

BEXAR COUNTY



Doc# 20200012574 07/17/2020 4:14PM Page 1 of 4 Lucy Adame-Clark, Bexar County Clerk
SUPPLEMENT TO EXECUTIVE ORDER NW-13 OF
COUNTY JUDGE NELSON W. WOLFF ISSUED July 17, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Bexar County Judge Nelson W. Wolff declared a state of local disaster on March 13, 2020 due to the imminent threat arising from COVID-19;

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on March 18, 2020, the Bexar County Commissioners Court approved an Order Continuing Declaration of State of Local Disaster for Bexar County and on June 16, 2020, the Bexar County Commissioners Court again approved a Second Order Continuing Declaration of State of Local Disaster for Bexar County (hereafter, the "*Second Order of Continuation of Declaration*");

WHEREAS, in accordance with Texas Government Code Section 418.108(b), the consent by Commissioners Court authorizes the Bexar County Judge to continue to exercise the powers granted by the Texas Disaster Act of 1975 for the period specified and take such actions as are necessary in order to protect the health, safety and welfare of the citizens of Bexar County by the issuance of executive orders (each, an "*Executive Order*") or supplemental orders which shall add to but not replace existing Executive Orders ("*Supplemental Executive Orders*") as necessary;

WHEREAS, there currently still exists a declaration of public health disaster in and for the State of Texas as declared by Governor Greg Abbott and the Texas Department of State Health Services (DSHS) and the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Bexar County Community and rates of infection are increasing at an alarming exponential rate and the number of people ending up in the hospital, ICU, or on ventilators is also dramatically rising despite efforts by local authorities to control the spread;

WHEREAS, in consultation with local health professionals, the County Judge has determined that additional extraordinary emergency measures must be implemented to try and mitigate the effects of this public health emergency and to facilitate a response to the public health threat presented by the rapid increase in COVID-19 cases in Bexar County;

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;

WHEREAS, it is the intent of this Supplemental Executive Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Governor Greg Abbott and the current declaration of the Mayor of the City of San Antonio (as extended or modified); and

WHEREAS, by the authority vested in me as Bexar County Judge and as the Emergency Management Director for the County of Bexar to continue to protect the health and safety of the community and address developing and rapidly changing circumstances as presented by the current public health emergency, I hereby issue this Supplemental Executive Order.

PURSUANT TO THE TEXAS DISASTER ACT OF 1975, BEXAR COUNTY JUDGE NELSON W. WOLFF HEREBY ISSUES THIS SUPPLEMENTAL EXECUTIVE ORDER AS FOLLOWS:

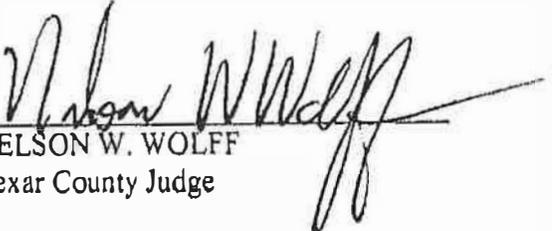
This Supplemental Executive Order shall be incorporated into and become a part of NW-13 and is effective as of 1:00 p.m. on Friday, July 17, 2020 ("*Effective Date*") and shall expire as of the date and time of NW-13 unless extended, modified or terminated early by Bexar County Judge Nelson W. Wolff:

- I. Long-term Care Facilities. That in order to reduce the risk of transmission of COVID 19 among vulnerable populations in long-term care facilities: i) no person shall visit nursing homes, state supported living centers, assisted living facilities, and long-term care facilities unless to provide critical services as determined through guidance from the Texas Health and Human Services Commission or other relevant state authority; and ii) excluding those individuals providing critical services, any individual providing non-critical in-person services or who is otherwise employed or staffs a long-term care facility (e.g. nursing home, or assisted living facility) and has direct patient contact shall be prohibited from working in, or visiting, more than (1) long-term care facility for any purpose as a result of the increased risk for transmission of COVID-19 to an at-risk population unless otherwise excepted by guidance issued by the Texas Health and Human Services Commission or other relevant state authority. The prohibition shall extend to any agency or organization who employs individuals for purposes of staffing or on a temporary basis. Notwithstanding, this prohibition does not, and is not intended to, impact or restrict the ability of an individual, organization or entity to operate as an essential business under the orders of the Texas Governor, but shall only restrict the ingress/egress and movement of persons into or out of more than one nursing home facility when not necessary to provide critical services. Additionally, long-term care facilities should follow all additional CDC guidance to take proactive steps to protect the health of residents and preserve the health care workforce by identifying and excluding potentially infected staff members, restricting visitation consistent with the Texas Governor's executive orders, any applicable declaration of the Mayor of San Antonio and any Executive Order of the Bexar County Judge, ensuring early recognition of potentially infected patients, and implementing appropriate infection control measures.
- II. Severability. The sections, paragraphs, sentences, clauses and phrases of this Supplemental Executive Order are severable and if any phrase, clause, sentence, paragraph or section of this Supplemental Executive Order should be declared invalid by the final judgment or decree of

any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end, the provisions of this Supplemental Executive Order are severable.

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

ORDERED this 17th day of July, 2020


NELSON W. WOLFF
Bexar County Judge

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this Instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Bexar County, Texas on:
7/17/2020 4:14 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk