



FILED FOR RECORD
AT 4:16 O'CLOCK 7 M

JUN 29 2020

Eddie Treviño, Jr.
County Judge

Sylvia Garza-Perez
CAMERON COUNTY CLERK
By *[Signature]* Deputy

**SECOND AMENDED EMERGENCY MANAGEMENT
ORDER INCLUDING MANDATORY FACIAL
COVERINGS, CURFEW, LIMITATIONS ON
GATHERINGS, AND BEACH ACCESS CLOSURES
ISSUED JUNE 29, 2020**

WHEREAS, pursuant to Texas Government Code Section 418.108, Cameron County Judge Eddie Treviño, Jr., declared a state of local disaster on March 16, 2020, due to the imminent threat arising from COVID-19; and

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on March 21, 2020, the Cameron County Commissioners Court approved Cameron County Commissioners Court Order Extending Corona Virus/COVID-19 Disaster Declaration; and

WHEREAS, in accordance with Texas Government Code Section 418.108(b), Commissioners Court authorized the Cameron County Judge to continue to exercise the powers granted by the Texas Disaster Act of 1975 for the period specified in the order; and

WHEREAS, there currently still exists a declaration of public health disaster in and for the State of Texas as declared by Texas Governor Greg Abbott and the Texas Department of State Health Services (DSHS), and by approval of the Cameron County Commissioners Court which authorized the Cameron County Judge to take such actions as are necessary in order to protect the health and safety of the citizens of Cameron County by the issuance of orders; and

WHEREAS, the transmission of COVID-19 remains a significant threat to the health and safety of the community, rates of infection are increasing at an exponential rate, and according to the Cameron County Health Authority and the Administration of all the local hospitals and the number of people admitted to the hospital, ICU, or placed on ventilators is also dramatically rising; and

WHEREAS, a County Judge is authorized to control ingress to and egress from a disaster area and control the movement of persons and occupancy of premises on an appropriate local scale in accordance with Section 418.108(g) of the Texas Government Code and his authority as Emergency Management Director; and

WHEREAS, the County Judge has determined that extraordinary emergency measures must be taken to mitigate the effects of this public health emergency; and

WHEREAS, the County Judge issued an Amended Emergency Management Order including mandatory facial coverings on June 17, 2020; and

WHEREAS, it is the intent of this Second Amended Emergency Management Order including mandatory facial coverings, curfew, limitation on gatherings, and beach access closures to remain as consistent and to harmonize with, to the extent possible, the executive orders of Governor Greg Abbott and the current declarations of the mayors of the cities in Cameron County (as extended or modified); and

WHEREAS, by the authority vested in the County Judge and as the Emergency Management Director for the County to continue to protect the health and safety of the community and address the developing and rapidly changing circumstances when presented by the current public health emergency, he hereby issues this Second Amended Emergency Management Order including mandatory facial coverings, curfew, limitation on gatherings, and beach access closures; and

WHEREAS, in accordance with Executive Order GA-26, failure to comply with any of Governor Abbott's executive orders issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed \$1,000.00 and may be subject to regulatory enforcement; and

WHEREAS, pursuant to Texas Government Code Sec. 418.173(b) and the Cameron County Emergency Plan, it is an offense to violate a condition or restriction of any Order issued by the County Judge, during the public health disaster. Said offense shall be punished by a fine not to exceed \$500.00, except that the offense shall be punished by a fine not to exceed \$1,000.00 if it is shown on the trial of the offense that the person has been previously convicted an offense under this section. No civil or criminal penalty may be imposed on an individual for failure to wear a facial covering.

FAILURE TO COMPLY WITH ANY OF THE PROVISIONS OF THIS ORDER CONSTITUTES AN IMMINENT THREAT TO PUBLIC HEALTH.

PURSUANT TO THE TEXAS DISASTER ACT OF 1975, THE COUNTY JUDGE HEREBY ISSUES THIS SECOND AMENDED EMERGENCY MANAGEMENT ORDER AS FOLLOWS:

Effective as of 12:01 a.m. on Tuesday, June 30, 2020, (*"Effective Date"*), and continuing through 11:59 p.m. on Monday, July 13, 2020, unless extended, modified, or terminated early by the County Judge or as otherwise indicated below:

- I. Public Health Emergency. This Second Amended Emergency Management Order shall continue the local disaster declaration and public health emergency for Cameron

County for the period specified in this Second Amended Emergency Management Order and shall incorporate and adopt the most recent Executive Order, GA-28, issued by Governor Greg Abbott on June 26, 2020, and any subsequent orders by the Governor relating to the COVID-19 disaster.

- II. Health and Safety Policy-Commercial Entities. All commercial entities in the County providing goods or services directly to the public must post a health and safety policy ("*Health and Safety Policy*"). The Health and Safety Policy must require, at a minimum, that all employees or visitors to the commercial entity's business premises or other facilities wear face coverings when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or the public where six feet of separation is not feasible. The Health and Safety Policy may also include the implementation of other mitigating measures designed to control and reduce the transmission of COVID-19 such as temperature checks or health screenings. Commercial entities must post the required Health and Safety Policy in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements. Failure to develop, implement, and ensure compliance with the Health and Safety Policy by employees and visitors shall result in a fine not to exceed \$500 for each individual violation.
- III. Face Coverings – General Public. All people 10 years or older shall wear a face covering their nose and mouth when in a public place or working in areas that involve close proximity with other coworkers. The CDC advises face coverings for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Cameron County residents or visitors should continue to maintain social distancing of at least six feet while outside their home.

IT IS STRONGLY RECOMMENDED THAT YOU NOT OBTAIN OR WEAR MEDICAL MASKS OR N-95 RESPIRATORS AS THEY ARE A NEEDED RESOURCE FOR HEALTH CARE PROVIDERS AND FIRST RESPONDERS.

Our healthcare workers and first responders on the front-line combating COVID-19 must have priority access to medical masks or other personal protective equipment. Face coverings do not need to be worn in the following circumstances:

- When exercising outside or engaging in physical activity outside,
- While driving alone or with passengers who are part of the same household as the driver,
- When doing so poses a greater mental or physical health, safety, or security risk,
- While pumping gas or operating outdoor equipment, and
- When consuming food or drink.

Please note that face coverings are a secondary strategy to other mitigation efforts. Face coverings are *not* a replacement for social distancing, frequent handwashing, and self-isolation when sick. All people should follow CDC recommendations for

how to wear and take off a mask. Residents should adhere to the following habits while in public:

- It is strongly recommended that people should Shelter-In-Place, not to leave their home unless conducting essential activities or performing essential services,
- Washing hands frequently before you leave home and when you return,
- Practice Social Distance by staying at least six feet away from others,
- Avoiding touching nose or face,
- Not using disposable masks more than three times, and
- Washing reusable cloth masks regularly to prevent the spread of the virus.

Consistent with Governor Greg Abbott's Executive Order GA-28 no civil or criminal penalty will be imposed on individuals for failure to wear a face covering.

IV. Cameron County Essential Business. That residents of the County conduct essential County business online or via regular mail to avoid visiting any County facilities unless absolutely necessary.

V. Curfew.

1. In addition to the recommendation to Shelter-In-Place, a curfew for all persons aged seventeen (17) and under shall be imposed from 10:00 p.m. to 6:00 a.m., unless accompanied by a parent or guardian or for providing Essential Services.
2. In addition to the recommendation to Shelter-In-Place, a curfew for all persons aged eighteen (18) and over shall be imposed from 11:00 p.m. to 5:00 a.m., unless that person is out for an emergency, or for providing Essential Services.
3. "Covered Travel" includes travel for any of the following purposes:
 - (a) Any travel related to the provision of or access to Essential Services¹ including for employment purposes,
 - (b) Any travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons,
 - (c) Any travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and business operations,
 - (d) Any travel to return to a place of residence from outside the jurisdiction,
 - (e) Any travel to and from a place of employment,
 - (f) Any travel required by First Responders, Law Enforcement or court order,
 - (g) Any travel required for non-residents to return to their place of residence outside the County, and
 - (h) Any travel required for medical personnel.

¹ See <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>

- VI. Outdoor Gatherings. No outdoor gatherings shall allow for more than 100 people for any outdoor activity other than religious service, or youth camps, recreational sports activities and amusement parks² or as otherwise allowed under GA-28.
- VII. Social Gatherings. No groups of more than 10 persons that are not members of a single family may assemble socially whether indoor or outdoors.
- VIII. County Parks and Beach Access Points Closure. Effective 7:00 p.m. on Tuesday June 30, 2020, through July 12, 2020, at 7 p.m. unless extended in writing by the County Judge, County Parks and County beach access areas are hereby closed. The following parks and beach access areas will be closed to the public until further notice:

Isla Blanca Park
Andy Bowie Park
E.K. Atwood Park
County Beach Access No. 3
County Beach Access No. 4
County Beach Access No. 5
County Beach Access No. 6
Boca Chica Beach
Bejarano-McFarland Memorial Park
Pedro "Pete" Benavides Park
Laureles Regional Park
El Ranchito Community Park
El Ranchito Recreational Park
Santa Maria Community Park
La Paloma Regional Park
Santa Rosa Community Park
La Esperanza Community Park

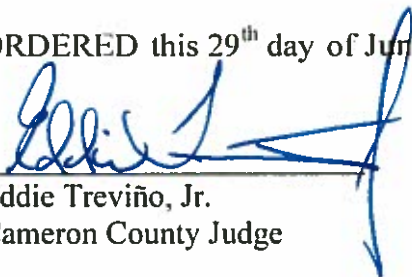
- IX. Severability. The sections, paragraphs, sentences, clauses, and phrases of this Second Amended Emergency Management Order are severable and if any phrase, clause, sentence, paragraph, or section of this Second Amended Emergency Management Order should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections that can be given effect without the invalid provision, and to this end, the provisions of this Second Amended Emergency Management Order are severable.
- X. Interpretation and Additional Terms. To the greatest extent possible, this Second Amended Emergency Management Order shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of

² An area equipped with such recreational devices as a merry-go-round, Ferris wheel, roller coaster, go-carts, bungee jumping, etc., and usually having booths for games and refreshments.

the executive orders of the Governor, either existing or as, if and when issued, which are made applicable to all jurisdictions by law shall be automatically incorporated into and constitute terms of this Second Amended Emergency Management Order, enforceable as if set forth herein without necessity for the issuance of any further orders. GA-28 is incorporated herein and is attached hereto as Attachment A.

- XI. Enforcement. Excepting Section III of this Second Amended Emergency Management Order and in accordance with the limitations contained in the executive orders of the Governor, that any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Second Amended Emergency Management Order in accordance with the authority granted under the Texas Disaster Act of 1975 and the Cameron County Emergency Management Plan.

ORDERED this 29th day of June, 2020.



Eddie Treviño, Jr.
Cameron County Judge

ATTESTED BY:



Aide A. Trejo
Deputy Cameron County Clerk

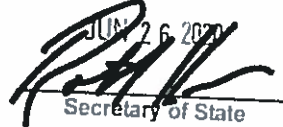




GOVERNOR GREG ABBOTT

June 26, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:45 AM O'CLOCK

JUN 26 2020

Secretary of State

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

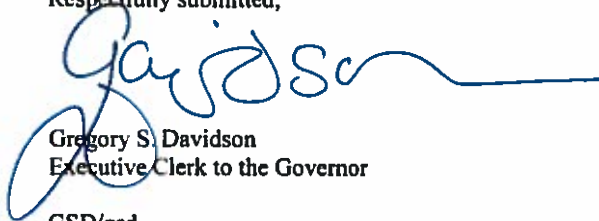
Dear Secretary Hughs:

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

Executive Order No. GA-28 relating to the targeted response to the COVID-19 disaster as part of the reopening of Texas.

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
June 26, 2020

EXECUTIVE ORDER
GA 28

*Relating to the targeted response to the COVID-19 disaster
as part of the reopening of Texas.*

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, in each subsequent month effective through today, I have renewed the disaster declaration for all Texas counties; and

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

WHEREAS, 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 social-distancing restrictions for Texans in accordance with guidelines promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC); and

WHEREAS, I issued Executive Order GA-14 on March 31, 2020, expanding the social-distancing restrictions for Texans based on guidance from health experts and the President; and

WHEREAS, I subsequently issued Executive Orders GA-16, GA-18, GA-21, GA-23, and GA-26 from April through early June 2020, aiming to achieve the least restrictive means of combatting the threat to public health by continuing certain social-distancing restrictions, while implementing a safe, strategic plan to Open Texas; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texas residents safe is for all Texans to consistently follow good hygiene and social-distancing practices, especially those set forth in the minimum standard health protocols from DSHS; and

WHEREAS, due to recent substantial increases in COVID-19 positive cases, and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID-19, targeted and temporary adjustments to the reopening plan are needed to achieve the

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least restrictive means for reducing the growing spread of COVID-19 and the resulting imminent threat to public health, and to avoid a need for more extreme measures; and

WHEREAS, everyone must act safely, and to that end, this executive order and prior executive orders provide that all persons should follow the health protocols from 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, 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, 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, and in accordance with guidance from DSHS Commissioner Dr. Hellerstedt and other medical advisors, the Governor's Strike Force to Open Texas, the White House, and the CDC, do hereby order the following on a statewide basis effective at noon on June 26, 2020:

Every business establishment in Texas shall operate at no more than 50 percent of the total listed occupancy of the establishment; provided, however, that:

1. There is no occupancy limit for the following:
 - a. any services 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 3.1 or any subsequent version;
 - b. religious services, including those conducted in churches, congregations, and houses of worship;
 - c. 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;
 - d. child-care services;
 - e. 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; and
 - f. recreational sports programs for youths and adults;
2. Except as provided below by paragraph number 5, this 50 percent occupancy limit does not apply to outdoor areas, events, or establishments, except that the following outdoor areas or outdoor venues shall operate at no more than 50 percent of the normal operating limits as determined by the owner:
 - a. professional, collegiate, or similar sporting events;
 - b. swimming pools;
 - c. water parks;
 - d. museums and libraries;
 - e. zoos, aquariums, natural caverns, and similar facilities; and

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- f. rodeos and equestrian events;
3. This 50 percent occupancy limit does not apply to the following establishments that operate with at least six feet of social distancing between work stations:
 - a. cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade;
 - b. 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; and
 - c. other personal-care and beauty services such as tanning salons, tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services;
4. Amusement parks shall operate at no more than 50 percent of the normal operating limits as determined by the owner;
5. For any outdoor gathering in excess of 100 people, other than those set forth above in paragraph numbers 1, 2, or 4, the gathering is prohibited unless the mayor of the city in which the gathering is held, or the county judge in the case of a gathering in an unincorporated area, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with this executive order;
6. For dine-in services by restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages, the occupancy limit shall remain at 75 percent until 12:01 a.m. on June 29, 2020, at which time such restaurants may only operate at up to 50 percent of the total listed occupancy of the restaurant, subject to paragraph number 9 below;
7. People shall not visit bars or similar establishments that hold a permit from the Texas Alcoholic Beverage Commission (TABC) and are not restaurants as defined above in paragraph number 6; provided, however, that the use by such bars or similar establishments of drive-thru, pickup, or delivery options for food and drinks is allowed to the extent authorized by TABC;
8. People shall not use commercial rafting or tubing services, including rental of rafts or tubes and transportation of people for the purpose of rafting or tubing;
9. For any business establishment that is subject to a 50 percent "total listed occupancy" limit or "normal operating limit," and that is in a county that has filed with DSHS, and is in compliance with, the requisite attestation form promulgated by DSHS regarding minimal cases of COVID-19, the business establishment may operate at up to 75 percent of the total listed occupancy or normal operating limit of the establishment;
10. For purposes of this executive order, facilities with retractable roofs are considered indoor facilities, whether the roof is opened or closed;
11. Staff members are not included in determining operating levels, except for manufacturing services and office workers;
12. Except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, people should not be in groups larger than ten and should maintain six feet of social distancing from those not in their group;
13. People over the age of 65 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;
14. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) should use good-faith efforts and available resources to follow the minimum standard health protocols recommended by DSHS;
 15. Nothing in this executive order or the DSHS minimum standards precludes requiring a customer to follow additional hygiene measures when obtaining services. 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;
 16. People shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless 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 HHSC, including minimizing the movement of staff between facilities whenever possible; and
 17. For the remainder of the 2019-2020 school year, public schools may resume operations for the summer as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency (TEA). Private schools and institutions of higher education are encouraged to establish similar standards. Notwithstanding anything herein to the contrary, schools may conduct graduation ceremonies consistent with the minimum standard health protocols found in guidance issued by TEA.

Notwithstanding anything herein to the contrary, the governor may by proclamation add to the list of establishments or venues that people shall not visit.

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 services allowed by this executive order, allows gatherings prohibited by this executive order, or expands the list or scope of services as set forth in this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, 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.

All existing state executive orders relating to COVID-19 are amended to eliminate confinement in jail as an available penalty for violating the executive orders. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail as an available penalty for violating a COVID-19-related order, that order allowing confinement in jail 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 executive order or local order issued in response to the COVID-19 disaster.

This executive order supersedes Executive Order GA-26, but does not supersede Executive Orders GA-10, GA-13, GA-17, GA-19, GA-24, GA-25, or GA-27. This

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6:45am O'CLOCK

JUN 26 2020

executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.



Given under my hand this the 26th
day of June, 2020.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Ruth R. Hughs in black ink.

RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:45am O'CLOCK

JUN 26 2020