

PREPARING FOR MASS GATHERINGS: THE ECLIPSES

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Mr. McKamie is a former Assistant City Attorney for Lubbock (1979-81), City Attorney for Greenville (1983-87) and Amarillo (2015-18). He has also served as City Attorney for the Cities of Boerne, Hondo, Leon Valley, Richwood, Somerville, Ferris and Cottonwood Shores, as Interim City Attorney for the Cities of Euless and Forney. He is currently the City Attorney for Fredericksburg, City Attorney for Boerne, General Counsel for Amarillo Local Government Corporation and Special Counsel to the City of Amarillo. Mick has served as General Counsel for the Laredo Housing Authority and is an Original Member of the Housing Authority Defense Attorneys.

Mr. McKamie is a Research Fellow of the Center for American and International Law, a Fellow of the College of the State Bar of Texas, and a Life Fellow of the Texas Bar Foundation. He is Board Certified in Civil Trial Law, Texas Board of Legal Specialization (1992). He was the first to be elected twice as Chair of the Government Law Section of the State Bar of Texas. In 2012 he received a Certificate of Merit in Municipal Law from the Texas City Attorneys Association. He has been recognized in Best Lawyers in America, Best Lawyers in Texas (serves on selection committee), Best Lawyers in San Antonio, and Super Lawyers.

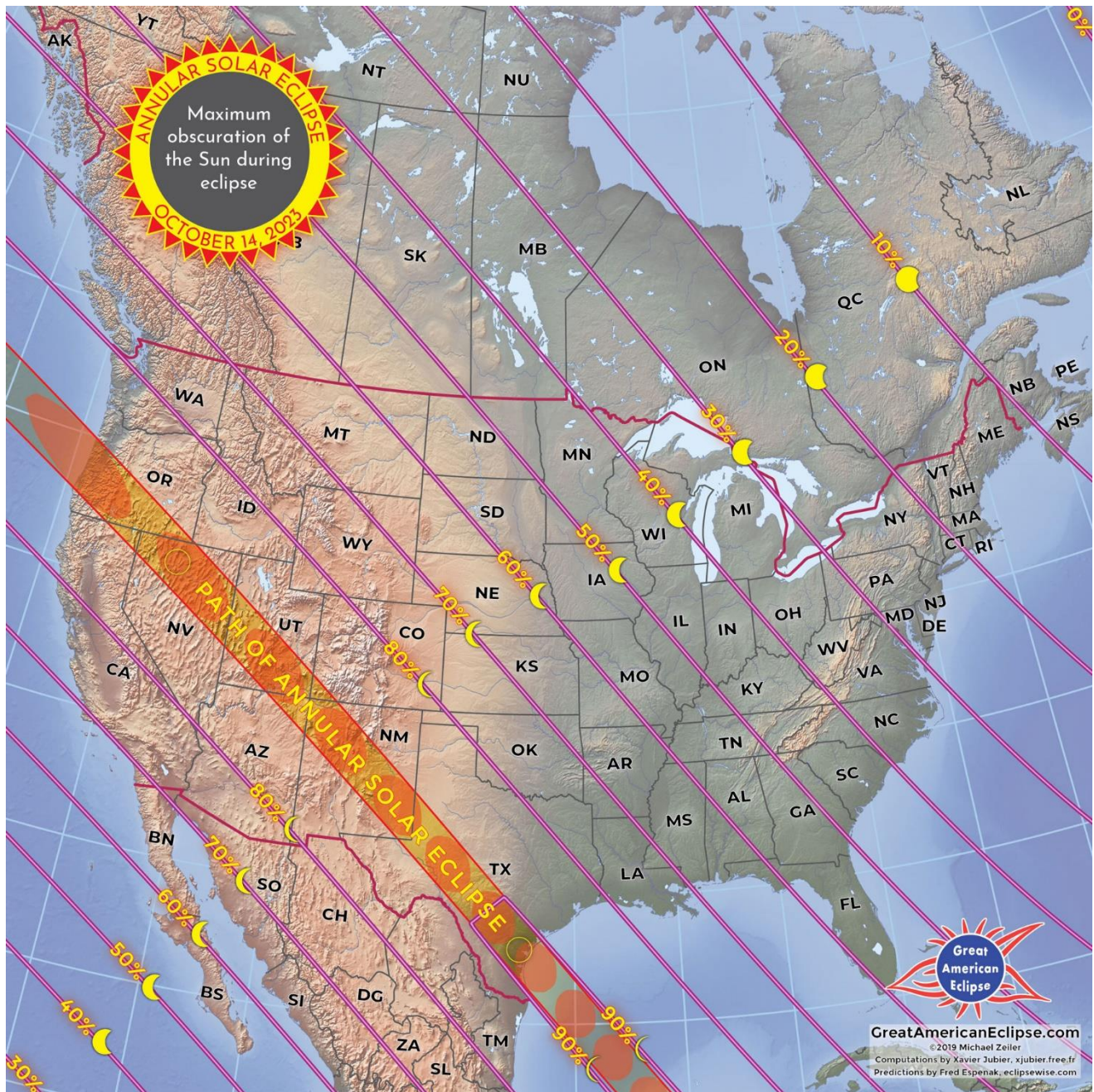
Mr. McKamie is the 2011 Recipient of the Marvin J. Glink Private Practice Local Government Attorney Award, presented by the International Municipal Lawyers Association to recognize outstanding service to the public.

Mick is the 2019 recipient of the International Municipal Lawyers Association Charles S. Rhyne Lifetime Achievement Award, the most prestigious award in the field of municipal law and practice.

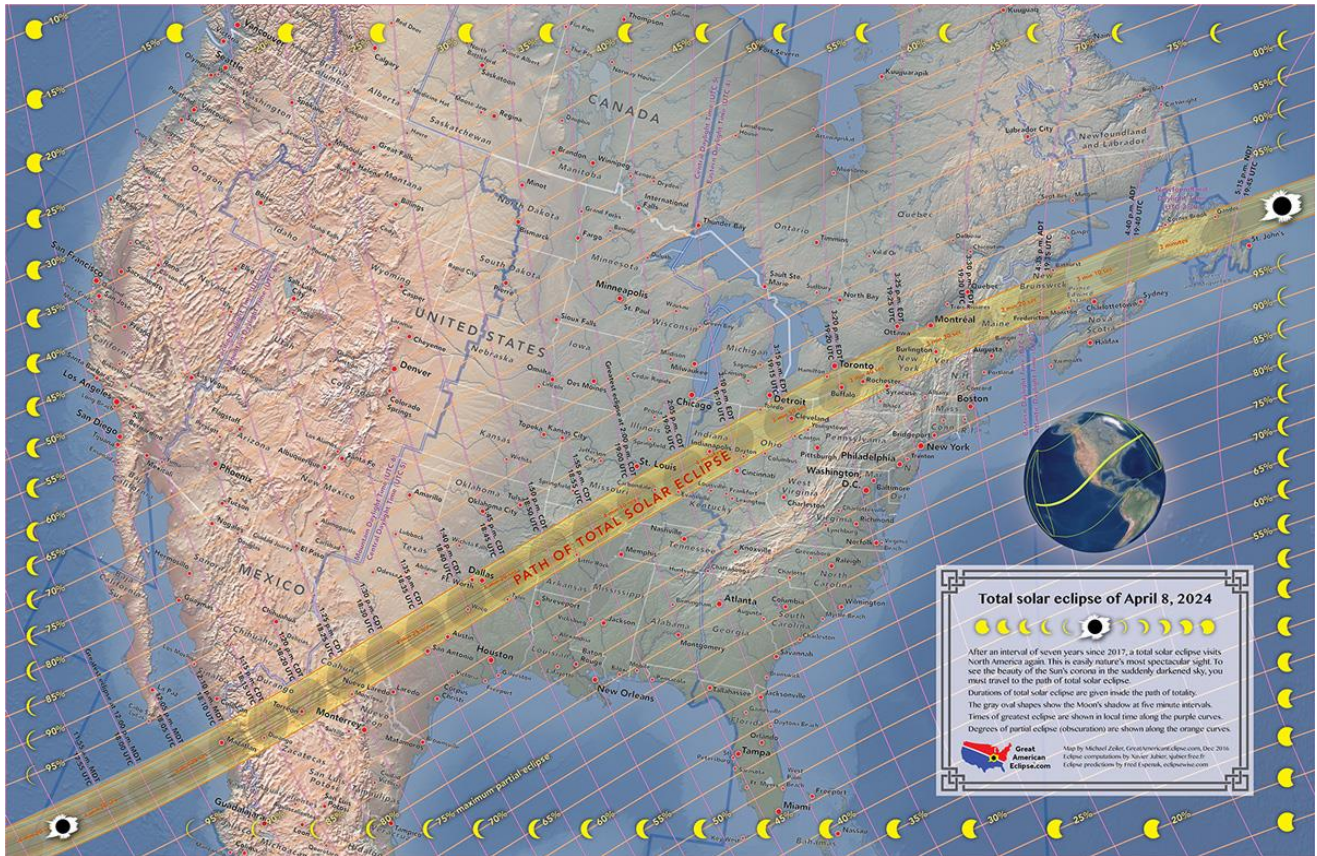
Mick is admitted to practice in all Texas state courts, all federal district courts in Texas, the Fifth and Third Circuit Courts of Appeals, and the United States Supreme Court.

PREPARING FOR MASS GATHERINGS: THE ECLIPSES

The Annular Eclipse. The Saturday, Oct. 14, 2023, annular solar eclipse will cross North, Central, and South America. It will be visible in parts of the United States, Mexico, and many countries in South and Central America. In the U.S., the annular solar eclipse begins in Oregon at 9:13 a.m. PDT and ends in Texas at 12:03 p.m. CDT.



The Total Eclipse. The Monday, April 8, 2024, **total solar eclipse** will cross North America, passing over Mexico, the United States, and Canada. The total solar eclipse will begin over the South Pacific Ocean. Weather permitting, the first location in continental North America that will experience totality is Mexico's Pacific coast at around 11:07 a.m. PDT.



Comprehensive information can be found on the NASA website:

Annular Eclipse -- <https://solarsystem.nasa.gov/eclipses/2023/oct-14-annular/overview/>

Total Eclipse -- <https://solarsystem.nasa.gov/eclipses/2024/apr-8-total/overview/>

Texas:

Annular eclipse – Saturday, Oct. 14, 2023



During an annular eclipse, the moon will cover part of the sun. It will look slightly smaller than the sun, creating the illusion of a ring of fire in the sky. This is due to the moon's position in its orbit. The path of this eclipse in Texas is from Midland/Odessa to Corpus Christi.

Total eclipse – Monday, April 8, 2024



The moon will blot out the entire sun for a total solar eclipse. For a few minutes, it will look and feel like twilight. You will be able to see this rare event along a line across Texas from Del Rio to Texarkana.

What to Expect

For both eclipse events, you will see a partial solar eclipse before and after totality (total coverage). If you're outside of the eclipses' paths, you will only see a partial eclipse.

In the **annular eclipse**, the moon will begin to block the sun around 10:20 am on Oct. 14. The ring of fire will appear around 11:41 am along the Texas-New Mexico border and follow a path southeast across Texas.

Depending on where you are, this display will last from a few seconds to nearly five minutes. The closer you are to the middle of the eclipse's path, the more time you'll get to enjoy that ring of fire.

During the **total eclipse**, the moon will start to block the sun around noon on April 8. Totality will begin at 1:30 pm near Del Rio and trace a line northeast across Texas.

Totality will last from a few seconds to about 4.5 minutes depending on where you are along the path. You will need to be in the path of totality to get the full eclipse experience.

Texas Parks & Wildlife -- <https://tpwd.texas.gov/state-parks/park-information/links/eclipse-viewing#:~:text=Annular%20eclipse%20%E2%80%93%20Saturday%2C%20Oct.%202014%2C%202023&text=The%20path%20of%20this%20eclipse,Midland%2FOdessa%20to%20Corpus%20Christi>

An extremely rare occurrence is upon us. Two solar eclipses will occur within the next six months, and their paths will cross. Even more unlikely from an historical perspective, the paths will cross in TEXAS!

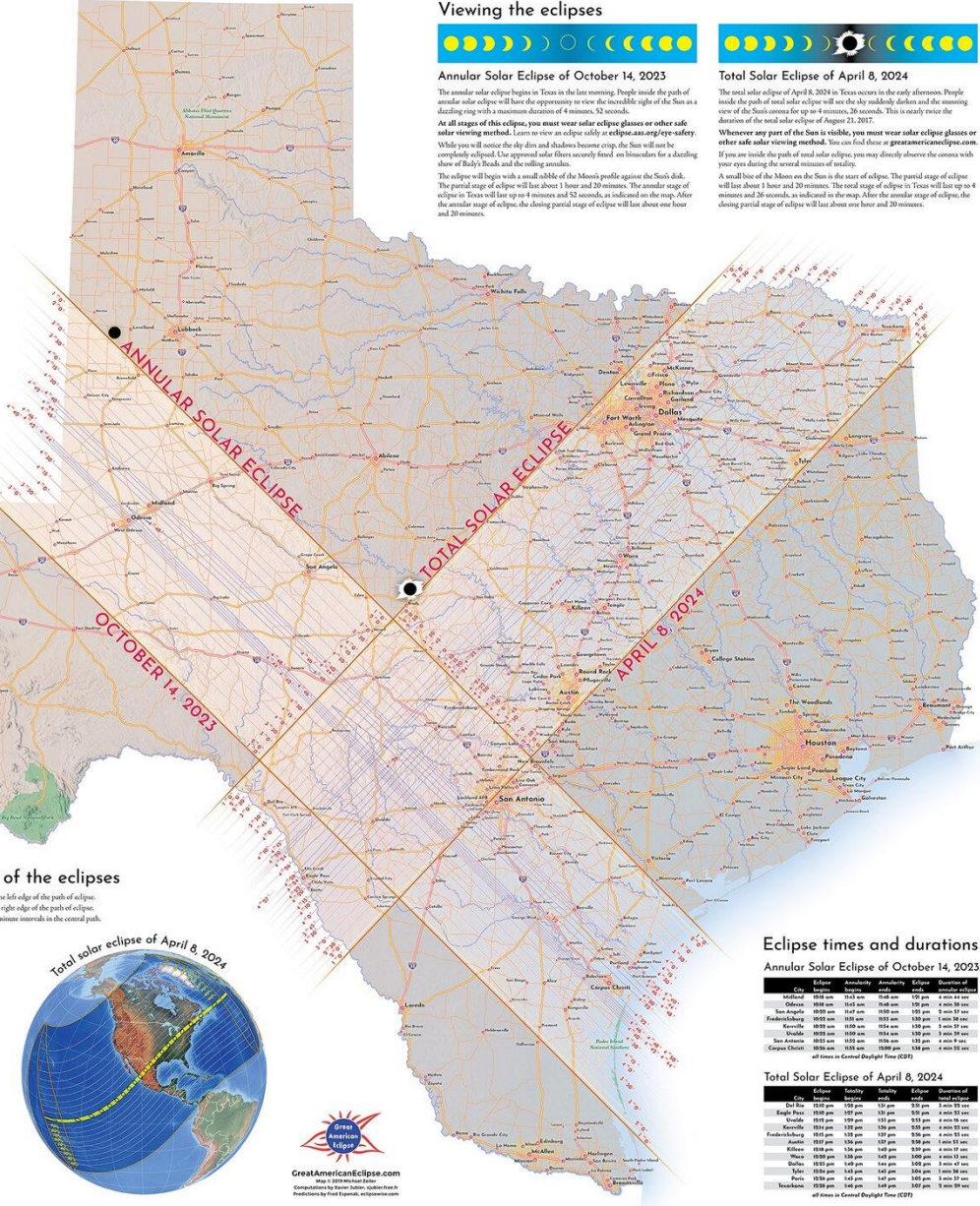
Consequently, millions of people will converge on the



Two solar eclipses cross over Texas in 6 months! This is a rare and exceptional circumstance for any particular spot on Earth. Consequently, Texas will be a magnet for perhaps several million visitors from across the nation and around the world. Millions of people saw the total solar eclipse of August 21, 2017 which crossed the USA from Oregon to South Carolina. Nearly everyone who saw totality in 2017 agrees that it was a peak life experience and the most beautiful sight you can see in the sky. Texas is uniquely situated for a repeat experience.

On October 14, 2023, an annular solar eclipse begins over the Pacific Ocean and reaches the USA at Oregon. After passing through California, Nevada, Utah, Colorado, Arizona, and New Mexico, the path of annular solar eclipse crosses Texas. People near the middle of the path of annular solar eclipse will see the dramatic view of the Sun as a brilliant ring for nearly five minutes.

On April 8, 2024, a total solar eclipse first touches the Pacific coast of Mexico at Mazatlan. After racing across Mexico, the total solar eclipse first darkens Texas at Eagle Pass. People near the middle of the path of the total solar eclipse will enjoy a gorgeous duration of over four minutes, nearly twice the duration of totality as the August 21, 2017 eclipse.



Viewing the eclipses



Annular Solar Eclipse of October 14, 2023

The annular solar eclipse begins in Texas in the last morning. People inside the path of annular solar eclipse will have the opportunity to view the incredible sight of the Sun as a dazzling ring with a maximum diameter of 4 minutes, 52 seconds.

At all stages of this eclipse, you must wear solar eclipse glasses or other safe solar viewing method. Learn to view an eclipse safely at eclipse.aas.org/eye-safety. While you will notice the sky dim and shadows become crisp, the Sun will not be completely eclipsed. Use approved solar filters securely fitted on binoculars for a dazzling show of Baby's Beads and the rolling annulus.

The eclipse will begin with a small sliver of the Moon's profile against the Sun's disk. The partial stage of eclipse will last about 1 hour and 20 minutes. The annular stage of eclipse in Texas will last up to 4 minutes and 52 seconds, as indicated on the map. After the annular stage of eclipse, the closing partial stage of eclipse will last about one hour and 20 minutes.



Total Solar Eclipse of April 8, 2024

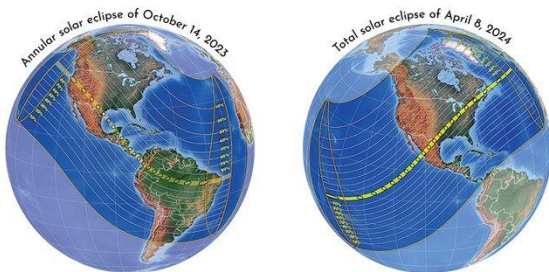
The total solar eclipse of April 8, 2024 in Texas occurs in the early afternoon. People inside the path of total solar eclipse will see the sky suddenly darken and the stunning view of the Sun's corona for up to 4 minutes, 26 seconds. This is nearly twice the duration of the total solar eclipse of August 21, 2017.

Whenever any part of the Sun is visible, you must wear solar eclipse glasses or other safe solar viewing method. You can find these at greatamericaneclipse.com. If you are inside the path of total solar eclipse, you may directly observe the corona with your eyes during the several minutes of totality.

A small line of the Moon on the Sun is the start of eclipse. The partial stage of eclipse will last about 1 hour and 20 minutes. The total stage of eclipse in Texas will last up to 4 minutes and 26 seconds, as indicated on the map. After the annular stage of eclipse, the closing partial stage of eclipse will last about one hour and 20 minutes.

Hemispheric view of the eclipses

Both eclipses begin at sunrise on the left edge of the path of eclipse. Both eclipses end at sunset on the right edge of the path of eclipse. The Moon's shadow is shown at 10 minute intervals in the central path.



Eclipse times and durations

Annular Solar Eclipse of October 14, 2023

City	Annular begins	Annular ends	Eclipse duration
Albany	08:00 am	08:45 am	45 min
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Albany	08:00 am	08:45 am	45 min
Albany	08:00 am	08:45 am	45 min
Albany	08:00 am	08:45 am	45 min
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Total Solar Eclipse of April 8, 2024

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Consequently, millions of people from across the world will converge in Texas to observe both the annular eclipse and the solar eclipse. Texas expects at least 375,000 people from outside the state to come to observe the October 14, 2023 annular eclipse. And at least 1.5 million visitors to come to experience the April 8, 2024 total eclipse.

Obviously, planning and preparation for these mass gatherings is critical, at all levels of Texas government, including the impacted cities. NOTE where the paths of the two eclipses cross – the Texas Hill Country. While Hill Country cities will of course be heavily impacted by the number of attendees for the total eclipse – the path of the annular eclipse does not reach Houston or the

Metroplex, and other populated areas in Texas. So many Texans are expected to visit the Hill Country to experience the annular eclipse, causing considerable issues for state and local planners. All of the Counties, Cities and communities in the Texas Hill Country have engaged in lengthy, thorough and robust planning exercises. Fortunately, the annular eclipse will pass first, so can serve as a “trial run” for the total solar eclipse next April.

Planning and Preparations

The upcoming solar eclipses are exciting events. The City of Fredericksburg, the City of Boerne and all Hill Country cities have worked hard for the last year to prioritize public safety, education, and community engagement to make the events enjoyable and successful for everyone. Some important preparation steps:

1. Create awareness: The first step in preparing for the solar eclipse is to create awareness among the residents of cities about the eclipses. This can be done through various means, such as local news outlets, social media platforms, community websites, and flyers. It is important to inform people about the date, time, duration, and important safety precautions associated with the eclipse.
2. Organize viewing locations: Identify safe and accessible locations within the city where people can gather to view the solar eclipse. Parks, open spaces, and public facilities like schools and community centers can be designated as official viewing locations. These places should have enough space for people to spread out and maintain social distancing.
3. Safety guidelines: Issue and promote safety guidelines to the public. This should include advising people not to look directly at the sun without *proper eye protection*, using approved solar viewing glasses or special eclipse viewers. Emphasize the importance of protecting one's eyesight during the eclipse.
4. Collaboration with state and local authorities: Coordinate with all state and local authorities, such as the police, fire department, and emergency services, to ensure public safety during the event. This can include providing additional support in managing traffic, crowd control, and addressing any emergencies that may arise.
5. Educational programs: Organize educational programs and workshops to educate the community, especially students, about the science behind solar eclipses and the significance of this particular event. This can be done in collaboration with local schools, astronomy clubs, or science centers.
6. Vendor support: Before the event, encourage local businesses and vendors to stock and sell approved solar-viewing glasses to the public. This will ensure that people have access to proper eye protection. It can also be an opportunity for local businesses to generate revenue.
7. Parking and transportation: Since a significant number of people are expected to visit, it is crucial to plan for parking and transportation arrangements. Identify parking lots or areas where visitors can safely park their vehicles without causing congestion. Additionally, consider providing shuttle services to designated viewing locations, reducing traffic and parking issues.

8. Social distancing measures: Due to the ongoing COVID-19 pandemic and other concerns, it is essential to remind people to adhere to social distancing guidelines and other safety protocols set by health authorities. Encourage attendees to wear masks, practice hand hygiene, and maintain physical distance.

9. Public amenities: Ensure that public amenities like public restrooms are available and well-maintained at the viewing locations. Consider providing portable toilets, if necessary, to accommodate the increased footfall.

10. Retail partners: Food stores especially should be engaged early to assist in providing supplies and provisions for locals and visitors. Hardware and building supply stores can also assist with supplies in the larger quantities anticipated.

Some Legal Considerations.

When preparing for a mass gathering event, local governments may consider implementing a variety of temporary ordinances or local regulations to ensure public safety, order, and a positive experience for attendees and residents. Here are some potential measures.

1. Special Event permits:
 - Requirements for event organizers to obtain special or one-time permits.
 - Designation of official viewing sites or areas.
2. Traffic and Transportation:
 - Temporary road closures of one-way streets to manage traffic flow.
 - Designated parking zones, perhaps with increased parking fees or event fees.
 - Restricted zones where vehicles are not allowed.
 - Enhances public transportation services or shuttle services.
3. Vendor Licensing:
 - Special licenses for vendors to set up stalls or kiosks.
 - Designated zones for vending to avoid congestion and ensure safety.
 - Enhanced health and safety standards for food and beverage vendors.
4. Public Safety Measures:
 - Regulations requiring the distribution and use of certified eclipse viewing glasses.
 - Establishment of first aid stations and increased presence of emergency medical staff, with strategic placement.
5. Noise Ordinances:
 - Restrictions on noise levels, especially during the eclipse's peak, to ensure everyone can enjoy the event.
 - Special permits for live performances and amplified sound systems.
6. Camping and Lodging:
 - Designation of temporary camping zones for visitors.
 - Regulations for homeowners renting out their properties to visitors – enhanced short term rental regulations and enforcement.

7. Waste Management:
 - Placement of additional trash bins (and recycling stations if available).
 - Strict enforcement of littering and related cleanliness regulations. Temporary road closures of one-way streets to manage traffic flow.
8. Price Gouging Prevention:
 - Regulations to prevent local businesses from excessively increasing prices for goods, services or lodging during the event, including days leading up to the eclipse.
9. Public Behavior and Conduct:
 - Regulations to manage large crowds, such as restricting certain activities that might be disruptive.
 - Temporary curfews (except not Juvenile Curfews!).
10. Drone Restrictions:
 - Limitations or bans on drone usage during the eclipse to prevent disturbances and to reduce safety hazards.
11. Temporary Structures:
 - Guidelines for setting up temporary structures like tents, stages or viewing platforms to ensure they are safe and do not damage public spaces.
12. Communication Requirements:
 - Mandates for event organizers to provide clear signage, information booths or digital platforms to keep the public informed.
13. Environmental Protections:
 - Regulations to protect local flora and fauna, especially in ecologically sensitive areas.
14. Data and Privacy:
 - Guidelines to respect individual privacy rights associated with surveillance and crowd monitoring operations.

Of course, cities considering temporary measures should first engage with community stakeholders, including residents, business owners, and event organizers, when drafting and implementing these temporary ordinances. This collaborative approach will ensure that the measures are effective, reasonable, and respectful of everyone's rights and interests.