City of Lancaster. Whenever the phrase "Governor Abbott's executive order



GA-18” is used in the Minimum Standard Health Protocols, it shall instead mean this Supplemental Order. Any reference to the word “recommended” in the Minimum Standard Health Protocols, adopted as part of these Emergency Regulations, shall instead mean “must comply to the greatest extent possible.”

2. **Food Preparation and Processing Plants.** All food manufacturing and processing plants, including meat and poultry processing facilities, fruit and vegetable plants, dairy plants, and other food and beverage plants. In addition to OSHA and CDC guidelines, all food preparation and processing plants must follow the Rules for Food Preparation and Processing Plants set forth in Exhibit A.
3. **Covering of Nose and Mouth:** Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person’s nose and mouth is necessary to help slow the spread of the virus. To the greatest extent possible all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when patronizing an Essential Business or Reopened Service, or using public transportation pursuant to the rules outlined in Exhibit B. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order. To the greatest extent possible, all non-medical employees who work at an Essential Businesses and Reopened Service or perform services that are exempt under this Order must wear face coverings over their noses and mouths while performing their work. An owner or operator of an Essential Business or Reopened Service may refuse admission or service to any individual who fails to wear face covering. Wearing a face covering is not a substitute for maintaining 6-feet social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The enforcement provisions set forth in this Order are not applicable to this cloth covering requirement and no law enforcement officer shall stop, detain, or arrest any person based on a person failing to wear a cloth covering or mask.
4. This Order shall be in effect until 11:59 p.m. on May 15, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
5. The City of Lancaster must promptly provide copies of this Order by posting on the City of Lancaster’s 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
6. The City of Lancaster Police Department, the City of Lancaster Fire Marshal’s Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days.



IT IS SO ORDERED

*Clyde C. Hairston*

CLYDE C. HAIRSTON,  
MAYOR, CITY OF LANCASTER



## **EXHIBIT A**

### **Rules for Food Preparation and Processing Plants**

#### **Rules for Food Preparation and Processing Plants:**

- Food preparation and processing plants shall implement a system whereby all employees take their temperature at home and upon arriving at work are screened for the following: new or worsening cough, shortness of breath, sore throat, loss of taste or smell, feeling feverish or an onsite measured temperature greater than or equal to 100.0 degrees Fahrenheit, or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home;
- Employees must wash or disinfect hands upon entering the plant, after any interaction with other employees, and after the use of any shared items;
- To the greatest extent possible, all employees must wear cloth face coverings over the nose and mouth;
- Food preparation and processing plants shall regularly and frequently clean and disinfect any regularly touched surfaces, such as restrooms, doorknobs, tables, and chairs;
- Remove turnstiles and other physical barriers at the entrance that would be touched by employees one after the other;
- Food preparation and processing plants shall implement a system by which all employees maintain at least 6 feet separation from one another and other individuals, including:
  - Mark out 6 foot distances for workers to stand in while they wait to punch in or create methods for employee time-tracking other than using a common time-clock to minimize workers congregating;
  - Stagger start, break and lunch times;
  - Mark out a 6 foot line in front of supervisor/management desk;
  - No meetings without 6 foot distances between chairs or people;
  - Identify areas where employees congregate – such as locker rooms, donning and doffing areas for PPE, breakrooms, etc. and ensure social distancing is possible in these areas;
  - Restrict specific areas of the plant to individuals who need to be in that area;
  - Consider physical barriers on the line or reduce line speeds so that lines can operate with fewer employees spaced further apart; and
  - To the greatest extent possible, create alternating shifts for different types of work activities, or split plant operations from one shift into two, to create situations in which fewer employees have to interact.





## **EXHIBIT B**

### **Guidance on Covering Nose and Mouth**

A significant percentage of individuals with the COVID-19 virus lack symptoms. Because an infected person can transmit the virus to others before showing any symptoms, the covering of a person's nose and mouth when visiting an Essential Business or Reopened Service is necessary to help prevent the spread of COVID-19. This is consistent with the findings of the CDC and Dallas County Health Authority.

Staying home is the best way to help reduce the spread of the virus, but if an individual must leave their place of residence to visit an Essential Business or Reopened Service, wearing a fabric face mask shall be used as outlined in this Order. Wearing a face covering is not a substitute for maintaining 6-feet social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The face coverings recommended are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders.

**The public in general and Essential Business employees shall comply with the following:**

- A.** To the greatest extent possible, all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when:
  - 1) patronizing an Essential Business or Reopened Service; and
  - 2) using public transportation, taxis, or ride shares.
- B.** This section shall not apply to persons that are:
  - 1) riding in a personal vehicle;
  - 2) that are alone in a separate single space, such as an enclosed office;
  - 3) that are in the presence only of other members of their household or residence;
  - 4) engaging in outdoor activity;
  - 5) eating; or
  - 6) when wearing a covering poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Children under the age of two (including infants) should not wear cloth face coverings. Those between the ages of two and nine should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order.

All COVID-19 Suspected Positives, those currently being tested, and untested individuals with cough and/or fever, and household members of same category of individuals shall not leave their residence without a mask or cloth face covering to prevent the spread to others.



To the greatest extent possible, all individuals working for an Essential Business or Reopened Service must wear a mask or cloth face covering whenever in public and whenever performing job duties in the presence of others. To the greatest extent possible, employers shall provide employees with a mask or face covering. An owner or operator of an Essential Business or Reopened Service may refuse admission or service to any individual who fails to wear face covering.

The enforcement provisions set forth in this Order are not applicable to this cloth covering requirement and no law enforcement officer shall stop, detain, or arrest any person based on a person failing to wear a cloth covering or mask.

Medical grade (N95) and surgical masks should be reserved and used only by medical professionals and first responders. Cloth face coverings are not intended for use by healthcare workers, first responders, and others whose work requires close contact with people who are ill.

Cloth coverings should be made in accordance with CDC Guidance, which can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>





**SUPPLEMENTAL ORDER OF LANCASTER MAYOR CLYDE C. HAIRSTON  
ON REOPENED SERVICES AND FOOD PROCESSING PLANTS**

**DATE ORDER ISSUED: May 8, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules are followed;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, the May 4, 2020 Supplemental Order of Lancaster Mayor Clyde C. Hairston is hereby AMENDED as follows:

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE  
SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. Effective as of 1:00 p.m. on May 8, 2020, and continuing until 11:59 p.m. on May 15, 2020:
  - a. "Reopened Services" may operate in the City of Lancaster in compliance with this Order. For purposes of this Order, "Reopened Services" means:
    - i. Retail services that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep;
    - ii. In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment;
    - iii. Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that (a)

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- this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51 percent sign required by Texas law as determined by the Texas Alcoholic Beverage Commission, and (b) valet services are prohibited except for vehicles with placards or plates for disabled parking;
- iv. Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening;
  - v. Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food court dining areas, play areas, and interactive displays and settings must remain closed;
  - vi. Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that (a) local public museums and local public libraries may so operate only if permitted by the local government, and (b) any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed;
  - vii. Services provided by an individual working alone in an office; and
  - viii. Golf course operations.
  - ix. Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.
  - x. Starting at 12:01 a.m. on Friday, May 8, 2020:
    - 1. Cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade; provided, however, that all such salons, shops, and establishments must ensure at least six feet of social distancing between operating work stations.
    - 2. Tanning salons; provided, however, that all such salons must ensure at least six feet of social distancing between operating work stations.
    - 3. Swimming pools; provided, however, that (i) indoor swimming pool is may operate at up to 25 percent of the total listed occupancy of the pool facility; (ii) outdoor swimming pools may operate at up to 25 percent of normal operating limits as determined by the pool operator; and (iii) local public swimming pools may so operate only if permitted by the local government.
  - xi. Starting at 12:01 a.m. on Monday, May 18, 2020:
    - 1. Services provided by office workers in offices that operate at up to the greater of (i) five individuals, or (ii) 25 percent of the total office workforce; provided, however, that the individuals maintain appropriate social distancing.
    - 2. Manufacturing services, for facilities that operate at up to 25 percent of the total listed occupancy of the facility.
    - 3. Gyms and exercise facilities and classes that operate at up to 25 percent of the total listed occupancy of the gym or exercise facility;



provided, however, that locker rooms and shower facilities must remain closed, but restrooms may open.

- b. Reopened Services must comply Minimum Standard Health Protocols, in *The Governor's Report to Open Texas*. For clarity, to the extent the Governor's Minimum Standard Health Protocols are recommendations, the Health Protocols are adopted as mandatory rules in the City of Lancaster. Individuals, employers, employees, and customers in the City of Lancaster must comply with the following applicable Minimum Standard Health Protocols, to the greatest extent possible:

- i. Minimum Standard Health Protocols for All Individuals.
- ii. Minimum Standard Health Protocols for All Employers.
- iii. Minimum Standard Health Protocols for Retailers.
- iv. Minimum Standard Health Protocols for Retail Customers.
- v. Minimum Standard Health Protocols for Restaurants.
- vi. Minimum Standard Health Protocols for Restaurant Customers.
- vii. Minimum Standard Health Protocols for Movie Theaters.
- viii. Minimum Standard Health Protocols for Movie Theater Customers.
- ix. Minimum Standard Health Protocols for Museums and Libraries.
- x. Minimum Standard Health Protocols for All Museum and Library Visitors.
- xi. Minimum Standard Health Protocols for Outdoor Sports Participants.
- xii. Minimum Standard Health Protocols for Churches/Places of Worship.
- xiii. Minimum Standard Health Protocols for Single-Person Offices.
- xiv. Minimum Standard Health Protocols for Wedding Venues.
- xv. Minimum Standard Health Protocols for Wedding Reception Venues.
- xvi. Minimum Standard Health Protocols for Barber Shops.
- xvii. Minimum Standard Health Protocols for Cosmetology / Hair Salons.
- xviii. Minimum Standard Health Protocols for Nail Salons / Shops.
- xix. Minimum Standard Health Protocols for Tanning Salons.
- xx. Minimum Standard Health Protocols for Gyms / Exercise Facilities.
- xxi. Minimum Standard Health Protocols for Manufacturers.
- xxii. Minimum Standard Health Protocols for Office-Based Employers.

The Steps to Open Texas Business, which include the Minimum Standard Health Protocols, collectively, are attached as Exhibit C to these Emergency Regulations. Any reference to the geographic area of Texas in Order GA-21 shall instead mean the City of Lancaster. Whenever the phrase "Governor Abbott's executive order GA- 21" is used in the Minimum Standard Health Protocols, it shall instead mean this Supplemental Order. Any reference to the word "recommended" in the Minimum Standard Health Protocols, adopted as part of these Emergency Regulations, shall instead mean "must comply to the greatest extent possible."

2. **Food Preparation and Processing Plants.** All food manufacturing and processing plants, including meat and poultry processing facilities, fruit and vegetable plants, dairy plants, and other food and beverage plants. In addition to OSHA and CDC guidelines, all food preparation and processing plants must follow the Rules for Food Preparation and Processing Plants set forth in Exhibit A.
3. **Covering of Nose and Mouth:** Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth



is necessary to help slow the spread of the virus. To the greatest extent possible all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when patronizing an Essential Business or Reopened Service, or using public transportation pursuant to the rules outlined in Exhibit B. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order. To the greatest extent possible, all non-medical employees who work at an Essential Businesses and Reopened Service or perform services that are exempt under this Order must wear face coverings over their noses and mouths while performing their work. An owner or operator of an Essential Business or Reopened Service may refuse admission or service to any individual who fails to wear face covering. Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The enforcement provisions set forth in this Order are not applicable to this cloth covering requirement and no law enforcement officer shall stop, detain, or arrest any person based on a person failing to wear a cloth covering or mask.

4. This Order shall be in effect until 11:59 p.m. on May 15, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
5. The City of Lancaster must promptly provide copies of this Order by posting on the City of Lancaster's 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
6. The City of Lancaster Police Department, the City of Lancaster Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

*Clyde C. Hairston*

**MAYOR, CLYDE C. HAIRSTON  
CITY OF LANCASTER**

May 8, 2020 11:25





## **EXHIBIT A**

### **Rules for Food Preparation and Processing Plants**

#### **Rules for Food Preparation and Processing Plants:**

- Food preparation and processing plants shall implement a system whereby all employees take their temperature at home and upon arriving at work are screened for the following: new or worsening cough, shortness of breath, sore throat, loss of taste or smell, feeling feverish or an onsite measured temperature greater than or equal to 100.0 degrees Fahrenheit, or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home;
- Employees must wash or disinfect hands upon entering the plant, after any interaction with other employees, and after the use of any shared items;
- To the greatest extent possible, all employees must wear cloth face coverings over the nose and mouth;
- Food preparation and processing plants shall regularly and frequently clean and disinfect any regularly touched surfaces, such as restrooms, doorknobs, tables, and chairs;
- Remove turnstiles and other physical barriers at the entrance that would be touched by employees one after the other;
- Food preparation and processing plants shall implement a system by which all employees maintain at least 6 feet separation from one another and other individuals, including:
  - Mark out 6-foot distances for workers to stand in while they wait to punch in or create methods for employee time-tracking other than using a common time-clock to minimize workers congregating;
  - Stagger start, break and lunch times;
  - Mark out a 6-foot line in front of supervisor/management desk;
  - No meetings without 6-foot distances between chairs or people;
  - Identify areas where employees congregate – such as locker rooms, donning and doffing areas for PPE, breakrooms, etc. and ensure social distancing is possible in these areas;
  - Restrict specific areas of the plant to individuals who need to be in that area;
  - Consider physical barriers on the line or reduce line speeds so that lines can operate with fewer employees spaced further apart; and
  - To the greatest extent possible, create alternating shifts for different types of work activities, or split plant operations from one shift into two, to create situations in which fewer employees have to interact.



## **EXHIBIT B**

### **Guidance on Covering Nose and Mouth**

A significant percentage of individuals with the COVID-19 virus lack symptoms. Because an infected person can transmit the virus to others before showing any symptoms, the covering of a person's nose and mouth when visiting an Essential Business or Reopened Service is necessary to help prevent the spread of COVID-19. This is consistent with the findings of the CDC and Dallas County Health Authority.

Staying home is the best way to help reduce the spread of the virus, but if an individual must leave their place of residence to visit an Essential Business or Reopened Service, wearing a fabric face mask shall be used as outlined in this Order. Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The face coverings recommended are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders.

**The public in general and Essential Business employees shall comply with the following:**

- A.** To the greatest extent possible, all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when:
  - 1) patronizing an Essential Business or Reopened Service; and
  - 2) using public transportation, taxis, or ride shares.
- B.** This section shall not apply to persons that are:
  - 1) riding in a personal vehicle;
  - 2) that are alone in a separate single space, such as an enclosed office;
  - 3) that are in the presence only of other members of their household or residence;
  - 4) engaging in outdoor activity;
  - 5) eating; or
  - 6) when wearing a covering poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Children under the age of two (including infants) should not wear cloth face coverings. Those between the ages of two and nine should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order.

All COVID-19 Suspected Positives, those currently being tested, and untested individuals with cough and/or fever, and household members of same category of individuals shall not leave their residence without a mask or cloth face covering to prevent the spread to others.

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To the greatest extent possible, all individuals working for an Essential Business or Reopened Service must wear a mask or cloth face covering whenever in public and whenever performing job duties in the presence of others. To the greatest extent possible, employers shall provide employees with a mask or face covering. An owner or operator of an Essential Business or Reopened Service may refuse admission or service to any individual who fails to wear face covering.

The enforcement provisions set forth in this Order are not applicable to this cloth covering requirement and no law enforcement officer shall stop, detain, or arrest any person based on a person failing to wear a cloth covering or mask.

Medical grade (N95) and surgical masks should be reserved and used only by medical professionals and first responders. Cloth face coverings are not intended for use by healthcare workers, first responders, and others whose work requires close contact with people who are ill.

Cloth coverings should be made in accordance with CDC Guidance, which can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>



## **AMENDED ORDER OF LANCASTER MAYOR CLYDE C. HAIRSTON REGARDING LONG-TERM CARE FACILITIES**

**DATE ORDER ISSUED: May 8, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of Lancaster Mayor Clyde C. Hairston be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, Lancaster Mayor Clyde C. Hairston issue this Order. This Order does not supersede or replace any other orders issued Mayor Hairston pursuant to and under the authority of the Local Disaster for Public Health Emergency and such other orders remain in full force and effect pursuant to their terms:

### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. This Order shall be in effect beginning at 1:00 p.m. on May 8, 2020 and continuing until 11:59 p.m. on May 15, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
2. This Order applies to all Long-Term Care Facilities, including Skilled Nursing Facilities and Assisted Living Facilities, and Nursing Homes (henceforth referred to as "Facilities") the City of Lancaster.
3. If a resident of a Facility is identified with a COVID-19 diagnosis, the Facility shall do the following:
  - a. Immediately notify all staff (from all levels of care or any job description within the Facility) that a resident has been diagnosed with COVID-19. This notification shall be done in staff meetings, by phone or text message or email.
  - b. All residents (in all levels of care within the Facility) who are mentally competent shall be informed immediately that a resident has been diagnosed with COVID-

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19. If the Facility learns of the diagnosis while the resident is asleep, the resident shall be notified immediately after they wake. The Facility shall insure that the notification is documented and maintained in its records, including noting the time and method of delivery of the notification.

c. Family members and responsible parties of all residents (in all levels of care within a facility with the exception of independent living) shall be informed immediately by phone, text message or email.

d. The Dallas County Probate Courts shall be informed immediately that a resident of the facility has been diagnosed with COVID-19. The Facility shall send notification by email to LaNasha D. Houze, Director of Operations for the Dallas County Probate Courts, at [LaNasha.Houze@dallascounty.org](mailto:LaNasha.Houze@dallascounty.org).

e. A notification statement of diagnosis of COVID-19 in a resident shall also be posted for public access within 30 minutes of identification of a case. The notice shall be posted at the main entrance to the Facility and prominently displayed on the Facility website. This website posting must be on the Facility local webpage in addition to the Facility corporate website.

f. Proof of the completion of all notifications in 3(a)-3(d) shall be provided to Dallas County Health and Human Services within six business hours of the identification of a resident's diagnosis of COVID-19. For purposes of this subsection, business hours are from 8 a.m. to 6 p.m.

4. After the first positive test of a staff member or resident, a Facility must test all residents and staff of the Facility for COVID-19. Facilities with current positive cases and that have not done comprehensive testing must conduct an assessment of their current infection levels by testing all staff and residents who were either not previously tested or were tested previously but are now exhibiting symptoms of COVID-19. Facilities must coordinate testing of Facility staff and residents with Dallas County Health and Human Services.

a. Facilities must provide Dallas County Health and Human Services, or any provider performing testing on behalf of DCHHS, access to residents and staff for COVID-19 testing.

b. Facilities cannot deter residents or staff from receiving a COVID-19 test.

5. If a Facility has any resident with a diagnosis of COVID-19, the Facility shall institute the following measures within the same level of care:

a. All health care personnel must wear facemasks while in the Facility and consider having all health care personnel wear all recommended personal protective equipment ("PPE") (gown, gloves, eye protection, N95 respirator or, if not available, a facemask) for the care of all residents, regardless of presence of symptoms. The Facility should also implement protocols for extended use of eye protection and facemasks. The Facility shall insure that all health care personnel must have temperature and symptom checks prior to each shift. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;



- b. The facility will be closed to new admissions and will also close all services, including outpatient rehabilitation. Facilities cannot accept new admissions until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member. This provision does not apply to a COVID-19 Facility, as designated by the Dallas County Health Authority, which receives convalescing COVID-19 patients from acute care hospitals.
- c. Any and all of the staff at the Facility shall not work at any Facility other than the impacted Facility, and the administrator any Facility shall keep a list of all employees who have worked at any other Facilities, including the name and contact information for the administrator at the other Facility.
6. Hospitals and surgical centers shall test all patients for COVID-19 before referring the patient to a Facility.
- a. Hospitals and surgical centers shall test patients for COVID-19 regardless of whether the patient is exhibiting symptoms or not.
- b. Hospitals and surgical centers shall provide the patient's COVID-19 test results in writing to the referring Facility before the patient may be transferred from the hospital or surgical center to the Facility.
7. Any standards prohibiting improper transfer of patients under this Order will be strictly enforced.
8. If a Facility has any resident with a diagnosis of COVID-19, the Facility may allow transfer of a resident to home care, but only after a patient has been tested as negative for COVID-19. In the case of such a transfer, the Facility must provide a copy of this order to those in the household to which the resident is being transferred. Those persons in the household to which the resident is transferred are ordered to isolate at home for 14 days. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
9. If a Facility has any resident with a diagnosis of COVID-19, the Facility may allow transfer of a resident to a hospital, but only after the Facility has provided notice to the receiving hospital that the patient is coming from a Facility with identified COVID-19. If the patient is transferred by ambulance, the Facility must also provide notice to the ambulance providers that the patient is coming from a Facility with identified COVID-19. The hospital may transfer the resident back to the same Facility that initially transferred the patient.
10. Facilities can accept convalescing (recovering) patients with COVID-19 if they are no longer deemed infectious as per CDC and local health authority guidelines.
11. Facilities can accept new admissions if the individuals are transferred from a facility closed by state health authorities.



12. The Facility shall inform the Texas Health and Human Services Commission of all COVID-19 cases, the same day of identification of each new case. The notification must also include a tally of total cases.

13. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is required to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**IT IS SO ORDERED**

**CLYDE C. HAIRSTON  
MAYOR, CITY OF LANCASTER**

May 8, 2020 11:25



**SUPPLEMENTAL ORDER OF LANCASTER MAYOR CLYDE C. HAIRSTON  
ON CONTINUING REQUIREMENTS AFTER EXPIRATION OF  
STAY HOME, STAY SAFE**

DATE ORDER ISSUED: May 14, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2, which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Mayor Hairston issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules are followed;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the City of Lancaster residents from the devastating impacts of this pandemic;

THEREFORE, Lancaster Mayor Clyde C. Hairston hereby ISSUES the following Supplemental Order as follows:

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE  
SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. Effective as of 11:59 p.m. on May 15, 2020, and continuing until 11:59 p.m. on May 20, 2020:
  - a. All Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Recovery Payments to individuals shall be exempt from "garnishment" as that term is described in Chapter 63 of the Texas Civil Practice and Remedies Code, except for garnishment for child support payments. All CARE Act Payments shall remain exempt from garnishment when deposited into an account in a financial institution. This provision is enacted to ensure Dallas County residents can use their CARES Act Recovery Payments for their housing, food, medical and other essential needs during the COVID-19 emergency period.
  - b. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:
    - i. The number of COVID-19 tests performed; and
    - ii. The number of positive COVID-19 tests.

Reports shall be made to Dallas County Judge Clay Jenkins at [Clay.Jenkins@dallascounty.org](mailto:Clay.Jenkins@dallascounty.org) and Dallas County Health and Human Services Director Dr. Philip Huang at





Philip.Huang@dallascounty.org. Reporting laboratories shall not provide names or any other identifiable health information that could be used to identify an individual patient.

- c. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.
- d. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
- e. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
  - i. groceries, beverages, toilet articles, and ice;
  - ii. restaurant, cafeteria, and boarding-house meals; and
  - iii. medicine, pharmaceutical and medical equipment, and supplies.
- f. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in the City of Lancaster for the next 60 days.
- g. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
- h. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
- i. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
- j. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Lancaster can use their paid sick leave when they are sick or to care for sick family members.
- k. This Order shall be in effect until 11:59 p.m. on May 20, 2020, or until it is rescinded, either superseded, or amended pursuant to applicable law.
- l. The City of Lancaster must promptly provide copies of this Order by posting on the City of Lancaster's 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
- m. The City of Lancaster Police Department, City of Lancaster's Fire Marshal's office and other



peace officers are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

*Clyde C. Hairston*

**CLYDE C. HAIRSTON  
MAYOR, CITY OF LANCASTER**



**SUPPLEMENTAL ORDER OF LANCASTER MAYOR CLYDE C.  
HAIRSTON ON REQUIREMENTS FOR FOOD PROCESSING  
PLANTS AFTER EXPIRATION OF STAY HOME, STAY SAFE**  
DATE ORDER ISSUED: May 15, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, the Centers for Disease Control and Prevention have identified meat and food processing plants as a cause of COVID-19 outbreaks across the United States;

WHEREAS, Dallas County has confirmed cases of COVID-19 in multiple meat and food processing plants;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, Lancaster Mayor Clyde C. Hairston hereby ISSUES the following Supplemental Order as follows:

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE  
SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. Effective as of 11:59 p.m. on May 15, 2020, and continuing until 11:59 p.m. on May 20, 2020:
  - a. **Food Preparation and Processing Plants.** All food manufacturing and processing plants, including meat and poultry processing facilities, fruit and vegetable plants, dairy plants, and other food and beverage plants must adhere to OSHA and CDC guidelines, and must follow the Rules for Food Preparation and Processing Plants set forth below:
    - i. Food preparation and processing plants shall implement a system whereby all employees take their temperature at home and upon arriving at work are

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- c. The City of Lancaster's Police Department and the City of Lancaster's Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

*Clyde C. Hairston*

**CLYDE C. HAIRSTON  
MAYOR, CITY OF LANCASTER**





**AMENDED ORDER OF LANCASTER MAYOR CLYDE C.  
HAIRSTON REGARDING LONG-TERM CARE  
FACILITIES**

DATE ORDER ISSUED: May 15, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of Lancaster Mayor Clyde C. Hairston be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, Lancaster Mayor Clyde C. Hairston issue this Order. This Order does not supersede or replace any other orders issued by Judge Jenkins pursuant to and under the authority of the Local Disaster for Public Health Emergency and such other orders remain in full force and effect pursuant to their terms:

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE  
SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. This Order shall be in effect beginning at 6:00 p.m. on May 15, 2020 and continuing until 11:59 p.m. on May 20, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
2. This Order applies to all Long-Term Care Facilities, including Skilled Nursing Facilities and Assisted Living Facilities, and Nursing Homes (henceforth referred to as "Facilities") in the City of Lancaster.
3. If a resident of a Facility is identified with a COVID-19 diagnosis, the Facility shall do the following:
  - a. Immediately notify all staff (from all levels of care or any job description within the Facility) that a resident has been diagnosed with COVID-19. This notification shall be done in staff meetings, by phone or text message or email.
  - b. All residents (in all levels of care within the Facility) who are mentally competent shall be informed immediately that a resident has been diagnosed with COVID-



19. If the Facility learns of the diagnosis while the resident is asleep, the resident shall be notified immediately after they wake. The Facility shall insure that the notification is documented and maintained in its records, including noting the time and method of delivery of the notification.
- c. Family members and responsible parties of all residents (in all levels of care within a facility with the exception of independent living) shall be informed immediately by phone, text message or email. Upon request, Facilities shall inform family members of the total number of cases in the Facility.
  - d. The Dallas County Probate Courts shall be informed immediately that a resident of the facility has been diagnosed with COVID-19. The Facility shall send notification by email to LaNasha D. Houze, Director of Operations for the Dallas County Probate Courts, at [LaNasha.Houze@dallascounty.org](mailto:LaNasha.Houze@dallascounty.org).
  - e. A notification statement of diagnosis of COVID-19 in a resident shall also be posted for public access within 30 minutes of identification of a case. The notice shall be posted at the main entrance to the Facility and prominently displayed on the Facility website. This website posting must include the total number of positive cases at the Facility and must be posted on the Facility local webpage in addition to the Facility corporate website. A Facility may not remove postings of positive cases until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member.
  - f. Proof of the completion of all notifications in 3(a)-3(d) shall be provided to Dallas County Health and Human Services within six business hours of the identification of a resident's diagnosis of COVID-19. For purposes of this subsection, business hours are from 8 a.m. to 6 p.m.
4. After the first positive test of a staff member or resident, a Facility must test all residents and staff of the Facility for COVID-19. Facilities with current positive cases and that have not done comprehensive testing must conduct an assessment of their current infection levels by testing all staff and residents who were either not previously tested or were tested previously but are now exhibiting symptoms of COVID-19. Facilities must coordinate testing of Facility staff and residents with Dallas County Health and Human Services.
- a. Facilities must provide Dallas County Health and Human Services, or any provider performing testing on behalf of DCHHS, access to residents and staff for COVID-19 testing.
  - b. Facilities cannot deter residents or staff from receiving a COVID-19 test.
5. If a Facility has any resident with a diagnoses of COVID-19, the Facility shall institute the following measures within the same level of care:
- a. All health care personnel must wear facemasks while in the Facility and consider having all health care personnel wear all recommended personal protective equipment ("PPE") (gown, gloves, eye protection, N95 respirator or, if not available, a facemask) for the care of all residents, regardless of presence of symptoms. The Facility should also implement protocols for extended use of eye protection and facemasks. The Facility shall insure that all health care personnel must have temperature and symptom



- checks prior to each shift. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b. The facility will be closed to new admissions and will also close all services, including outpatient rehabilitation. Facilities cannot accept new admissions until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member. This provision does not apply to (i) a COVID-19 Facility, as designated by the Dallas County Health Authority, which receives convalescing COVID-19 patients from acute care hospitals; or (ii) upon approval of the Dallas County Health Authority, a Facility with a specific wing or unit where COVID-19 residents are cohorted in isolation separated from the rest of the Facility pursuant to CDC guidelines, to include separate entrance/exit from the rest of the Facility with dedicated direct care staff.
- c. Any and all of the staff at the Facility shall not work at any Facility other than the impacted Facility, and the administrator any Facility shall keep a list of all employees who have worked at any other Facilities, including the name and contact information for the administrator at the other Facility.
6. Hospitals and surgical centers shall test all patients for COVID-19 before referring the patient to a Facility.
- a. Hospitals and surgical centers shall test patients for COVID-19 regardless of whether the patient is exhibiting symptoms or not.
- b. Hospitals and surgical centers shall provide the patient's COVID-19 test results in writing to the referring Facility before the patient may be transferred from the hospital or surgical center to the Facility.
7. Any standards prohibiting improper transfer of patients under this Order will be strictly enforced.
8. If a Facility has any resident with a diagnoses of COVID-19, the Facility may allow transfer of a resident to home care, but only after a patient has been tested as negative for COVID-19. In the case of such a transfer, the Facility must provide a copy of this order to those in the household to which the resident is being transferred. Those persons in the household to which the resident is transferred are ordered to isolate at home for 14 days. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
9. If a Facility has any resident with a diagnosis of COVID-19, the Facility may allow transfer of a resident to a hospital, but only after the Facility has provided notice to the receiving hospital that the patient is coming from a Facility with identified COVID-19. If the patient is transferred by ambulance, the Facility must also provide notice to the ambulance providers that the patient is coming from a Facility with identified COVID-19. The hospital may transfer the resident back to the same Facility that initially transferred the patient.
10. Facilities can accept convalescing (recovering) patients with COVID-19 if they are no longer deemed infectious as per CDC and local health authority guidelines.



11. Facilities can accept new admissions if the individuals are transferred from a facility closed by state health authorities.
12. The Facility shall inform the Texas Health and Human Services Commission of all COVID-19 cases, the same day of identification of each new case. The notification must also include a tally of total cases.
13. The City of Lancaster must promptly provide copies of this Order by posting on the City of Lancaster's website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is required to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**IT IS SO ORDERED**

*Clyde C. Hairston*

**CLYDE C. HAIRSTON  
MAYOR, CITY OF LANCASTER**



## **AMENDED ORDER OF MAYOR CLYDE C. HAIRSTON REGARDING LONG-TERM CARE FACILITIES**

DATE ORDER ISSUED: May 20, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of Lancaster Mayor Clyde C. Hairston be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, Lancaster Mayor Clyde C. Hairston issue this Order. This Order does not supersede or replace any other orders issued by Judge Jenkins pursuant to and under the authority of the Local Disaster for Public Health Emergency and such other orders remain in full force and effect pursuant to their terms:

### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. This Order shall be in effect beginning at 11:59 p.m. on May 20, 2020 and continuing until 11:59 p.m. on June 12, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
2. This Order applies to all Long-Term Care Facilities, including Skilled Nursing Facilities and Assisted Living Facilities, and Nursing Homes (henceforth referred to as "Facilities") in the City of Lancaster.
3. If a resident of a Facility is identified with a COVID-19 diagnosis, the Facility shall do the following:
  - a. Immediately notify all staff (from all levels of care or any job description within the Facility) that a resident has been diagnosed with COVID-19. This notification shall be done in staff meetings, by phone or text message or email.
  - b. All residents (in all levels of care within the Facility) who are mentally competent shall be informed immediately that a resident has been diagnosed with COVID-

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19. If the Facility learns of the diagnosis while the resident is asleep, the resident shall be notified immediately after they wake. The Facility shall insure that the notification is documented and maintained in its records, including noting the time and method of delivery of the notification.
- c. Family members and responsible parties of all residents (in all levels of care within a facility with the exception of independent living) shall be informed immediately by phone, text message or email. Upon request, Facilities shall inform family members of the total number of cases in the Facility.
  - d. The Dallas County Probate Courts shall be informed immediately that a resident of the facility has been diagnosed with COVID-19. The Facility shall send notification by email to LaNasha D. Houze, Director of Operations for the Dallas County Probate Courts, at [LaNasha.Houze@dallascounty.org](mailto:LaNasha.Houze@dallascounty.org).
  - e. A notification statement of diagnosis of COVID-19 in a resident shall also be posted for public access within 30 minutes of identification of a case. The notice shall be posted at the main entrance to the Facility and prominently displayed on the Facility website. This website posting must include the total number of positive cases at the Facility and must be posted on the Facility local webpage in addition to the Facility corporate website. A Facility may not remove postings of positive cases until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member.
  - f. Proof of the completion of all notifications in 3(a)-3(d) shall be provided to Dallas County Health and Human Services within six business hours of the identification of a resident's diagnosis of COVID-19. For purposes of this subsection, business hours are from 8 a.m. to 6 p.m.
4. After the first positive test of a staff member or resident, a Facility must test all residents and staff of the Facility for COVID-19. Facilities with current positive cases and that have not done comprehensive testing must conduct an assessment of their current infection levels by testing all staff and residents who were either not previously tested or were tested previously but are now exhibiting symptoms of COVID-19. Facilities must coordinate testing of Facility staff and residents with Dallas County Health and Human Services.
- a. Facilities must provide Dallas County Health and Human Services, or any provider performing testing on behalf of DCHHS, access to residents and staff for COVID-19 testing.
  - b. Facilities cannot deter residents or staff from receiving a COVID-19 test.
5. If a Facility has any resident with a diagnoses of COVID-19, the Facility shall institute the following measures within the same level of care:
- a. All health care personnel must wear facemasks while in the Facility and consider having all health care personnel wear all recommended personal protective equipment ("PPE") (gown, gloves, eye protection, N95 respirator or, if not available, a facemask) for the care of all residents, regardless of presence of symptoms. The Facility should also implement protocols for extended use of eye protection and facemasks. The Facility shall insure that all health care personnel must have temperature and symptom



- checks prior to each shift. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b. The facility will be closed to new admissions and will also close all services, including outpatient rehabilitation. Facilities cannot accept new admissions until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member. This provision does not apply to (i) a COVID-19 Facility, as designated by the Dallas County Health Authority, which receives convalescing COVID-19 patients from acute care hospitals; or (ii) upon approval of the Dallas County Health Authority, a Facility with a specific wing or unit where COVID-19 residents are cohorted in isolation separated from the rest of the Facility pursuant to CDC guidelines, to include separate entrance/exit from the rest of the Facility with dedicated direct care staff.
- c. Any and all of the staff at the Facility shall not work at any Facility other than the impacted Facility, and the administrator any Facility shall keep a list of all employees who have worked at any other Facilities, including the name and contact information for the administrator at the other Facility.
6. Hospitals and surgical centers shall test all patients for COVID-19 before referring the patient to a Facility.
- a. Hospitals and surgical centers shall test patients for COVID-19 regardless of whether the patient is exhibiting symptoms or not.
- b. Hospitals and surgical centers shall provide the patient's COVID-19 test results in writing to the referring Facility before the patient may be transferred from the hospital or surgical center to the Facility.
7. Any standards prohibiting improper transfer of patients under this Order will be strictly enforced.
8. If a Facility has any resident with a diagnoses of COVID-19, the Facility may allow transfer of a resident to home care, but only after a patient has been tested as negative for COVID-19. In the case of such a transfer, the Facility must provide a copy of this order to those in the household to which the resident is being transferred. Those persons in the household to which the resident is transferred are ordered to isolate at home for 14 days. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
9. If a Facility has any resident with a diagnosis of COVID-19, the Facility may allow transfer of a resident to a hospital, but only after the Facility has provided notice to the receiving hospital that the patient is coming from a Facility with identified COVID-19. If the patient is transferred by ambulance, the Facility must also provide notice to the ambulance providers that the patient is coming from a Facility with identified COVID-19. The hospital may transfer the resident back to the same Facility that initially transferred the patient.
10. Facilities can accept convalescing (recovering) patients with COVID-19 if they are no longer deemed infectious as per CDC and local health authority guidelines.



11. Facilities can accept new admissions if the individuals are transferred from a facility closed by state health authorities.
12. The Facility shall inform the Texas Health and Human Services Commission of all COVID-19 cases, the same day of identification of each new case. The notification must also include a tally of total cases.
13. The City of Lancaster must promptly provide copies of this Order by posting on the City of Lancaster's website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is required to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**IT IS SO ORDERED**

*Clyde C. Hairston*

**CLYDE C. HAIRSTON  
MAYOR, CITY OF LANCASTER**

May 20, 2020





**SUPPLEMENTAL ORDER OF LANCASTER MAYOR CLYDE C.  
HAIRSTON ON CONTINUING REQUIREMENTS AFTER  
EXPIRATION OF STAY HOME, STAY SAFE  
DATE ORDER ISSUED: May 20, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Mayor Hairston issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules are followed;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, Lancaster Mayor Clyde C. Hairston hereby ISSUES the following Supplemental Order as follows:

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE  
SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. Effective as of 11:59 p.m. on May 20, 2020, and continuing until 11:59 p.m. on June 12, 2020:
  - a. All Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Recovery Payments to individuals shall be exempt from "garnishment" as that term is described in Chapter 63 of the Texas Civil Practice and Remedies Code, except for garnishment for child support payments. All CARE Act Payments shall remain exempt from garnishment when deposited into an account in a financial institution. This provision is enacted to ensure the City of Lancaster residents can use their CARES Act Recovery

May 20, 2020



Payments for their housing, food, medical and other essential needs during the COVID-19 emergency period.

- b. All public, private, and commercial laboratories operating within the City of Lancaster and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:
  - i. The number of COVID-19 tests performed; and
  - ii. The number of positive COVID-19 tests.

Reports shall be made to Dallas County Judge Clay Jenkins at [Clay.Jenkins@dallascounty.org](mailto:Clay.Jenkins@dallascounty.org) and Dallas County Health and Human Services Director Dr. Philip Huang at [Philip.Huang@dallascounty.org](mailto:Philip.Huang@dallascounty.org). Reporting laboratories shall not provide names or any other identifiable health information that could be used to identify an individual patient.

- c. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.
- d. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
- e. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
  - i. groceries, beverages, toilet articles, and ice;
  - ii. restaurant, cafeteria, and boarding-house meals; and
  - iii. medicine, pharmaceutical and medical equipment, and supplies.
- f. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
- g. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other



- community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
- h. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
  - i. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
  - j. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Lancaster can use their paid sick leave when they are sick or to care for sick family members.
  - k. This Order shall be in effect until 11:59 p.m. on June 12, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
  - l. The City of Lancaster must promptly provide copies of this Order by posting on the City of Lancaster's 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
  - m. The City of Lancaster Police Department, The City of Lancaster Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

**CLYDE C. HAIRSTON  
MAYOR, CITY OF LANCASTER**

May 20, 2020



**SUPPLEMENTAL ORDER OF MAYOR CLYDE C. HAIRSTON ON  
REQUIREMENTS FOR FOOD PROCESSING PLANTS AFTER  
EXPIRATION OF STAY HOME, STAY SAFE**

DATE ORDER ISSUED: May 20, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, the Centers for Disease Control and Prevention have identified meat and food processing plants as a cause of COVID-19 outbreaks across the United States;

WHEREAS, Dallas County has confirmed cases of COVID-19 in multiple meat and food processing plants;

WHEREAS, this Supplemental Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, Lancaster Mayor Clyde C. Hairston hereby ISSUES the following Supplemental Order as follows:

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE  
SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. Effective as of 11:59 p.m. on May 20, 2020, and continuing until 11:59 p.m. on June 12, 2020:
  - a. **Food Preparation and Processing Plants.** All food manufacturing and processing plants, including meat and poultry processing facilities, fruit and vegetable plants, dairy plants, and other food and beverage plants must adhere to OSHA and CDC guidelines, and must follow the Rules for Food Preparation and Processing Plants set forth below:
    - i. Food preparation and processing plants shall implement a system whereby all employees take their temperature at home and upon arriving at work are

May 20, 2020



- screened for the following: new or worsening cough, shortness of breath, sore throat, loss of taste or smell, feeling feverish or an onsite measured temperature greater than or equal to 100.0 degrees Fahrenheit, or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home;
- ii. Employees must wash or disinfect hands upon entering the plant, after any interaction with other employees, and after the use of any shared items;
  - iii. To the greatest extent possible, all employees should wear cloth face coverings over the nose and mouth;
  - iv. Food preparation and processing plants shall regularly and frequently clean and disinfect any regularly touched surfaces, such as restrooms, doorknobs, tables, and chairs;
  - v. Remove turnstiles and other physical barriers at the entrance that would be touched by employees one after the other;
  - vi. To the greatest extent possible, food preparation and processing plants shall implement a system by which all employees maintain at least 6 feet separation from one another and other individuals, including:
    - 1. Mark out 6 foot distances for workers to stand in while they wait to punch in or create methods for employee time-tracking other than using a common time-clock to minimize workers congregating;
    - 2. Stagger start, break and lunch times;
    - 3. Mark out a 6 foot line in front of supervisor/management desk;
    - 4. No meetings without 6 foot distances between chairs or people;
    - 5. Identify areas where employees congregate – such as locker rooms, donning and doffing areas for PPE, breakrooms, etc. and ensure social distancing is possible in these areas;
    - 6. Restrict specific areas of the plant to individuals who need to be in that area;
    - 7. Consider physical barriers on the line or reduce line speeds so that lines can operate with fewer employees spaced further apart; and
    - 8. Create alternating shifts for different types of work activities, or split plant operations from one shift into two, to create situations in which fewer employees have to interact.
- b. The City of Lancaster must promptly provide copies of this Order by posting on the City of Lancaster's 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. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

May 20, 2020





- c. The City of Lancaster Police Department and The City of Lancaster Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.

**IT IS SO ORDERED**

**CLYDE C. HAIRSTON**

**MAYOR, CLYDE C. HAIRSTON**

May 20, 2020



## **AMENDED ORDER OF MAYOR CLYDE C. HAIRSTON REGARDING LONG-TERM CARE FACILITIES**

DATE ORDER ISSUED: May 20, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Lancaster Mayor Clyde C. Hairston issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of Lancaster Mayor Clyde C. Hairston be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, Lancaster Mayor Clyde C. Hairston issue this Order. This Order does not supersede or replace any other orders issued by Judge Jenkins pursuant to and under the authority of the Local Disaster for Public Health Emergency and such other orders remain in full force and effect pursuant to their terms:

### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, LANCASTER MAYOR CLYDE C. HAIRSTON ORDERS:**

1. This Order shall be in effect beginning at 11:59 p.m. on May 20, 2020 and continuing until 11:59 p.m. on June 12, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
2. This Order applies to all Long-Term Care Facilities, including Skilled Nursing Facilities and Assisted Living Facilities, and Nursing Homes (henceforth referred to as "Facilities") in the City of Lancaster.
3. If a resident of a Facility is identified with a COVID-19 diagnosis, the Facility shall do the following:
  - a. Immediately notify all staff (from all levels of care or any job description within the Facility) that a resident has been diagnosed with COVID-19. This notification shall be done in staff meetings, by phone or text message or email.
  - b. All residents (in all levels of care within the Facility) who are mentally competent shall be informed immediately that a resident has been diagnosed with COVID-

May 20, 2020



19. If the Facility learns of the diagnosis while the resident is asleep, the resident shall be notified immediately after they wake. The Facility shall insure that the notification is documented and maintained in its records, including noting the time and method of delivery of the notification.
- c. Family members and responsible parties of all residents (in all levels of care within a facility with the exception of independent living) shall be informed immediately by phone, text message or email. Upon request, Facilities shall inform family members of the total number of cases in the Facility.
  - d. The Dallas County Probate Courts shall be informed immediately that a resident of the facility has been diagnosed with COVID-19. The Facility shall send notification by email to LaNasha D. Houze, Director of Operations for the Dallas County Probate Courts, at [LaNasha.Houze@dallascounty.org](mailto:LaNasha.Houze@dallascounty.org).
  - e. A notification statement of diagnosis of COVID-19 in a resident shall also be posted for public access within 30 minutes of identification of a case. The notice shall be posted at the main entrance to the Facility and prominently displayed on the Facility website. This website posting must include the total number of positive cases at the Facility and must be posted on the Facility local webpage in addition to the Facility corporate website. A Facility may not remove postings of positive cases until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member.
  - f. Proof of the completion of all notifications in 3(a)-3(d) shall be provided to Dallas County Health and Human Services within six business hours of the identification of a resident's diagnosis of COVID-19. For purposes of this subsection, business hours are from 8 a.m. to 6 p.m.
4. After the first positive test of a staff member or resident, a Facility must test all residents and staff of the Facility for COVID-19. Facilities with current positive cases and that have not done comprehensive testing must conduct an assessment of their current infection levels by testing all staff and residents who were either not previously tested or were tested previously but are now exhibiting symptoms of COVID-19. Facilities must coordinate testing of Facility staff and residents with Dallas County Health and Human Services.
- a. Facilities must provide Dallas County Health and Human Services, or any provider performing testing on behalf of DCHHS, access to residents and staff for COVID-19 testing.
  - b. Facilities cannot deter residents or staff from receiving a COVID-19 test.
5. If a Facility has any resident with a diagnoses of COVID-19, the Facility shall institute the following measures within the same level of care:
- a. All health care personnel must wear facemasks while in the Facility and consider having all health care personnel wear all recommended personal protective equipment ("PPE") (gown, gloves, eye protection, N95 respirator or, if not available, a facemask) for the care of all residents, regardless of presence of symptoms. The Facility should also implement protocols for extended use of eye protection and facemasks. The Facility shall insure that all health care personnel must have temperature and symptom





- checks prior to each shift. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b. The facility will be closed to new admissions and will also close all services, including outpatient rehabilitation. Facilities cannot accept new admissions until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member. This provision does not apply to (i) a COVID-19 Facility, as designated by the Dallas County Health Authority, which receives convalescing COVID-19 patients from acute care hospitals; or (ii) upon approval of the Dallas County Health Authority, a Facility with a specific wing or unit where COVID-19 residents are cohorted in isolation separated from the rest of the Facility pursuant to CDC guidelines, to include separate entrance/exit from the rest of the Facility with dedicated direct care staff.
- c. Any and all of the staff at the Facility shall not work at any Facility other than the impacted Facility, and the administrator any Facility shall keep a list of all employees who have worked at any other Facilities, including the name and contact information for the administrator at the other Facility.
6. Hospitals and surgical centers shall test all patients for COVID-19 before referring the patient to a Facility.
- a. Hospitals and surgical centers shall test patients for COVID-19 regardless of whether the patient is exhibiting symptoms or not.
- b. Hospitals and surgical centers shall provide the patient's COVID-19 test results in writing to the referring Facility before the patient may be transferred from the hospital or surgical center to the Facility.
7. Any standards prohibiting improper transfer of patients under this Order will be strictly enforced.
8. If a Facility has any resident with a diagnoses of COVID-19, the Facility may allow transfer of a resident to home care, but only after a patient has been tested as negative for COVID-19. In the case of such a transfer, the Facility must provide a copy of this order to those in the household to which the resident is being transferred. Those persons in the household to which the resident is transferred are ordered to isolate at home for 14 days. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
9. If a Facility has any resident with a diagnosis of COVID-19, the Facility may allow transfer of a resident to a hospital, but only after the Facility has provided notice to the receiving hospital that the patient is coming from a Facility with identified COVID-19. If the patient is transferred by ambulance, the Facility must also provide notice to the ambulance providers that the patient is coming from a Facility with identified COVID-19. The hospital may transfer the resident back to the same Facility that initially transferred the patient.
10. Facilities can accept convalescing (recovering) patients with COVID-19 if they are no longer deemed infectious as per CDC and local health authority guidelines.



11. Facilities can accept new admissions if the individuals are transferred from a facility closed by state health authorities.
12. The Facility shall inform the Texas Health and Human Services Commission of all COVID-19 cases, the same day of identification of each new case. The notification must also include a tally of total cases.
13. The City of Lancaster must promptly provide copies of this Order by posting on the City of Lancaster's website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is required to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**IT IS SO ORDERED**

**CLYDE C. HAIRSTON  
MAYOR, CITY OF LANCASTER**

May 20, 2020



## **CITY OF LANCASTER ORDER OF CONTINUANCE OF DECLARATION OF LOCAL DISATER FOR PUBLIC HEALTH EMERGENCY**

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, symptoms of COVID-19 include fever, coughing, and shortness of breath. In some cases, the virus has caused death; and

WHEREAS, on March 12, 2020, Lancaster Mayor Clyde C. Hairston proclaimed a Declaration of Local Disaster for Public Health Emergency ("Local Disaster Declaration") activating the City of Lancaster emergency management plan; and

WHEREAS, on March 13, 2020 the Governor of the State of Texas issued a proclamation declaring a state of disaster for all the counties in Texas; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic; and

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules are followed; and

WHEREAS, on April 12, 2020, Governor Abbott issued a proclamation renewing the disaster declaration for all Texas counties until 11:59 p.m. on May 11, 2020; and

WHEREAS, on May 12, 2020, Governor Abbott issued a proclamation renewing the disaster declaration for all Texas counties; and

WHEARAS, Lancaster Mayor Clyde C. Hairston has determined that extraordinary measures must be taken to contain, mitigate, and prevent the spread of COVID-19 in Dallas County and to facilitate the efficient, rapid, and cooperative response to the emergency;

NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY LANCASTER MAYOR CLYDE C. HAIRSTON that:

1. That a local state of disaster for public health emergency is hereby declared for the City of Lancaster, Texas, pursuant to section 418.108(a) of the Texas Government Code, on March 12, 2020.

May 27, 2020 1:00 p.m.

2. On March 19, 2020, the local state of disaster was continued until 11:59 p.m. on April 3, 2020, with the consent of the Dallas County Commissioners
3. On April 3, 2020, the local state of disaster was continued until 11:59 p.m. on May 20, 2020, with the consent of the Dallas County Commissioners
4. The Continuance of Declaration of Local Disaster for Public Health Emergency shall be given prompt and general publicity and shall be filed promptly with the Lancaster City Secretary's office.
5. The Continuance of Declaration of Local Disaster for Public Health Emergency affirms the activation of the City of Lancaster Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on June 30, 2020 unless rescinded by the order of the Lancaster City Council.

ORDERED this 27<sup>th</sup> of May 2020.

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Clyde C. Hairston  
Mayor, City of Lancaster

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David T. Ritter  
City Attorney

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Sorangel Arenas  
City Secretary

May 27, 2020 1:00 p.m.

## LANCASTER CITY COUNCIL

### City Council Special Meeting

3.

**Meeting Date:** 06/01/2020

**Policy Statement:** This request supports the City Council 2019-2020 Policy Agenda

**Goal(s):** Effective Municipal Operations  
Financially Sound City Government  
Healthy, Safe & Engaged Community

**Submitted by:** Carey Neal, Assistant to the City Manager

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#### **Agenda Caption:**

Discuss and consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and Dallas County to receive allocated Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds to cover eligible expenses and cost incurred due to the COVID-19 global health crisis.

#### **Background:**

On May 11, 2020, the State of Texas announced the distribution of Coronavirus Relief Funds (CRF), created within the CARES Act, to provide financial resources to state and local governments. The State of Texas received a direct allocation of approximately \$11.24 billion from the United States Department of Treasury for coronavirus related expenses. Consistent with CARES Act, forty-five percent (45%) of the total \$11.24 billion state allocation, approximately \$5.06 billion, was made available to local governments. Of that \$5.6 billion, \$3.2 billion was directly issued to six (6) cities and twelve (12) counties in Texas with a population greater than 500,000. Approximately, \$1.85 billion of the funds were remaining that the state made available to the cities and counties in the rest of the state. Within the State of Texas, 242 counties fall below the 500,000 population mark; therefore, each of those cities and counties are eligible to apply to the state for per capita allocation from the 1.85 billion. Twelve (12) counties exceeding the 500,000 population received direct funding from the State of Texas based on the funding formula provided in the CARES Act. The cities with a population of less than 500,000 population within the twelve (12) counties exceeding 500,000 population are encouraged to work with the county to receive funding for their city; the cities are not eligible to request funding from the state.

On May 19, 2020, Dallas County Commissioner Court unanimously approved a court order to allocate CARES Act funds to eligible cities within Dallas County in reference to the Governor's allocation guidance. For the City of Lancaster, the total population number of 38,400 was utilized to determine the city's two allocated amounts for direct payment and maximum reimbursement amount. Dallas County will issue funds in two forms, the first being a 20% initial direct payment the second form being the remaining 80% eligible to cities by reimbursement request. Funds will be disbursed from Dallas County CARES Funds to Dallas County Cities based on the funding formula of \$55 per capita for each city.

The estimated upfront cost Dallas County will be issuing to Dallas County Cities is \$14,507,581; of that amount, the City of Lancaster will receive the direct funding amount of \$422,400. The estimated total amount of Dallas County Funds that will be available for Dallas County Cities reimbursement is \$72,537,905; of that amount, the City of Lancaster is eligible to request reimbursement up to an amount of \$1,689,600.

#### **Operational Considerations:**

These funds may only be utilized for direct COVID-19 expenditures.

**Legal Considerations:**

The City Attorney has reviewed and approved the resolution, as to form.

**Public Information Considerations:**

This item is being considered at a special meeting of the City Council noticed in accordance with the Texas Open Meetings Act.

**Fiscal Impact:**

The City's operational budget for the current and upcoming fiscal year will take a significant loss due to expenses and cost incurred preparing, preventing, and responding to COVID-19. The City will receive \$422,400, which is 20% of the city's funding amount, from Dallas County. Under the Terms and Conditions, the City must distribute funds according to the Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments, herein referred to as Exhibit A. Exhibit A states "funds may only be used to cover costs that 1.) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease (COVID-19); 2.) were not accounted for in the budget most recently approved as of March 27, 2020 (date of CARES Act enactment) for the State or government; and 3). were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020."

The City shall not be permitted to duplicate any efforts Dallas County is undertaking from the County's CARES Act funding programs.

The City shall keep the County informed of all expenditures made under this Agreement on a monthly basis during the Term in any format of report or reporting as determined in the County's sole discretion.

The City shall comply with the terms, conditions, and structure of funding formula.

The City shall return any unspent funds to the County by December 11, 2020.

**Options/Alternatives:**

1. City Council may approve the resolution, as presented.
2. City Council may deny the resolution.

**Recommendation:**

Staff recommends the approval of the resolution, as presented.

**Attachments**

Resolution  
Exhibit A

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**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF LANCASTER, TEXAS, AND DALLAS COUNTY TO RECEIVE ALLOCATED CARES ACT FUNDS TO COVER CITY EXPENSES AND COSTS INCURRED DUE TO THE EFFECT OF COVID-19; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 791 of the Texas Government Code allows local governments to enter into contracts regarding administrative functions to maximize the efficiency and effectiveness of local governments; and

**WHEREAS**, Dallas County desires to distribute CARES Act funds to eligible cities within Dallas County to offset eligible expenses and costs incurred due to the COVID-19 global health crisis; and

**WHEREAS**, Dallas County will allocate funds based on a funding formula of \$55 per capita, in which the City of Lancaster will receive an amount based on the City population of 38,400; and

**WHEREAS**, Dallas County will distribute twenty-percent (20%) of the total allotment to the City of Lancaster in the amount of \$422,400; and thereafter the City is eligible to request the remaining eighty percent (80%) of allocated funds in an amount no to exceed \$1,689,600; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** That the Dallas County CARES Act Funding Interlocal Agreement for Fiscal Year 2019-2020, attached hereto and referenced as Exhibit "A", having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens, and the same is hereby, in all things approved.

**SECTION 2.** That the City Manager of the City of Lancaster, Texas, is hereby authorized to execute said agreement.

**SECTION 3.** That any prior resolution of the City Council in conflict with the provisions contained in this resolution are hereby repealed and revoked.

**SECTION 4.** That should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

**SECTION 5.** That this resolution shall take effect immediately from and after its passage, and it is duly resolved.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 1st day of June, 2020

**ATTEST:**

**APPROVED:**

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Sorangel O. Arenas, City Secretary

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Clyde C. Hairston, Mayor

**APPROVED AS TO FORM:**

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David T. Ritter, City Attorney

THE STATE OF TEXAS	§
	§
	§
THE COUNTY OF DALLAS	§

**DALLAS COUNTY CARES ACT FUNDING  
INTERLOCAL AGREEMENT**

**1. RECITALS:**

This Agreement is entered into by and between Dallas County, Texas (hereinafter, "County"), acting by and through the Dallas County Commissioners Court (hereinafter, "Commissioners Court") located at 411 Elm Street, 2<sup>nd</sup> Floor, Dallas, Texas 75202, and the City of Lancaster, Texas, located at 211 N. Henry St, PO Box 940, Lancaster, TX, 75146 (hereinafter "City") or individually as a "Party" or collectively the "Parties" for certain management services, as identified in this Agreement under authority of Texas Government Code, Chapter 791, for certain management services, as identified in Section 5 (Scope of Services) of this Agreement.

WHEREAS, the City is a "local government" as defined by Texas Government Code § 791.003(4) (A) and desires to enter into this Agreement pursuant to Texas Government Code, Chapter 791; and

WHEREAS, the County is in receipt of funds from the United States Treasury Department under the Coronavirus Aid, Relief, and Economic Security Act also known as the "CARES Act"; and

WHEREAS, the County desires to contract, with the City for the administration of the distribution of some of Dallas County's CARES Act funds by providing funds to the City for authorized CARES Act activities; and

WHEREAS, the County has the authority under Chapter 791, Texas Government Code to contract with other local governments for government functions and services; and

WHEREAS, the County wishes to engage the services of the City for the administration of the distribution of a portion of the County's CARES Act funds in accordance with the Guidance from the United States Treasury Department; and

WHEREAS, the City is capable of providing the services and related activities for the appropriate distribution of CARES Act funds; and

WHEREAS, on March 12, 2020, the Dallas County Judge declared a local state of disaster for a public health emergency in relation to COVID-19; and



WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States declared a national emergency in relation to COVID-19; and

WHEREAS, the Governor of Texas, on March 13, 2020, invoked Texas Government Code § 418.017 in his state-wide disaster declaration, to “authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster”, and

WHEREAS, some local businesses and residents have experienced extraordinary economic strain due to state and local regulations related to the COVID-19; and

WHEREAS, the County finds that the expenditure of public funds in support of the operations of the City’s businesses and residents, especially in this time of a pandemic crises, accomplishes a valid public purpose of protecting the Dallas County economy and the economic welfare of the residents of Dallas County; and

WHEREAS, the City will serve a benefit to all Dallas County residents during this pandemic, providing essential assistance to residents and businesses within the City; and

WHEREAS, the Parties desire to enter into this Agreement for the purposes stated herein; and

WHEREAS, these Recitals are incorporated into this Agreement and are expressly made a part of this Agreement; and

NOW THEREFORE, in consideration of the promises and agreements hereinafter set forth, the Parties agree as follows:

## **2. TERM:**

The term of this Agreement shall begin upon day this Agreement last executed by the Parties and continue until the services are rendered and the CARES Act funds under this Agreement are distributed, unless terminated earlier under any provision hereof. Notwithstanding the foregoing, the services and deliverables herein shall be completed by November 30, 2020 (the “Term”).

## **3. INCORPORATED DOCUMENTS:**

The following documents are incorporated by reference as if fully reproduced herein:

- (a) **Exhibit A-** Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments from the United States Treasury Department.

#### 4. ORDER OF PRECEDENCE:

In the event of any conflict or inconsistency between or among the provisions of this Agreement or any incorporated or referenced document or any exhibit, attachment, or associated document, such conflict or inconsistency shall be resolved in the following order of precedence: (1) this Agreement and any subsequent amendments; then (2) Exhibit A.

#### 5. CITY'S SCOPE OF SERVICES AND OBLIGATIONS:

- (a) The City shall distribute the CARES Act funds provided by the County in accordance with the guidance as detailed in the attached and incorporated **Exhibit A**.
- (b) The City may choose to set up programs such as housing assistance for its residents and grants and loans for its businesses.
- (c) The City shall only disburse the CARES Act funds within its municipal corporate limits to eligible residents and individuals as determined by the City in compliance with the guidance in **Exhibit A**.
- (d) The City shall not be permitted to duplicate any efforts the County is undertaking for the County's CARES Act funding programs. For example, the County is beginning emergency assistance programs for daycare facilities, small business loans and grants, and emergency housing and rental assistance for residents. For purposes of clarity, if a resident is a recipient of assistance from a County program, then the resident shall be automatically disqualified from the any further City assistance with CARES Act funds. The same disqualification shall apply to businesses within the City.
- (e) The City shall keep the County informed of all expenditures made under this Agreement on a monthly basis during the Term in any format of report or reporting as determined in the County's sole discretion.
- (f) The City shall comply with the terms, conditions, and structure of the Funding Formula in Section 6 below.
- (g) The City shall return any unspent funds to the County by December 11, 2020.

#### 6. COUNTY'S OBLIGATIONS:

County agrees to perform the following:

- (a) Dallas County will assist City in scheduling appointments with key County personnel and employees;
- (b) Dallas County shall maintain supervisory control of the ultimate disbursement of funds under any program or disbursement approved by the City;
- (c) Dallas County will provide funding in an amount of up to of **fifty-five dollars (\$55)** per City resident based on the 2019 estimated population. The estimated population under this formula and the amount of funds provided to City shall be in the sole discretion of the County (hereinafter "Funding Formula").
  - 1. Under this Funding Formula, the County will provide **twenty percent (20%)** of the eligible funds under this Agreement to the

City upon execution of this Agreement. The City may apply for the further disbursement of funds for specific projects, programs, or purchases from the County for the remaining **eighty percent (80%)** of the eligible funding under this Funding Formula during the duration of this Agreement.

2. For the remaining **eighty percent (80%)** under this Funding Formula, the City shall seek pre-approval from the County for any proposed program, initiative, or disbursement of funds. Once written approval is obtained from the County, the City may seek a disbursement for that specific program, initiative, or project from the County.

## **7. TERMS AND CONDITIONS:**

County agrees to provide CARES Act funding to City for approved budget expenses incurred and for documented units of services performed, subject to the following limitations:

- (a) Not to Exceed Amount. City understands and agrees that the maximum total amount payable for the services and funds distributed described herein shall not exceed **the amount as determined by the Funding Formula detailed in Section 6(c) above** (hereinafter “Not to Exceed Amount”) unless a formal written amendment is executed by the Parties hereto and is formally approved by the Commissioners Court. County shall not pay for any services nor distribute any funds that would cause the amounts described herein in excess of the Not to Exceed Amount. Within this Not to Exceed Amount the City may fund its internal and indirect costs for administering the CARES Act funds in an amount not to exceed **ten percent (10%)** of all funds received under this Agreement.
- (b) City agrees to submit complete, fully documented, and accurate itemized invoices, receipts, and other appropriate documentation, as required by County, following the completion of the services and disbursement of the funds. Specifically, the invoices, receipts, and other documentation shall be itemized and include supporting documentation and any management fees. Within the supporting documentation the subcontractor invoices shall be included, if any. All required documentation shall be submitted on the first day of each month during the Term of this Agreement as expenses are incurred or funds are disbursed. All documentation submitted shall represent the services rendered and funds disbursed by Contractor for the previous month.
- (c) **Twenty percent (20%)** of the available funds under this Agreement and the Funding Formula will be made to the City upon execution of the Agreement. The City may apply for further funds of the remaining **eighty percent (80%)** as described in the Funding Formula through the duration of this agreement. The County may in its sole discretion disallow or refuse to fund any activity for which further funding is sought by the City that is not in compliance with **Exhibit A**. Further, the County may withhold further funding from the City if the City fails to comply with County’s reporting requirements, performance objectives, or other

requirements relating to City's performance of work, deliverables, and services under this Agreement. County shall pay the City only for those reimbursable costs that are allowable under applicable rules and regulations, as stated in this Agreement. Should the United States Treasury Department, the United States Congress, the Executive Branch of Federal Government, the Federal Judiciary, or any other Federal Agency with jurisdiction issue further guidance on the appropriate use of the CARES Act funds, that further guidance shall be automatically incorporated into this Agreement in **Exhibit A** without the need for a formal amendment. County shall have the right to withhold all or part of any reimbursement funds to the City to offset any reimbursement made to City for ineligible expenditures or undocumented units of services billed as determined by the County in its sole discretion.

- (d) City understands and agrees that all documentation must be submitted to County on a rolling monthly basis during the Term of this Agreement. All receipts and expenditures must have appropriate supporting documentation before such billings will be approved.
- (e) The Dallas County Auditor is responsible for monitoring fiscal compliance activities and shall resolve any dispute between the Parties regarding County's payments to City for services rendered under this Agreement.
- (f) Prior Debts. County shall not be liable for costs incurred or performances rendered by City before or after the Term; for expenses not billed to County within the applicable time frames set forth in this Agreement; or for any payment for services or activities not provided pursuant to the terms of this Agreement.
- (g) Refund provision. The County shall have the right to demand repayment of any funds paid to City for services rendered or funds disbursed that did not comply with the terms of this Agreement or that were determined to be ineligible expenditures by the County or the Federal Government. The City shall promptly refund any monies previously paid or disbursed by County that the County, in its sole discretion, determines were used for services or activities that were not in compliance with this Agreement.

## **8. REPORTING AND ACCOUNTABILITY:**

- (a) Reporting. City agrees to submit all required documentation and reports on a timely basis and in accordance with the specified time frames pursuant to this Agreement. Penalties for delinquent reporting may include withholding of payments until such time all reports are received, cancellation and/or termination of this Agreement with no obligation to pay for undocumented or ineligible services, or both.
- (b) Access to Records. City agrees that County, or any of its duly authorized representatives, or the Federal Government has the right of timely and unrestricted access to any books, documents, papers, reports, or other records of City that are pertinent to the fulfillment of the requirements of this Agreement, in order to make audit, examinations, excerpts, transcripts, and copies of such documents. This right also includes timely and reasonable

access to City's personnel for the purpose of reviewing, interviewing, evaluating, and monitoring related to such documents. All such items shall be furnished to the County in Dallas County, Texas.

- (c) Ownership. City agrees that all information, data, and supporting documentation that relates to the services provided hereunder shall remain the property of City.
- (d) Maintenance of Records. City's records, books, and other documents reasonably related to this Agreement shall be kept and maintained in standard accounting form. Such records, books, and documents shall be made available in Dallas County subject to inspection by County or authorized County personnel upon request.
- (e) Audit. The Dallas County Auditor, its assigns, or any other governmental entity approved by County shall have the unrestricted right to audit all data or documents related to this Agreement. Such data shall be furnished in Dallas County at a mutually convenient time within a reasonable time. Should County determine it reasonably necessary, City shall make all of its records, books, and documents reasonably related to this Agreement available to authorized County personnel, at reasonable times and within reasonable periods, for inspection or auditing purposes or to substantiate the provisions of services under this Agreement.
- (f) Retention of Records. All records, books, and documents reasonably related to this Agreement shall be maintained and kept by City for a minimum of four (4) years and ninety (90) days after termination or expiration of this Agreement. If any litigation, claim, or audit involving these documents or records begins before the specified period expires, City must keep the records and documents for not less than four (4) years and ninety (90) days and until all litigation, claims, or audit findings are resolved, whichever is later. **City is strictly prohibited from destroying or discarding any records, books, or other documents reasonably related to this Agreement, unless the time period for maintaining such under this subsection (f) has lapsed.**

## 9. CONFIDENTIALITY:

- (a) City shall not disclose privileged or confidential communications or information acquired in the course of the performance under this Agreement, unless authorized by law. City agrees to adhere to all confidentiality requirements, as applicable, for performance under this Agreement.
- (b) Public Information Act. The Parties acknowledge and agree that County and City are subject, as a matter of law, to Texas Government Code, Chapter 552, also known as the "Texas Public Information Act" (hereinafter "Public Information Act"). Notwithstanding any other provision, the Parties agree that in the event that any provision of this Agreement, or other documents related to this Agreement, including, but not limited to, any exhibit, attachment, amendment, addendum, or other incorporated document, is in conflict with the Public

Information Act, such provision shall be of no force or effect. Furthermore, it is expressly acknowledged and agreed that the County, County Commissioners Court, County Judge, Elected County Officials, County Department Heads and County Employees (hereinafter "County Requestors") may request advice, decisions and opinions of the Attorney General of the State of Texas in regard to the application of the Public Information Act to any software, hardware, firmware, or any part thereof, or other equipment or item, data or information, or any other thing or item furnished to or in the possession or knowledge of County. It is further acknowledged and agreed that the County Requestors have the right and obligation by law to rely on the advice, decisions and opinions of the Texas Attorney General. City hereby releases the County Requestors from any and all liability or obligation of any type, kind or nature regarding any disclosure of any software, hardware, firmware, or any part thereof, or other equipment or item, data or information, or any other thing or item furnished by City or in the possession or knowledge of the County that is determined by County or in reliance on any advice, decision or opinion of the Texas Attorney General to be available to the public or any persons.

- (c) Any Public Information Act request received by the City or County for documents related to this Agreement or any program undertaken pursuant to this Agreement shall be handled by the entity who received the Public Information Act request.
- (d) Notwithstanding the foregoing, the Parties agree, to the extent permitted by the Public Information Act, to keep confidential (and store in a secure area with limited access) and will not copy, publish, sell, exchange, disclose, or provide to others or use any information, documents or data, provided to or disclosed to the other Party, or any information related to this Agreement, including, but not limited to, any exhibit, attachment, amendment, addendum, or other incorporated document, for any purposes other than performing each Party's obligations under this Agreement.

#### **10. INDEMNIFICATION:**

**THE PARTIES AGREE TO BE RESPONSIBLE EACH FOR THEIR OWN NEGLIGENT ACTS OR OMISSIONS, OR OTHER TORTIOUS CONDUCT IN THE COURSE OF PERFORMANCE OF THIS AGREEMENT WITHOUT WAIVING ANY SOVEREIGN IMMUNITY, GOVERNMENTAL IMMUNITY OR OTHER DEFENSES AVAILABLE TO THE PARTIES UNDER FEDERAL OR STATE LAW. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, IN OR TO ANY THIRD PERSONS OR ENTITIES. THE PARTIES AGREE THAT ANY SUCH LIABILITY OR DAMAGES OCCURRING DURING THE PERFORMANCE OF THIS AGREEMENT CAUSED BY THE JOINT OR COMPARATIVE NEGLIGENCE OF THE PARTIES, OR THEIR EMPLOYEES, AGENTS OR OFFICERS, SHALL BE DETERMINED IN ACCORDANCE WITH COMPARATIVE RESPONSIBILITY LAWS OF TEXAS.**

## **11. INSURANCE:**

City and County agree that they will, at all times during the Term of this Agreement, maintain in full force and effect insurance or self-insurance to the extent permitted by applicable laws, and that is maintained at appropriate levels of insurance commensurate with each Party's obligations hereunder and in accordance with sound accounting practices. City and County will be responsible for their respective costs of such insurance, any and all deductible amounts in any policy and any denials of coverage made by their respective insurers.

## **12. EXPENSES**

Unless prior written approval by County is obtained or otherwise detailed in this Agreement, City shall be responsible for all mileage and other miscellaneous expenses related to the fulfillment of the requirements of this Agreement. Mileage and other miscellaneous expenses shall be included in the Not to Exceed Amount.

## **13. TERMINATION:**

- (a) Suspension. Should County desire to suspend the services, but not terminate the Agreement, County shall issue a written order to stop work. The written order shall set out the terms of the suspension. The City shall stop all services as set forth in this Agreement and will cease to incur costs to County or disburse funds during the term of the suspension. City shall resume work when notified to do so by County in a written authorization to proceed. If a change in the terms and conditions of payment for services of this Agreement is necessary because of a suspension, a mutually agreed contract amendment will be executed in accordance with this Agreement.
- (b) Termination. The County, at its option and without prejudice to any other remedy to which it may be entitled to at law or in equity, or elsewhere under this Agreement, terminate this Agreement, in whole or part, by giving thirty (30) days prior written notice thereof to the City with the understanding that all services being performed under this Agreement shall cease upon the date specified in such notice. In the event of cancellation, City shall cease any and all services under this Agreement or disbursement of funds on the date of termination and to the extent specified in the notice of termination. Upon receipt of such notice, City shall not incur any new obligations or perform any additional services and shall cancel any outstanding obligations or services to be provided. Upon termination of this Agreement as herein above provided, any and all unspent funds that were paid or provided by County to City under this Agreement and any and all County data, documents and information in City's possession shall be returned to County within five (5) working days of the date of termination. In no event shall County's termination of this Agreement, for any reason, subject County to liability.
  - 1. Without Cause: This Agreement may be terminated, in whole or in part, without cause, by County upon thirty (30) days prior written notice to the City.

2. With Cause: County reserves the right to terminate this Agreement immediately, in whole or in part, at its sole discretion, for the following reasons:
- A. Lack of, or reduction in, funding or resources in accordance with Section 29 (Fiscal Funding Clause);
  - B. Non-performance by City or City's failure or inability to perform or substantially perform, for whatever reason, the services required or funds to be disbursed under this Agreement;
  - C. City's improper, misuse or inept use of CARES Act funds under this Agreement;
  - D. City's failure to comply with the terms and provisions of this Agreement;
  - E. City's submission of invoices, data, statements and/or reports that are incorrect, incomplete, or false in any way;
  - F. City's failure to comply with County's reporting requirements, the program objectives, the terms, conditions, or standards of this Agreement, applicable federal, state, or local laws, rules, regulations and ordinances, or any other requirement set forth in this Agreement;
  - G. City's failure to perform the work and services required by this Agreement within the time specified herein or any extension thereof;
  - H. City's inability to perform under this Agreement due to judicial order, injunction or any other court proceeding.

**14. NOTICE:**

Any notice to be given under this Agreement shall be deemed to have been given if reduced to writing and delivered in person or mailed by overnight or Registered Mail, postage pre-paid, to the party who is to receive such notice, demand or request at the addresses set forth below. Such notice, demand or request shall be deemed to have been given three (3) days subsequent to the date it was so delivered or mailed.

**TO COUNTY:**

Judge Clay Jenkins  
Dallas County  
411 Elm St. 2<sup>nd</sup> Floor  
Dallas County, Texas 75202  
(214) 653-6018 (office)

**TO CITY:**

Opal Mauldin-Jones  
City Manager  
City of Lancaster  
211 N Henry St, PO BOX 940  
Lancaster, TX 75146  
(972)218-1300 (office)



(214) 653-7449 (fax)

**With a copy to:**

Russell Roden  
Chief, Civil Division  
Dallas County District Attorney's Office  
411 Elm Street, 5<sup>th</sup> Floor  
Dallas, Texas 75202

**15. SEVERABILITY:**

If any provision of this Agreement is construed to be illegal or invalid, this will not affect the legality or validity of any of the other provisions in this Agreement. The illegal or invalid provision will be deemed stricken and deleted, but all other provisions shall continue and be given effect as if the illegal or invalid provisions had never been incorporated.

**16. IMMUNITY:**

**This Agreement is expressly made subject to County's Sovereign Immunity, Title 5 of the Texas Civil Practices and Remedies Code and the City's governmental immunity, and all applicable federal and state law. The Parties expressly agree that no provision of this Agreement is in any way intended to constitute a waiver of any immunities from suit or from liability that the County or City has by operation of law.**

**17. COMPLIANCE WITH LAWS:**

In providing services required by this Agreement, City must observe and comply with all applicable federal, state, and local statutes, ordinances, rules, and regulations. City shall be responsible for ensuring its compliance with any laws and regulations applicable to its operations and functions.

**18. GOVERNING LAW AND VENUE:**

The validity and interpretation of this Agreement, and the rights and obligations of the Parties hereunder, shall be governed by and construed in accordance with the laws of the State of Texas and any applicable guidance from the Federal Government or Federal Agency. This Agreement is performable and enforceable in Dallas County, Texas where the principal office of County is located and the state or federal courts of Dallas County shall be the sole and exclusive venue for any litigation, special proceeding, or other proceeding as between the Parties that may be brought, or arise out of, in connection with, or by reason of this Agreement.

#### **19. AMENDMENTS AND CHANGES IN THE LAW:**

No modification, amendment, novation, renewal or other alteration of this Agreement shall be effective unless mutually agreed upon in writing and executed by the Parties hereto. Any alteration, addition or deletion to the terms of this Agreement which are required by changes in federal law, federal guidance, or state law are automatically incorporated herein without written amendment to this Agreement and shall be effective on the date designated by said law or guidance.

#### **20. THIRD PARTIES:**

The obligations of each Party to this Agreement shall inure solely to the benefit of the other Party, and no other person or entity shall be a third party beneficiary of this Agreement or have any right to enforce any obligation created or established under this Agreement.

#### **21. ASSIGNMENT:**

City may not assign its rights and duties under this Agreement. Any assignment attempted shall be null and void.

#### **22. CONTRA PROFERENTUM:**

The doctrine of contra proferentum shall not apply to this Agreement. If an ambiguity exists in this Agreement, the Agreement shall not be construed against the Party who drafted the Agreement and such Party shall not be responsible for the language used.

#### **23. ENTIRE AGREEMENT:**

This Agreement, including its Attachments, Exhibits, and Addendums incorporated as a part hereof, shall constitute the entire agreement relating to the subject matter hereof between the Parties hereto and supersedes any other agreement concerning the subject matter of this transaction, whether oral or written, and except as otherwise provided herein, this Agreement may not be modified without prior written agreement of the Parties. Each Party acknowledges that the other Party, or anyone acting on behalf of the other Party has made no representations, inducements, promises or agreements, orally or otherwise, unless such representations, inducements, promises or agreements are embodied in this Agreement, expressly or by incorporation.

#### **24. BINDING EFFECT:**

This Agreement and the respective rights and obligations of the Parties hereto shall inure to the benefit and be binding upon the successors and assigns of the Parties hereto, as well as the Parties themselves.

## **25. REMEDIES/WAIVER OF BREACH:**

Pursuit of any remedy provided in this Agreement shall not preclude pursuit of any other remedies herein provided or any other remedies provided by law or equity, including injunctive relief, nor shall pursuit of any remedy herein provided constitute a forfeiture or waiver of any obligation of the defaulting Party hereunder or of any damages accruing by reason of the violation of any of the terms, provisions, and covenants herein contained. No waiver of any term, covenant, condition or violation of this Agreement shall be deemed or construed to constitute a waiver of any other violation or breach of any of the terms, provisions, and covenants herein contained, and forbearance to enforce one or more of the remedies herein provided upon an event of default shall not be deemed or construed to constitute a waiver of such default. Any waiver of any provision of this Agreement or violation thereof must be by a written instrument.

## **26. FEDERAL FUNDED PROJECT:**

If this Agreement is funded by the federal government; therefore, the City agrees to timely comply, without additional cost or expense to County, unless otherwise specified herein, with any statute, rule, regulation, grant, contract provision, subsequent federal guidance or other state or federal law, rule, regulation, or other similar restriction that imposes additional or greater requirements than stated herein and that is directly applicable to the services rendered or funds provided under the terms of this Agreement.

## **27. DEFAULT/CUMULATIVE RIGHTS/MITIGATION:**

It is not a waiver of default if the non-defaulting party fails to immediately declare a default or delays in taking any action. The rights and remedies provided by this Agreement are cumulative, and either Party's use of any right or remedy will not preclude or waive its right to use any other remedy. These rights and remedies are in addition to any other rights the Parties may have by law, statute, ordinance or otherwise. City and County both have a duty to mitigate damages.

## **28. PREVENTION OF FRAUD AND ABUSE:**

City shall establish, maintain and utilize internal management procedures sufficient to provide for the proper, effective management of all activities funded under this Agreement. Any known or suspected incident of fraud or program abuse involving City's employees or agents shall be reported immediately to the County by City. Moreover, City warrants that it is not listed on a local, county, state or federal consolidated list of debarred, suspended and ineligible contractors and grantees. City and County agree that every person who, as part of their employment, receives, disburses, handles or has access to funds collected pursuant to this Agreement does not participate in accounting or operating functions that would permit them to conceal accounting records and the misuse of said funds. City shall, upon notice by County, refund expenditures of the City that are contrary to this Agreement and deemed inappropriate by the County.

## **29. FISCAL FUNDING CLAUSE:**

Notwithstanding any provisions contained herein, the obligations of the County under this Agreement is expressly contingent upon the availability of funding for each item and obligation contained herein for the term of the Agreement and any extensions thereto. City shall have no right of action against County in the event County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding for any item or obligation from any source utilized to fund this Agreement or failure to budget or authorize funding for this Agreement during the current or future fiscal years. In the event that County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding, or if funds become unavailable, County, at its sole discretion, may provide funds from a separate source or may terminate this Agreement by written notice to City at the earliest possible time.

## **30. COUNTERPARTS, NUMBER/GENDER AND HEADINGS:**

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Words of any gender used in this Agreement shall be held and construed to include any other gender. Any words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise. Headings herein are for the convenience of reference only and shall not be considered in any interpretation of this Agreement.

## **31. INDEPENDENT CONTRACTOR:**

City, including its employees, agents or licensees, is an independent contractor and not an agent, servant, joint enterprise or employee of the County, and is responsible for its own acts, omissions, forbearance, negligence and deeds, and for those of its agents or employees in conjunction with the performance of services or disbursement of funds covered under this Agreement, and shall be specifically responsible for sufficient supervision and inspection to ensure compliance in every respect with the contract requirements. There shall be no contractual relationship between any subcontractor, agent, employee or supplier of the City and the County by virtue of this Agreement.

## **32. SUBCONTRACTING:**

The costs of all subcontracted services are included in the fees distributed herein. Subcontracts entered into by the City will be in writing and subject to all requirements herein. City agrees that it will solely be responsible to County for the performance of this Agreement. City shall pay all subcontractors in a timely manner. County shall have the right to prohibit City from using any subcontractor.

## **33. PROMPT PAYMENT ACT:**

City agrees that a temporary delay in making payments due to the County's accounting and

disbursement procedures shall not place the County in default of this Agreement and shall not render the County liable for interest or penalties, provided such delay shall not exceed thirty (30) days after its due date. Any payment not made within thirty (30) days of its due date shall bear interest in accordance with Chapter 2251 of the Texas Government Code.

### **34. TAX**

Dallas County, as a county of the State of Texas, is exempted from the payment of Texas state and local sales, excise, and use taxes pursuant to Tex. Loc. Gov't Code § 151.309, and shall therefore not be liable or responsible to the City for the payment of such taxes under this Agreement.

The fees paid to City pursuant to this Agreement are inclusive of any applicable sales, use, personal property or other taxes attributable to periods on or after the applicable effective date of this Agreement and based upon or measured by City's cost in acquiring or providing products and/or services and related materials and supplies furnished or used by City in performing his obligations hereunder, including all personal property and use taxes, if any, due on equipment or software owned by City.

City accepts full and exclusive liability for the payment of any and all contributions or taxes for Social Security, Workers' Compensation Insurance, Unemployment Insurance, or Retirement Benefits, Pensions, or annuities now or hereafter imposed under any state or federal laws which are measured by the wages, salaries, or other remuneration pay to persons employed by City for work performed under the terms of this Agreement.

### **35. SIGNATORY WARRANTY:**

The undersigned signatories for the Parties hereby represent and warrant that they are officers of their respective organizations for which they have executed this Agreement and that they have full and complete authorities to enter into this Agreement on behalf of their respective organizations and that the executions thereof are the acts of the parties involved and have been delivered and constitute legal, valid and binding obligations of the respective Parties.

### 36. ACCEPTANCES

By their signatures below, the duly authorized representatives of County and City accept the terms of this Agreement in full.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**DALLAS COUNTY:**

**CITY/ TOWN OF LANCASTER:**

\_\_\_\_\_  
**BY:** Clay Jenkins  
Dallas County Judge

\_\_\_\_\_  
**BY:** Opal Mauldin-Jones  
City Manager

**Recommended:**

**Recommended:**

\_\_\_\_\_  
**BY:** Darryl Martin  
Dallas County Administrator

\_\_\_\_\_  
**BY:** Sorangel O. Arenas  
City Secretary

**\*Approved as to Form:**  
**JOHN CREUZOT**  
**DISTRICT ATTORNEY**

**\*Approved as to Form:**

\_\_\_\_\_  
**BY:** Randall Miller  
Assistant District Attorney  
Dallas County DA's Office, Civil Division

\_\_\_\_\_  
**BY:** David T. Ritter, City Attorney

\*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

## **EXHIBIT A**

**Coronavirus Relief Fund**  
**Guidance for State, Territorial, Local, and Tribal Governments**  
**April 22, 2020**

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.<sup>1</sup>

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

***Necessary expenditures incurred due to the public health emergency***

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

***Costs not accounted for in the budget most recently approved as of March 27, 2020***

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost

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<sup>1</sup> See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.



is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

***Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020***

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

***Nonexclusive examples of eligible expenditures***

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
  - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
  - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
  - Costs of providing COVID-19 testing, including serological testing.
  - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
  - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
  - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
  - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
  - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
  - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
  - Expenses for public safety measures undertaken in response to COVID-19.
  - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
  - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
  - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
  - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
  - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
  - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
  - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
  - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
  - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
  - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

***Nonexclusive examples of ineligible expenditures<sup>2</sup>***

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.<sup>3</sup>
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

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<sup>2</sup> In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

<sup>3</sup> See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

City	Population Estimate		80% Cost	
	In Dallas County	20% Initial Funding	Reimbursements	Total Funding
Addison	15,790	173,690	694,760	868,450
Balch Springs	24,740	272,140	1,088,560	1,360,700
Carrollton*	51,117	562,287	2,249,148	2,811,435
Cedar Hill*	46,898	515,878	2,063,512	2,579,390
Cockrell Hill	4,190	46,090	184,360	230,450
Combine*	711	7,821	31,284	39,105
Coppell*	40,518	445,698	1,782,792	2,228,490
DeSoto	53,200	585,200	2,340,800	2,926,000
Duncanville	39,510	434,610	1,738,440	2,173,050
Famers Branch	31,780	349,580	1,398,320	1,747,900
Ferris*	2	22	88	110
Garland*	237,002	2,607,022	10,428,088	13,035,110
Glenn Heights*	9,038	99,418	397,672	497,090
Grand Prairie*	130,444	1,434,884	5,739,536	7,174,420
Highland Park	8,500	93,500	374,000	467,500
Hutchins	6,210	68,310	273,240	341,550
Irving	240,420	2,644,620	10,578,480	13,223,100
Lancaster	38,400	422,400	1,689,600	2,112,000
Lewisville	840	9,240	36,960	46,200
Mesquite*	144,928	1,594,208	6,376,832	7,971,040
Ovilla*	342	3,762	15,048	18,810
Richardson*	76,407	840,477	3,361,908	4,202,385
Rowlett*	52,285	575,135	2,300,540	2,875,675
Sachse*	16,219	178,409	713,636	892,045
Seagoville*	16,600	182,600	730,400	913,000
Sunnyvale	5,580	61,380	245,520	306,900
University Park	22,910	252,010	1,008,040	1,260,050
Wilmer	4,290	47,190	188,760	235,950
Wylie*	877	9,647	38,588	48,235
<b>TOTAL</b>	<b>1,319,748</b>	<b>14,507,581</b>	<b>58,030,324</b>	<b>72,537,905</b>

Population estimates as of Jan. 1, 2019 according to NCTCOG 2019 Population Estimates

\*Estimate adjusted for split city (boundaries in multiple counties - calculated by NCTCOG)