



COVID-19 Response + Recovery

Cross-Functional Team Update

4.24.23

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1. Overview

Tommy Gonzalez



2. City Attorney Overview

April 24, 2023

Overview

City Attorney Overview

1. State Disaster Declaration
2. Emergency Ordinances
3. Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation
4. Additional Updates

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Karla Nieman

State Disaster Declaration




*No further renewals are anticipated

Emergency Ordinances

Ordinance	Adoption Date	Most Recent Re-enactment	Expires
Disaster Declaration Ord. No. 019035	3/17/2020	3/27/2023	4/26/2023
Emergency Measures Ord. No. 019036	3/17/2020	3/27/2023	4/26/2023
Public Right of Way Ord. No. 019241	10/11/2021	3/27/2023	4/26/2023

Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation

	TXSC	<ul style="list-style-type: none">• Abbott v. City of San Antonio
	TXSC	<ul style="list-style-type: none">• Abbott v. Clay Jenkins
	TXSC	<ul style="list-style-type: none">• Abbott v. City of El Paso

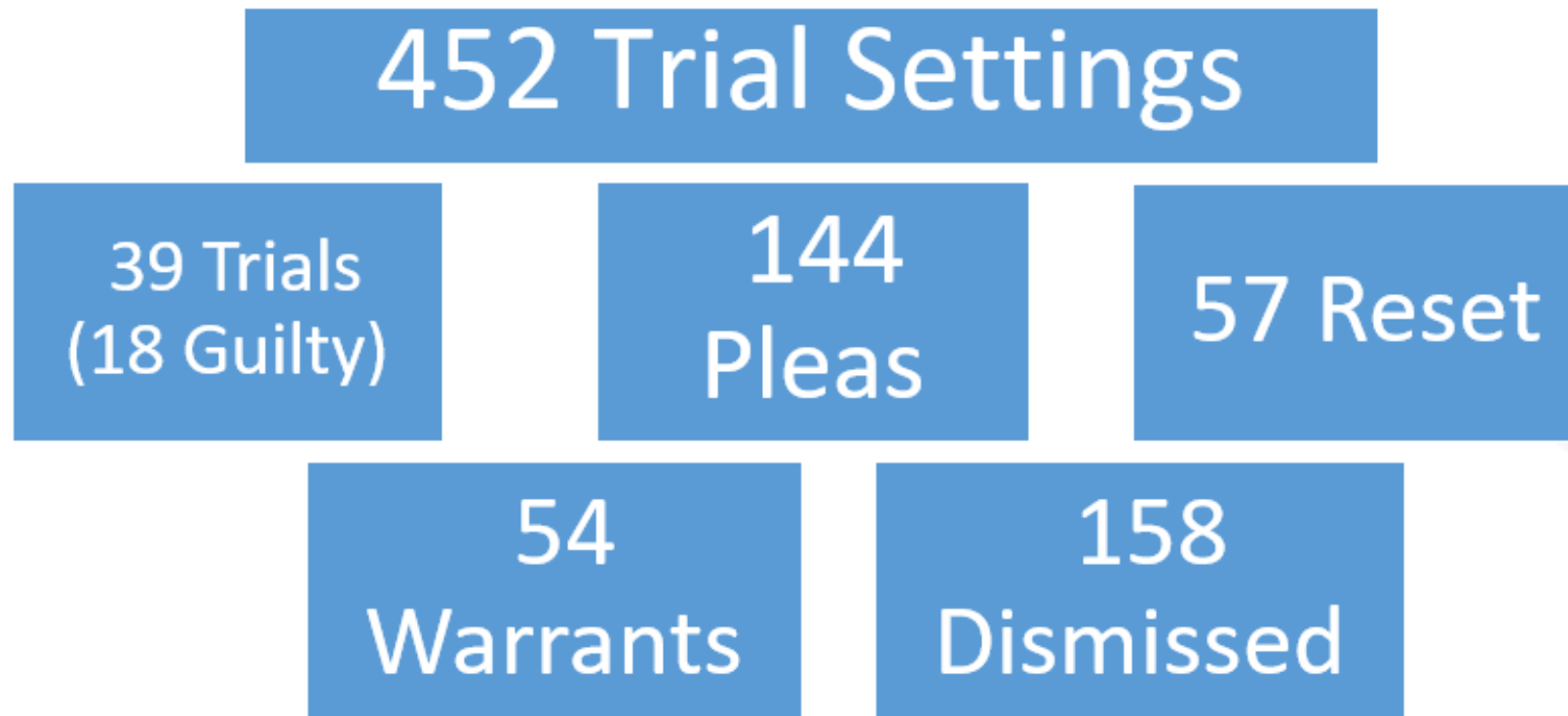
Additional Updates- National Emergency

- On April 11, 2023, President Biden signed H.J.Res.7 ending the COVID-19 National Emergency
- No impact on the Public Health Emergency by Health and Human Services
- The Public Health Emergency will expire on May 11, 2023



Additional Updates –COVID-19 Prosecution Update

Trial Settings on COVID-19 Citations through 4/19/2023 in all 5 Municipal Courts



National Emergency

- National Emergency was declared in March, 2020 pursuant to Section 201 of the National Emergencies Act.
 - Termination by POTUS or joint resolution of Congress
 - Expires if not continuation notice is issued annually
- Relies on other emergency authority in other statutes
- POTUS must specify which authorities are activated in the declaration
 - HHS authority to waive or modify requirements for Medicare, Medicaid, State CHIP programs, HIPAA health privacy rule under Social Security Act named in March 2020 declaration

Public Health Emergency (PHE)

- Public Health Emergency was issued under 42 USC 319
 - renewed every 90 days thereafter
- Make grants;
- Modify the practice of telemedicine;
- Enter into contracts;
- Conduct and support investigations into the cause, treatment, or prevention of the disease or disorder;
- Make temporary personnel available to respond to the emergency;
- Grant an extension or waiver requirements of certain Substance Abuse and Mental Health Services Administration grants on a state-by-state basis;
- Access so-called no-year funds appropriated to the Public Health Emergency Fund; and
- Grant extensions or waiving sanctions related to submission of data or reports required by statute.

CDC order tied the PHE to Title 42 expulsions

- 42 USC 265 allows the exclusion of noncitizens due to the existence of communicable disease that could spread within the United States.
- “the expiration of the Secretary of HHS’ declaration that COVID19 constitutes a public health emergency,” or (b) a determination by CDC that “the danger of further introduction of COVID-19 into the United States has declined such that continuation of the Order is no longer necessary to protect public health.” 86 Fed. Reg. at 42,830.



3. Team Lead Report



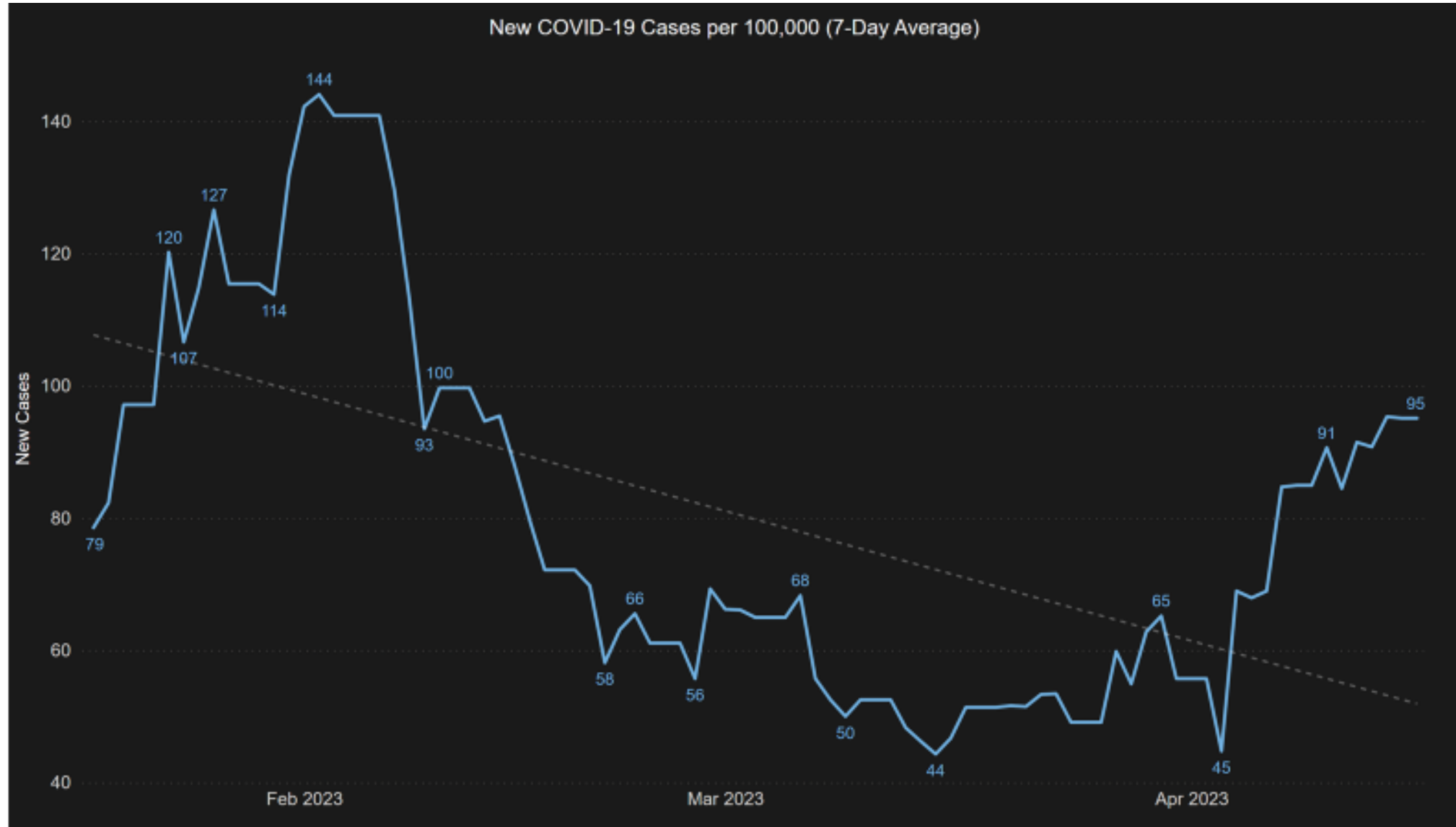
a. Health Focus

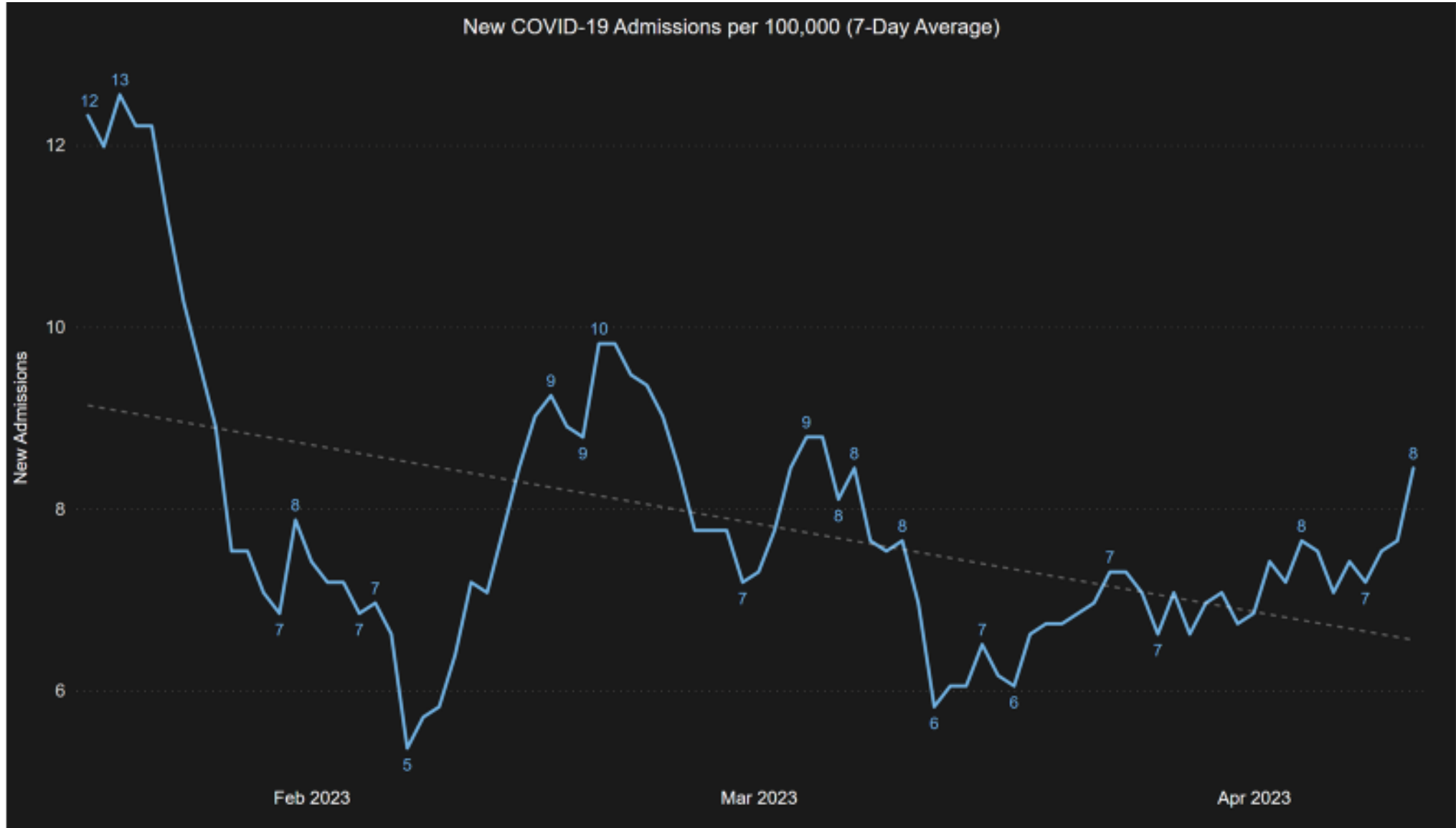
i- COVID-19 Update

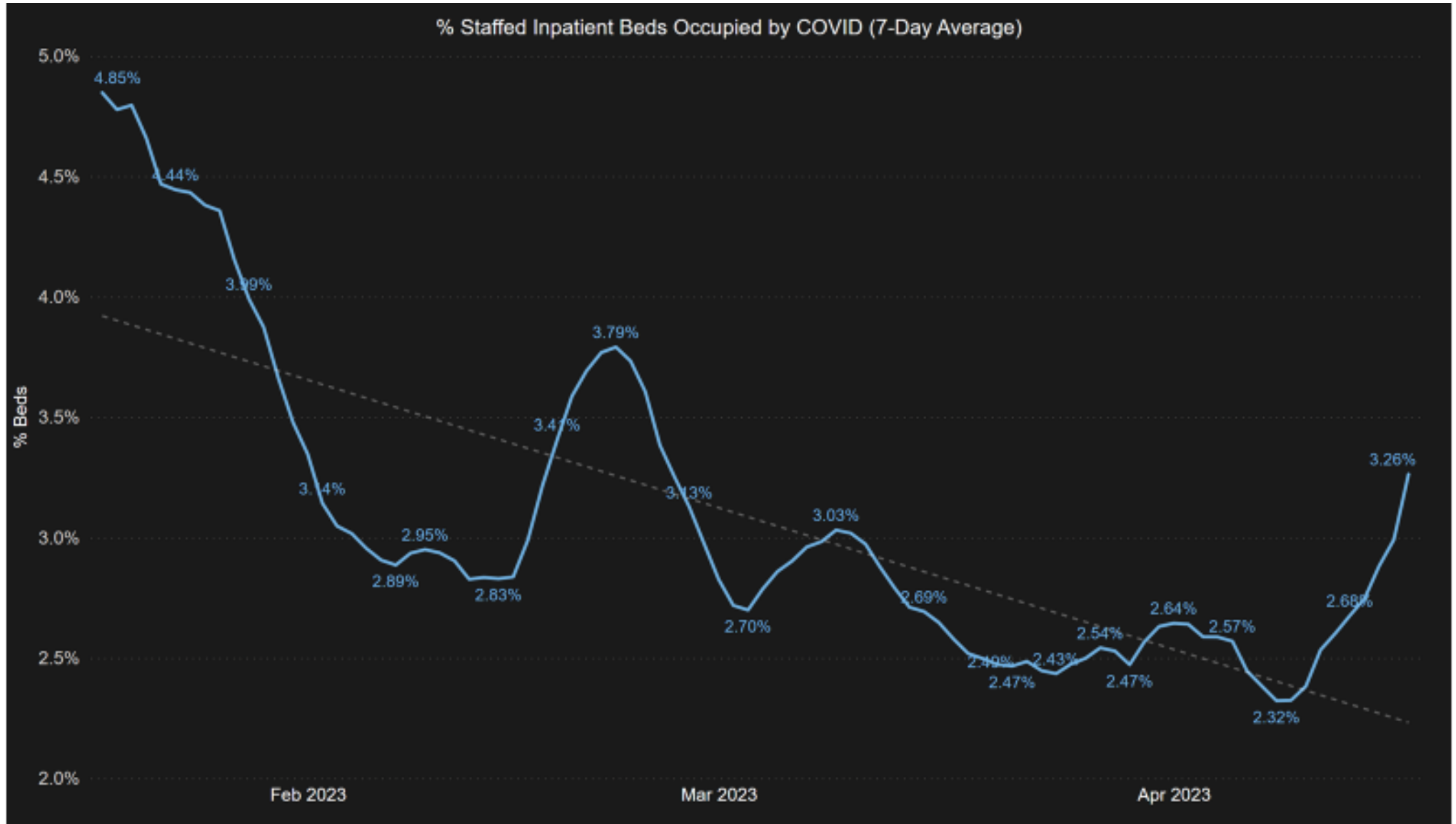
Hector I. Ocaranza, M.D.

COVID-19 Update

- As a reminder, the Public Health Emergency will end on May 11, 2023.
- COVID will continue to circulate and we must assess our risk.
- Cases and hospitalizations has seen an uptick but activity is low
- City clinics continue to offer free COVID vaccine









4. City Manager Wrap-up

Tommy Gonzalez



Thank you!