ORDER AUTHORIZING THE OPENING OF PUBLIC, SEMI-PUBLIC, AND HOMEOWNER ASSOCIATION-OWNED AND/OR OPERATED POOLS AND SPLASH PADS AT 50% OF OCCUPANCY WITH DISTANCING MEASURES; OPENING CERTAIN PLAYGROUND EQUIPMENT, PLAYSCAPES, AND EXERCISE EQUIPMENT, AND KEEPING CLOSED OUTDOOR DRINKING WATER FOUNTAINS

UNDER DECLARATION OF LOCAL STATE OF DISASTER
CITY OF CEDAR PARK, TEXAS

WHEREAS, in December 2019, a novel coronavirus, now designated COVID-19, was detected in Wuhan, China; and

WHEREAS, symptoms of COVID-19 include fever, cough, shortness of breath, and outcomes have ranged from mild to severe illness and, in some cases, death; and

WHEREAS, on January 30, 2020, the World Health Organization ("WHO") Director General declared the outbreak of COVID-19 a Public Health Emergency of International Concern and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing, and prevention of onward spread of the disease; and

WHEREAS, on Thursday, March 5, 2020, the WHO Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

WHEREAS, on Friday, March 6, 2020, the Travis County Judge issued a Declaration of Disaster due to Public Health Emergency and issued an Order prohibiting public and private community gatherings of two thousand five hundred (2,500) or more persons; and

WHEREAS, on Friday, March 6, 2020, the adjacent City of Austin's Mayor issued a Declaration of Disaster due to Public Health Emergency and issued an Order canceling the annual South by Southwest (SXSW) Conference & Festival; and

WHEREAS, on Tuesday, March 10, 2020, the Travis County Commissioners Court extended the Declaration of Disaster due to Public Health Emergency indefinitely; and

WHEREAS, on Wednesday, March 11, 2020, the WHO declared COVID-19 a worldwide pandemic; and

WHEREAS, on Thursday, March 12, 2020, the Governor of the State of Texas declared a state of disaster in Texas due to COVID-19; and

WHEREAS, on Friday, March 13, 2020, the President of the United States issued a Proclamation declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on Saturday, March 14, 2020, the Williamson County Judge issued an Order Declaring a Local State of Disaster for Williamson County, Texas; and

WHEREAS, on Saturday, March 14, 2020, the Travis County Judge issued an Order prohibiting public and private community gatherings of two hundred fifty (250) or more persons; and

WHEREAS, on Sunday, March 15, 2020, the Center for Disease Control and Prevention ("CDC") recommended canceling all events of 50 or more people; and

WHEREAS, on Monday, March 16, 2020, the Williamson County Judge issued an Order banning large events and mass gatherings of fifty (50) or more persons, with significant exceptions; and

WHEREAS, on Monday, March 16, 2020, the Governor of the State of Texas said at a San Antonio press conference, "You're going to see an exponential increase in the number of people who test positive on a daily basis. People just need to prepare, and not be shocked, for the mathematical reality."; and

WHEREAS, on March 17, 2020, the Mayor of Cedar Park declared a Local State of Disaster for the City of Cedar Park, Texas, and on March 22, 2020, this declaration was extended with consent of the City of Cedar Park City Council; and

WHEREAS, on March 19, 2020 the Governor of the State of Texas issued an executive order limiting public gatherings to ten persons; and

WHEREAS, on March 21, 2020, the Travis County Judge issued a second Order restricting gatherings for Travis County, Texas; and

WHEREAS, the Center for Disease Control and Prevention is closely monitoring the growing number of COVID-19 cases that have spread into the United States, including at least 33,404 confirmed cases and 400 deaths in the US and more than 507 confirmed cases and 7 deaths in Texas, based on best available information; and

WHEREAS, COVID-19 spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, gatherings of unidentifiable individuals without necessary mitigation for the spread of infection poses a risk of the spread of infectious disease; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, Article 5.07 Emergency and Disaster Management of the City of Cedar Park Code of Ordinances provides that the Mayor shall hold the office of emergency management director of the City; and

WHEREAS, the Mayor, as emergency management director, may declare a local state of disaster and issue all necessary proclamations, regulations, or directives which are necessary for carrying out the purposes of the City's emergency management plan; and

WHEREAS, a declaration of Local State of Disaster includes the ability to take measures to reduce the possibility of exposure to disease, mitigate the risk, and promote the health and safety of the residents of the City of Cedar Park; and

WHEREAS, the City of Cedar Park will work collaboratively with Williamson and Travis Counties to ensure that all appropriate and necessary measures are taken to prevent and limit the development, contraction, and spread of COVID-19; and

WHEREAS, on March 17, 2020, the Mayor of the Cedar Park declared a local state of disaster due to concerns related to COVID-19; and

WHEREAS, on March 22, 2020 the Cedar Park city council unanimously consented to continue the Mayor's declaration a local state of disaster due to concerns related to COVID-19; and

WHEREAS, on March 23, 2020, the Mayor of the Cedar Park issued an order closing all public, semi-public, and homeowner association-owned and/or operated playground equipment, playscapes, pools, splash pads, pavilions, exercise equipment, and drinking water fountains within the City of Cedar Park, Texas; and

WHEREAS, on April 30, 2020, the Williamson County Judge's stay-at-home order expired.

WHEREAS, on May 5, 2020, the Governor of the State of Texas issued Executive Order GA-21 defining some services, facilities, and operations as "re-opened" thereby allowing those services, facilities, and operations to operate at up to 25% of the total listed occupancy of the facility provided distancing measures are followed; and

WHEREAS, on May 7, 2020 the Mayor of Cedar Park issued an order superseding his March 23, 2020 order—and opening all pavilions and non-city owned and/or operated pools and splash pads at 25% of occupancy; and keeping closed playground equipment, playscapes exercise equipment, outdoor drinking water fountains, and city-owned pools and splash pads within the City of Cedar Park, Texas; and

WHEREAS, on May 18, 2020, the Governor of the State of Texas issued Executive Order GA-23 defining additional services, facilities, and operations as "re-opened" thereby allowing those services, facilities, and operations to operate at various designated levels of occupancy provided distancing measures are followed; and

WHEREAS, on May 22, 2020, the Mayor of Cedar Park issued an order superseding his May 7, 2020 order—and opening all public, semi-public, and homeowner association-owned and/or operated pools, splash pads, and pavilions at 50% of occupancy and keeping closed playground equipment, playscapes exercise equipment, and outdoor drinking water fountains within the City of Cedar Park, Texas; and

WHEREAS, on June 3, 2020, the Governor of the State of Texas issued Executive Order GA-26, further expanding the opening of Texas in response to COVID-19.

NOW THEREFORE, BE IT ORDERED BY THE MAYOR OF THE CITY OF CEDAR PARK, TEXAS:

1. That all public, semi-public, and homeowner association-owned and/or operated pavilions, pools, and splash pads within the City of Cedar Park, Texas may be open at up to 50% occupancy with protocols and distancing measures per Governor Greg Abbott's Executive Order GA-26, Section 2; the Governor's Strike Force to Open Texas protocols

for "Parks / Beaches / Bodies of Water" (June 3, 2020 revisions) at gov.texas.gov/organization/opentexas; and per DSHS guidelines.

2. That all public, semi-public, and homeowner association-owned and/or operated playground equipment, playscapes, and outdoor exercise equipment within the City of Cedar Park, Texas may be opened at the owner's discretion per DSHS guidelines.

3. That all outdoor drinking water fountains within the City of Cedar Park, Texas remain closed and will be reviewed weekly for consideration for re-opening.

4. That this order shall take effect immediately and shall continue until termination of either of the following: (a) this Order or (b) the Declaration of Local State of Disaster for the City of Cedar Park, Texas.

5. This order supersedes the Order of May 22nd, 2020.

ORDERED this 4 day of June, 2020 at 4:35 am/pm.

CITY OF CEDAR PARK, TEXAS

Corbin Van Arsdale

Corbin Van Arsdale, Mayor

ATTEST:

Katherine Caffrey

Katherine Caffrey, Assistant City Manager