



SUPPLEMENT TO EXECUTIVE ORDER NW-20 OF BEXAR COUNTY JUDGE NELSON
W. WOLFF ISSUED August 10, 2021

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 to public health and safety arising from COVID-19;

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on March 18, 2020 and June 16, 2020, the Bexar County Commissioners Court approved Orders Continuing Declaration of State of Local Disaster for Bexar County and on September 15, 2020, the Bexar County Commissioners Court again approved a third Order Continuing Declaration of State of Local Disaster for Bexar County (hereafter, the "*Third 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*");

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 the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Bexar County Community;

WHEREAS, the virus has mutated and developed more contagious strains, such as the Delta variant. The Delta variant has resulted in the fastest rise in hospitalizations throughout the state since the beginning of the pandemic. Hospitals and medical professionals in the Bexar County area report dwindling ICU and hospital capacities

WHEREAS, it is the intent of this 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);

WHEREAS, the local health disaster has been aggravated by the introduction and spread of the highly contagious Delta variant. In consultation with local health professionals, the County Judge has determined that extraordinary emergency measures must be continued in order to try and mitigate the effects of this public health emergency and to facilitate a response to the public health threat presented by COVID-19 in Bexar County; however, on its face, executive order GA-

38 restricts the ability of local community leaders to implement necessary mitigating measures designed to reduce the spread of the contagious Delta variant;

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

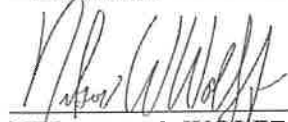
WHEREAS, by the authority vested in me as Bexar County Judge and as the Emergency Management Director for the County of Bexar to continue to protect the health and safety of the community and address developing and rapidly changing circumstances, I hereby issue this supplemental Executive Order ("*Supplemental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

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

Effective as of filing on Tuesday, August 10, 2021 ("*Effective Date*"), this Supplemental Executive Order directs the following as necessary to respond to a critical public health emergency:

- I. **Public Health Emergency Response.** Through my authority as Emergency Management Director in and for Bexar County, I hereby direct legal counsel for Bexar County to join with the City of San Antonio in a legal proceeding in order to clarify the authority of local governments and specifically, the Emergency Management Directors for Bexar County and the City of San Antonio, to implement those critical mitigating measures as are necessary to reduce or control the spread of the Delta variant in Bexar County.
- II. **Severability.** The sections, paragraphs, sentences, clauses and phrases of this Executive Order are severable and if any phrase, clause, sentence, paragraph or section of this 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 Executive Order are severable.

ORDERED this 10th day of August, 2021



NELSON W. WOLFF
Bexar County Judge

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