



Office of the Mayor

KENNETH D. MIYAGISHIMA
MAYOR

CITY OF LAS CRUCES

CITY OF LAS CRUCES

PROCLAMATION OF EMERGENCY

WHEREAS, pursuant to LCMC Art. III, Sec. 9-35, Emergency Declaration Ordinance, the Mayor has the authority to proclaim that a state of emergency exists in the municipality, after consultation with the emergency manager, chief of police, or fire chief; and

WHEREAS, such proclamation allows the Mayor to prohibit and/or require certain actions to maintain the public peace, health, welfare, or safety, and if desired, to request that the Governor of New Mexico proclaim a state of emergency pursuant to the Riot Control Act; and

WHEREAS, LCMC Art. III, Sec. 9-41, defines a public health emergency as an emergency need for health care, medical services, or public health, welfare, or safety initiatives to respond to disaster, significant outbreak of infectious disease, bioterrorist attack, or other significant catastrophic event; and

WHEREAS, LCMC Art. III, Sec. 9-41, defines a civil emergency, as conditions of unrest, including but not limited to riot, civil disturbance, unlawful assembly, hostile military or paramilitary action, war, terrorism, or sabotage; civil emergency may include actions that evidence mass panic which causes a shortage of basic food, water, health and hygiene products, or other basic life necessities; and

WHEREAS, on January 30, 2020, the World Health Organization announced the emergence of a novel Coronavirus Disease 2019, referred to as "COVID-19", that had not previously circulated in humans, but has been found to have adapted to humans such that it is contagious and easily spread from one person to another and from one county to another; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency as a precautionary tool to facilitate preparation and availability resources to assure that the federal government had appropriate resources to combat the spread of the COVID-19 virus in the nation through its support of state and community-led preparedness and response efforts; and

WHEREAS, the New Mexico Department of Health continues to identify a growing number of individuals infected with COVID-19 in New Mexico, including cases in Dona Ana County; and

WHEREAS, on March 11, 2020, Governor Michelle Lujan Grisham, declared in Executive Order 2020-004 that a Public Health Emergency exists in New Mexico under the Public Health Emergency Response Act and invoked the All Hazards Emergency Management Act by directing all cabinets, departments, and agencies to comply with the directives of the declaration and the further instructions of the Department of Health; and

WHEREAS, on March 12, 2020, Kathyleen M. Kunkel, Cabinet Secretary of the New Mexico Department of Health, declared the current outbreak of COVID-19 a condition of public health importance as defined in the New Mexico Public Health Act, NMSA 1978, Section 24-1-2, as an infection, a disease, a syndrome,

a symptom, an injury or other threat that is identifiable on an individual or community level and that can reasonably be expected to lead to adverse health effects in the community, and that poses an imminent threat of substantial harm to the population of New Mexico, and

WHEREAS, the further spread of COVID-19 in the City of Las Cruces poses a threat to the health, safety, and well-being to the residents of the City, including the potential loss of life, serious illness resulting from exposure to the COVID-19 virus, significant negative impact on the social, economic, and overall quality of life of the residents of Las Cruces;

NOW THEREFORE, I, Kenneth Miyagishima, Mayor of the City of Las Cruces, New Mexico, hereby declare that an emergency exists in the City. As a result of the emergency, events have caused or are causing danger of injury or damage to persons and property within the City. I hereby invoke LCMC Sections 9-35 through 9-41, to preserve the peace, health, welfare, and safety in the City of Las Cruces. In particular, I am invoking the following actions:

- I. I order the following:
 - a. The residents of the City of Las Cruces shall comply with all current State of New Mexico Executive orders and New Mexico Department of Health Public Health Emergency Orders, including the Stay Home Health Order issued by Governor Michelle Lujan Grisham that extends until April 30, 2020.
 - b. This order is intended to run concurrently with the State of New Mexico Executive Order 2020-022 and all renewals of Executive Order 2020-004, other powers invoked in that Order, and all other Orders and Directives contained in the Executive Orders Tied to the Public Health Emergency.
 - c. The City Manager shall direct city employees, as he deems appropriate and necessary, to perform emergency functions.
 - d. All available resources of the City shall be used to address the emergency as reasonably necessary and as allowed by City ordinance.
 - e. Mayor Pro Tem Kasandra Gandara, Interim City Manager David Maestas, Assistant City Manager David Dollahon, and Interim Assistant City Manager Barbara DeLeon, respectively are my substitute signatories in my absence, for emergency obligation of funds during the pendency of the declared emergency.
- II. Further, based on the recommendations of the Centers for Disease Control, National Institutes of Health, and other governmental, medical, and public health experts, I advise residents and visitors to the City to take the following precautions in their day to day activities:
 - a. For those at high risk (elderly and immune compromised individuals), secure three (3) months of all necessary medical prescriptions;
 - b. Avoid contact with people who are sick;
 - c. Wash your hands often with soap and water for at least 20 seconds, especially after blowing your nose, coughing, or sneezing, or having been in a public place;
 - d. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol;
 - e. To the extent possible, avoid touching high-touch surfaces in public places, such as door handles and handrails;
 - f. Use a tissue or sleeve to cover your hand or finger if you must touch something;

- g. Avoid handshaking;
- h. Avoid touching our face, nose, and eyes;
- i. Clean and disinfect your home to remove germs: practice routine cleaning of frequently touched surfaces (for example: tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, cell phones, and other electronic devices);
- j. Follow all Executive Orders and Public Health Emergency Orders for social distancing and self-quarantine;
- k. Practice social distancing, remaining six (6) feet apart from others and avoiding all unnecessary trips to public places such as grocery stores and pharmacies. Such travel should be limited to only necessary food and medication.
- l. Avoid all non-essential travel.

III. Effective Date

I hereby declare that this Proclamation will become effective upon my signature and direct the City Manager to disseminate the contents hereof to the public by appropriate news media, government media and website, and other means available.

IV. Term.

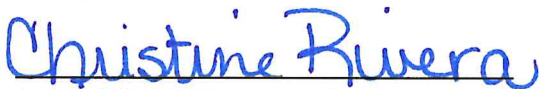
This Proclamation of Emergency may be extended for such additional periods of time as determined necessary by Resolution of the Governing Body of the City of Las Cruces, New Mexico.

DONE at Las Cruces, New Mexico this 7th day of April, 2020, at the hour of 1:15 pm (MST).



KENNETH MIYAGISHIMA, MAYOR
City of Las Cruces, New Mexico

ATTEST:



CHRISTINE RIVERA, ACTING CITY CLERK

(SEAL)

