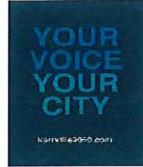




KERRVILLE CITY COUNCIL
SPECIAL-CALLED MEETING AGENDA
APRIL 03, 2020 10:00 AM
CITY HALL, COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS



Council Meeting Procedures during Disaster Period

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, City Council, and City staff within a physical setting constitutes a public health risk. The Texas Open Meetings Act (Ch. 552, Tx. Gov't Code) does not contemplate an instance where a governing body meeting might be completely virtual to avoid further spread of COVID-19. However, on March 16, 2020, the Texas Governor suspended certain requirements of the Open Meetings Act to permit open meetings to occur in a fully virtual setting (e.g., telephonic or videoconference meeting).

Pursuant to the City's Declaration of Disaster, as issued by the Mayor and approved by City Council and which may be found on the City's website, the City recommended that that any public gatherings of 10 or more people in a single indoor location be canceled or postponed until further notice. Based upon this information and the Governor's most recent order, the City plans to hold Council meetings only as necessary. When it is necessary for Council to hold a meeting, the City will convene in a virtual forum (e.g., webinar and/or teleconference) to avoid and mitigate the public health risks.

Based upon the above stated concerns and actions from the federal, state, and local governments:

1. *please be patient as the City implements the process and technology involved;*
2. *understand that the process may change moving forward. If it does, the City will post such changes to its website and on the agendas; and*
3. *should you wish to participate in a meeting, the earlier the better. For example, you may wish to email City Council prior to the meeting. Should you wish to speak to Council, the earlier that you can call and line-up to speak the better.*

Here then is the process that City Council will use for its meeting:

1. *Citizens may view and hear the City Council meetings on Spectrum Channel 2 or by live-streaming via the City's website (www.kerrvilletx.gov).*
2. *City Council meetings are recorded and recordings are posted on the City's website.*
3. *Should the Council meeting stop broadcasting, the City will attempt to solve the issue and restart the broadcast. If unable to fix the issue after a reasonable period of time (e.g., 5 minutes), Council will adjourn the meeting. The City will provide notice of such on its website.*
4. *Any person who wishes to speak to City Council on an agenda item must call in to the City by telephone between 9:00 a.m. and 9:45 a.m. A speaker must provide his/her first and last name, an address, and identify the item to address. Anyone calling after 9:45 a.m. will not be registered to speak. After registering, the speaker must remain on hold and the call will be muted until the appropriate time. The speaker will be able to hear the meeting. At some point, the speaker will be prompted to enter the discussion by stating his or her full name and address. The speaker may then speak to Council for up to four minutes. Should the speaker get disconnected, it is the speaker's responsibility to call back.*

5. A person may also submit a written comment on an agenda item, which comments will be read into the meeting record. Comments must include a name, address, and a reference to the relevant item. Comments that do not include such information will not be read and the City must receive all comments by 9:45 a.m.

- Comments may be dropped off at the City Hall Utility Payments Drop-Box; or
- Comments may be emailed to shelley.mcelhannon@kerrilletx.gov.

CALL TO ORDER

1. CONSIDERATION AND POSSIBLE ACTION:

- Resolution No. 07-2020. A Resolution amending Resolution No. 01-2020, which ordered a general election for the offices of Mayor, Councilmember Place 3, and Councilmember Place 4, by postponing the election until November 3, 2020; establishing procedures and dates for the election; and providing other matters related to the subject.
- Briefing and possible action as to the City's ongoing preparedness and response to COVID-19 (Coronavirus).

2. EXECUTIVE SESSION:

City Council may adjourn into executive (closed) session at any time to discuss any matter if they meet the qualifications in Chapter 551 of the Texas Government Code. Council will discuss the following matters in executive session: Sections 551.072 (deliberation regarding real property) and 551.087 (business prospect/economic development).



- Sky Master business development project (551.072, 551.087)

ADJOURN

The facility is wheelchair accessible, and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-257-8000 for further information.

I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: March 31, 2020 at 9:30 a.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Shelley McElhannon

Shelley McElhannon, City Secretary, City of Kerrville, Texas

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 07-2020**

A RESOLUTION AMENDING RESOLUTION NO. 01-2020, WHICH ORDERED A GENERAL ELECTION FOR THE OFFICES OF MAYOR, COUNCILMEMBER PLACE 3, AND COUNCILMEMBER PLACE 4, BY POSTPONING THE ELECTION UNTIL NOVEMBER 3, 2020; ESTABLISHING PROCEDURES AND DATES FOR THE ELECTION; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

WHEREAS, in accordance with the general laws and Constitution of the State of Texas and the Charter of the City of Kerrville, Texas, and pursuant to Resolution No. 01-2020, City Council previously ordered the holding of a general election on May 2, 2020, for the purpose of electing persons to the offices of Mayor, Councilmember Place 3, and Councilmember Place 4; and

WHEREAS, pursuant to Section 418.016 of the Texas Government, the Governor of the State of Texas, on March 18, 2020, issued a proclamation authorizing political subdivisions that would otherwise hold elections on May 2, 2020, to move their general elections for 2020 to November 3, 2020 due to public health and safety concerns related to the novel coronavirus (COVID-19); and

WHEREAS, pursuant to the Governor's proclamation, City Council desires to postpone the May 2, 2020 general election to November 3, 2020, in order to protect the health and safety of citizens, including the election workers;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. General Election Postponed. Resolution No. 01-2020, which ordered that a general election be held within the City of Kerrville, Texas, on May 2, 2020 for the purpose of electing persons to the offices of Mayor, Councilmember Place Three, and Councilmember Place Four, is hereby amended by postponing the City's general election until Tuesday, November 3, 2020.

SECTION TWO. Current Office Holders. Under Article XVI, Section 17 of the Texas Constitution, the persons currently holding the public offices scheduled to be on the ballot on the May uniform election date will continue to exercise the duties of those offices until new officers take their oaths of office following the November uniform election date.

SECTION THREE. Filing Deadline Preserved. Although postponing the City's general election date, the City is preserving all candidate filings and ballot order actions that have already taken place. Further, this postponement does not have the

effect of reopening candidate filings.

SECTION FOUR. Ballot by Mail Requests. All annual applications for ballot by mail (“ABBMs”) for voters voting by mail due to being over the age of 65 or due to disability remain valid for the November 3, 2020 election. However, ABBMs for voters who submitted ABBMs based on expected absence from the county for the May 2, 2020 election are not valid for the November 3, 2020 election.

SECTION FIVE. Deadline to Register to Vote. Any individual seeking to vote in the November 3, 2020 election must register to vote by October 5, 2020.

SECTION SIX. Applications for Ballots by Mail for the November 3, 2020 General Election. Applications for early voting by mail in Kerr County may be delivered to the Early Voting Clerk, 700 Main Street, Kerrville, Texas 78028 not later than the close of business on October 23, 2020.

SECTION SEVEN. Early Voting by Personal Appearance. Early voting by personal appearance will be conducted beginning on October 19, 2020 and continuing through October 30, 2020. The Kerr County Elections Administrator will determine the exact times and locations for early voting in accordance with the Joint Election Agreement, which will be reflected in a future revision to the original election order (Reso. 01-2020).

SECTION EIGHT. Election Day. Election day voting will occur between the hours of 7:00 a.m. and 7:00 p.m. on Tuesday, November 3, 2020. The Kerr County Elections Administrator will determine the polling locations in accordance with the Joint Election Agreement, which will be reflected in a future revision to the original election order (Reso. 01-2020).

SECTION NINE. Governing Law and Qualified Voters. The elections shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the elections.

SECTION TEN. Notice. The City Secretary is directed to provide public notice of the postponement of the City’s general election until November 3, 2020 on the City’s website, to local media, and to the Kerr County Elections Administrator.

SECTION ELEVEN. Necessary Actions. The City Manager and the City Secretary are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION TWELVE. Cumulative Clause. The provisions of this Resolution are cumulative of all other resolutions or parts of resolutions concerning the same

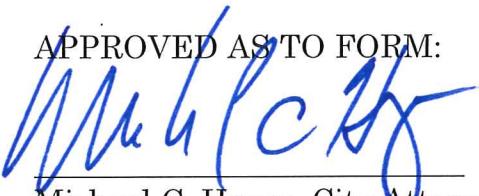
subject matter as that covered herein, which includes Resolution No. 01-2020; provided, however, that all prior Resolutions or parts of Resolutions inconsistent with or in conflict with any of the provisions of this Resolution are expressly repealed to the extent of any such inconsistency or conflict.

SECTION THIRTEEN. Severability. Should any section or part of any section or paragraph of this Resolution be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or sections or part of a section or paragraph of this Resolution.

PASSED AND APPROVED ON this the _____ day of _____ A.D.,
2020.

Bill Blackburn, Mayor

APPROVED AS TO FORM:

A blue ink signature of Michael C. Hayes.

Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary