

AGENDA FOR THE KERRVILLE CITY COUNCIL MEETING

TUESDAY, OCTOBER 27, 2020, 6:00 P.M.

CAILLOUX CITY CENTER

910 MAIN STREET, KERRVILLE, TEXAS

The Community Vision

Kerrville will be a vibrant, welcoming and inclusive community that:

- *Respects and protects the natural environment that surrounds it;*
- *Seeks to attract economic growth and development;*
- *Provides opportunities for prosperity, personal enrichment and intellectual growth for people of all ages; and*
- *Does so while preserving the small-town charm, heritage, arts and culture of the community.*



Kerrville2050



CITY COUNCIL MEETING AGENDA

OCTOBER 27, 2020, 6:00 PM

CAILLOUX CITY CENTER, 910 MAIN STREET, KERRVILLE, TX



Council Meeting Procedures during the Disaster Declaration and Citizen/Public Participation Guidelines

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. 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 (telephonic/videoconference). The City Council will conduct the October 27, 2020 City Council meeting as an open public meeting. In an effort to avoid and mitigate health risks and due to limited occupancy levels in Council Chambers, City Council will convene the October 27, 2020 meeting at the Cailloux City Center, 910 Main Street.

Standard safety protocol will be observed by City Council, City staff, and citizens/visitors attending the City Council meeting at the Cailloux City Center. When entering the Cailloux City Center you will be required to sanitize hands and wear a mask. Your temperature will be taken at a temperature station with a thermal digital thermometer before entering the theater. Any persons with a temperature of 100.2 or above will not be allowed entry. Masks are required at all times in the Cailloux City Center. The public podium will be sanitized between each public speaker. Six-foot distance seating will be observed, and open seating will be designated.

Citizens wishing to speak shall submit a completed "speaker request form" to the City Secretary before City Council meeting is called to order, definitely before the item is called or read into record. Each speaker is limited to four minutes.

The Zoom platform will also be active during this meeting.

Instructions for Zoom callers: Dial the toll free numbers: **1-800-832-5611**. If the toll free number is not functioning, call the Zoom alternative back-up numbers **1-346-248-7799** or **1-669-900-6833**.

When your call is answered you will hear "**Welcome to Zoom, enter your Meeting ID followed by pound**". Enter in the Meeting ID below followed by the pound sign (#), when prompted enter the passcode.

*The Meeting ID is **953 0771 1885#**. The passcode is **742071**.*

Once you have called into the meeting, your microphone will be placed on mute and your call will be placed in the call queue. At this point, you will hear silence on the phone. Do not hang up. The moderator will unmute your microphone as he/she is going down the list. Once the meeting has started, you will be able to listen to proceedings even if your microphone is muted.

The Zoom moderator will be accepting calls starting at 5:00 p.m. Place your call before 5:45 p.m. in order to register with the Zoom moderator and participate. You will be queued to speak. Any calls made after the 5:45 p.m. deadline will not be answered, and microphones will be kept muted. Each speaker is limited to four minutes.

NOTE: Zoom is a third party vendor which provides the ability for remote participation. Software changes may be beyond what the City can control. If the City is notified of any issues from the third party vendor, the City will notify citizens and provide alternatives for engagement and participation.

Instructions for written comments:

Written comments will be accepted for any agenda items, including Public Hearings. You are required to provide your first and last name, address, and identify the item you wish to comment on. All information must be provided in order for your comments to be read into record.

Written comments can be provided two different ways:

- **OPTION 1 by hard copy** – Comments may be dropped off at the City Hall Utility Payments Drop-Box on the north side of City Hall by 4:00 p.m. the afternoon of the Council meeting.
- **OPTION 2 by email** - Comments may be emailed to shelley.mcelhannon@kerrvilletx.gov and must be received by 4:00 p.m. the afternoon of the Council meeting. In addition, anyone may email Councilmembers via their City email addresses as specified on the City's website.

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). City Council meetings are recorded and the recordings are posted on the City's website. Thank you for your participation!



**CITY COUNCIL AGENDA
OCTOBER 27, 2020, 6:00 PM
CAILLOUX CITY CENTER
910 MAIN STREET, KERRVILLE, TX**



CALL TO ORDER:

INVOCATION AND PLEDGE OF ALLEGIANCE:

Led by Mayor Bill Blackburn.

1 ANNOUNCEMENTS OF COMMUNITY INTEREST:

Announcement of items of community interest, including expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognitions of city officials, employees, or other citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city officials or employees; and announcements involving imminent threats to the public health and safety of the city. No action will be taken.

2 PRESENTATIONS:

2.A. Kerrville Kindness award.

Attachments:

[20201027_Recognition_Kerrville Kindness-KISD.pdf](#)

2.B. Recognition of Fire Chief Dannie Smith.

Attachments:

[20201027_Certificate of Recognition_Fire Chief Dannie Smith.pdf](#)

3 VISITORS/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. The speaker request form must be submitted to the City Secretary before the item is called or read into record. City Council may not discuss or take any action on an item but may place the issue on a future agenda. Each speaker is limited to four minutes.

4 CONSENT AGENDA:

These items are considered routine and can be approved in one motion unless a Councilmember asks for separate consideration of an item. It is recommended that the City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:

4.A. Bill of Sale authorizing donation of Fire Department Brush Truck with the Turtle Creek Volunteer Fire Department.

Attachments:

[20201027_Transfer of vehicle_title disclaimer release of liability_TCVFD_102120.pdf](#)

4.B. Resolution No. 22-2020. A Resolution canceling the regular meeting of the City Council scheduled for November 24, 2020.

Attachments:

[20201027_Resolution_22-2020 Canceling City Council meeting November 24 2020.pdf](#)

4.C. Resolution No. 23-2020. A Resolution canceling the regular meeting of the City Council scheduled for December 22, 2020.

Attachments:

[20201027_Resolution_23-2020 Canceling City Council meeting December 22 2020.pdf](#)

4.D. Purchase of four (4) AeroClave Decontamination Systems not to exceed \$60,759.44.

Attachments:

[2020.21.10_Quote_AeroClave.pdf](#)

4.E. Minutes for the City Council workshop held October 13, 2020.

Attachments:

[20201027_Minutes_Council workshop 10-13-20 4pm.pdf](#)

4.F. Minutes for the City Council meeting held October 13, 2020.

Attachments:

[20201027_Minutes_Council Regular meeting 10-13-20 6pm.pdf](#)

4.G. Minutes for the City Council special-called meeting held October 21, 2020.

Attachments:

[20201027_Minutes_Council special-called 5pm 10-21-20.pdf](#)

END OF CONSENT AGENDA

5 ORDINANCES, SECOND READING:

5.A. Ordinance No. 2020-21. Second reading. An Ordinance changing the zoning of an 1.93 acre property, more commonly known as 1478 State Highway 173 (Bandera Hwy); consisting of part of Lot 16, Block 2 of the Highpointe at Riverhill Subdivision; from a Single Family Zoning District (R-1) to a Neighborhood Commercial Zoning District (C-1); and providing other matters relating to this subject.

Attachments:

[20201027_Ordinance_2020-21 Zone Change 1478 Highway 173 \(Bandera Hwy\) Second reading.pdf](#)

[20201013_Map_1478 Bandera Hwy.pdf](#)

[20201013_PublicComment_Pummill_Opposed.pdf](#)

5.B. Ordinance No. 2020-22. Second reading. An Ordinance changing the zoning for a portion of a subdivision, consisting of Lot 1, Block 1, Arcadia Falls Estates, more commonly known as 2255 Arcadia Falls; from a Single Family Zoning District (R-1) to a Medium Density Zoning District (R-2); and providing other matters relating to this subject.

Attachments:

[20201027_Ordinance_2020-22 Zone Change 2255 Arcadia Falls - second reading.pdf](#)

[20201013_Map_2255 Arcadia Falls Lane.pdf](#)

6 CONSIDERATION AND POSSIBLE ACTION:



6.A. Application for Downtown Sidewalk Cafe Seating: Humble Fork.

Attachments:

[20201027_Application_HumbleFork sidewalk cafe seating.pdf](#)

6.B. Briefing and possible action as to the City's ongoing preparedness and response to COVID-19 (Coronavirus).

6.C. Declaration of local state of disaster due to a public health emergency, March 20, 2020.

Attachments:

[20201027_Resolution_16-2020 Extending Mayor's Disaster Declaration COVID 7-28-20.pdf](#)

7 ITEMS FOR FUTURE AGENDAS:

City Council may suggest items or topics for future agendas.

8 EXECUTIVE SESSION:

City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code.

9 ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:

ADJOURN.



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Kerrville Kindness award.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Aug 19, 2020

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20201027_Recognition_Kerrville Kindness-KISD.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

A citizen or company who has impacted the City of Kerrville in a positive way.

Recipient: Kerrville Independent School District staff and teachers.

RECOMMENDED ACTION:

Announce recipient.



CITY OF KERRVILLE

recognizes

THE KERRVILLE INDEPENDENT SCHOOL DISTRICT STAFF AND TEACHERS

with the October 27, 2020

KERRVILLE KINDNESS AWARD

The Kerrville Independent School District's staff and teachers have exemplified the very best in ingenuity, adaptability and willingness to go the extra mile when it comes to educating and caring for Kerrville's youth during the COVID-19 pandemic. KISD staff and teachers have repeatedly found new ways to continue their students' learning processes, whether it be in person or through on-line teaching, and have selflessly pursued vitally important education goals despite the hardships, roadblocks and potential medical adversities resulting from COVID-19.

Mayor Bill Blackburn

Councilmember Gary Cochrane

Councilmember Kim Clarkson

Councilmember Judy Eychner

Councilmember Delayne Sigerman



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Recognition of Fire Chief Dannie Smith.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Oct 15, 2020

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20201027_Certificate of Recognition_Fire Chief Dannie Smith.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
0	0	0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Honoring Fire Chief Dannie Smith, and his dedicated service.

RECOMMENDED ACTION:

Present Certificate of Recognition.



CITY OF KERRVILLE CERTIFICATE OF RECOGNITION



is hereby presented to

**DANNIE SMITH
KERRVILLE FIRE CHIEF**

for his 39-year career as a Firefighter

Dannie Smith began his career with the City of Houston Fire Department in 1981. He spent 22 years with the Houston Fire Department, advancing from a Firefighter and Emergency Medical Technician to Assistant Chief. He was twice honored for valor. During 2007, Smith led the Texas Fire Chief's Association's effort to create the Texas Intrastate Fire Mutual Aid System (the current statewide fire service mutual aid plan), and in 2008 he was honored as "Texas Fire Chief of the Year" by the Texas Fire Chief's Association. He has served as an advisory board member for Houston Community College and Texas A&M/TEEX Fire Training programs. He has served as an instructor for Houston Community College, and the Executive Development Institute at Dillard University in New Orleans, Louisiana. Smith has also held the position of Fire Chief in the cities of Sugar Land, Texas and Pine Bluff, Arkansas.

Chief Smith's leadership and professionalism are unmatched, and have had an impact beyond his own department into the rest of the organization and community. The City of Kerrville would like to recognize Chief Smith's many accomplishments and contributions, and honor and congratulate him on his retirement.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Kerrville to be affixed this 27 day of October 2020.

Mark McDaniel, City Manager



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Bill of Sale authorizing donation of Fire Department Brush Truck with the Turtle Creek Volunteer Fire Department.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Oct 09, 2020

SUBMITTED BY: Dannie Smith

EXHIBITS: [20201027_Transfer of vehicle_title disclaimer release of liability_TCVFD_102120.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item? No

Key Priority Area N/A

Guiding Principle N/A

Action Item N/A

SUMMARY STATEMENT:

The Kerrville Fire Department (KFD) is scheduled to take possession of 2020, Ford F550 Brush Truck within a few weeks. For the past nine years KFD has utilized a 22 year old 1996, Dodge 3500 as a reserve Brush Truck. This vehicle is currently in need of approximately \$4,000 worth of repairs, and is estimated to be valued at approximately \$5,000.

The National Fire Protection Association recommends a 20 year service life for fire apparatus. The recommendation is based on 15 years of front line service, and 5 years in reserve status. As you can see this vehicle exceeds the NFPA's recommended service life.

The Turtle Creek Volunteer Fire Department (TCVFD) has solicited KFD to donate the vehicle to TCVFD. KFD is confident our new Brush Truck will be sufficient to handle our needs for brush type fires.

During maintenance and routine repairs of the new unit we will rely on assistance from surrounding fire departments through mutual agreements. This plan will eliminate the need for a reserve unit. Therefore, staff recommends the City donate the unit to the TCVFD.

No representation is made regarding the condition of the Vehicle at the time of transfer of title, and the Vehicle will be delivered to the TCVFD, AS IS, WHERE IS, AND WITHOUT ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

RECOMMENDED ACTION:

Approve and authorize the transfer of title.

TRANSFER OF VEHICLE TITLE DISCLAIMER AND RELEASE OF LIABILITY

The City of Kerrville, Texas, hereby transfers to the Turtle Creek Volunteer Fire Department, title to the following described vehicle:

Make and Model: 1996 Dodge Ram 3500
Vehicle Identification No.: 38B7MF33C6TM190217
License No.: 120-5169 (Texas Exempt)

("the Vehicle"). Such transfer of title is made by the City of Kerrville, Texas, subject to the following conditions:

1. No representation is made regarding the condition of the Vehicle at the time of transfer of title and the Vehicle is delivered to the Turtle Creek Volunteer Fire Department **AS IS, WHERE IS, AND WITHOUT ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.**
2. By acceptance of the Vehicle, the Turtle Creek Volunteer Fire Department agrees, **TO THE EXTENT ALLOWABLE BY LAW, TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF KERRVILLE, TEXAS, AND ALL OF ITS OFFICERS, AGENTS, AND EMPLOYEES FROM ALL SUITS, ACTIONS, CLAIMS, DAMAGES, PERSONAL INJURIES, LOSSES, PROPERTY DAMAGES, AND EXPENSES OF ANY CHARACTER WHATSOEVER, INCLUDING ATTORNEY'S FEES, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PROPERTY ON ACCOUNT OF ANY NEGLIGENT ACT OF THE CENTER POINT VOLUNTEER FIRE DEPARTMENT OR ANY OF THEIR RESPECTIVE OFFICERS, EMPLOYEES, AGENTS, REPRESENTATIVES, OR ASSIGNS IN THE USE OF THE VEHICLE.**

Signed this _____ day of _____, 2020.

CITY OF KERRVILLE, TEXAS

Mark McDaniel, City Manager

ACCEPTED:

TURTLE CREEK VOLUNTEER FIRE DEPARTMENT

BY: _____
PRINTED NAME: _____
TITLE: _____



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Resolution No. 22-2020. A Resolution canceling the regular meeting of the City Council scheduled for November 24, 2020.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Aug 19, 2020

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20201027_Resolution_22-2020 Canceling City Council meeting November 24 2020.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Section 2-31 of the Code of Ordinances for the City of Kerrville provides that City Council meetings are to be held the second and fourth Tuesdays of each month, and that City Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate.

In past years, the second meeting in November has often been cancelled due to the Thanksgiving holiday.

RECOMMENDED ACTION:

Approve Resolution No. 22-2020.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 22-2020**

**A RESOLUTION CANCELING THE REGULAR
MEETING OF THE CITY COUNCIL SCHEDULED FOR
NOVEMBER 24, 2020**

WHEREAS, Section 2-31 of the Code of Ordinances for the City of Kerrville provides that City Council meetings are to be held the second and fourth Tuesdays of each month; and

WHEREAS, Section 2-31 also provides the City Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate;

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

The regular meeting of the City Council scheduled for November 24, 2020, is hereby canceled.

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

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Resolution No. 23-2020. A Resolution canceling the regular meeting of the City Council scheduled for December 22, 2020.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Aug 19, 2020

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20201027_Resolution_23-2020 Canceling City Council meeting December 22 2020.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Section 2-31 of the Code of Ordinances for the City of Kerrville provides that City Council meetings are to be held the second and fourth Tuesdays of each month, and that City Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate.

In past years, the second meeting in December has often been cancelled due to the Christmas holidays.

RECOMMENDED ACTION:

Approve Resolution No. 23-2020.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 23-2020**

**A RESOLUTION CANCELING THE REGULAR
MEETING OF THE CITY COUNCIL SCHEDULED FOR
DECEMBER 22, 2020**

WHEREAS, Section 2-31 of the Code of Ordinances for the City of Kerrville provides that City Council meetings are to be held the second and fourth Tuesdays of each month; and

WHEREAS, Section 2-31 also provides the City Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate;

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

The regular meeting of the City Council scheduled for December 22, 2020, is hereby canceled.

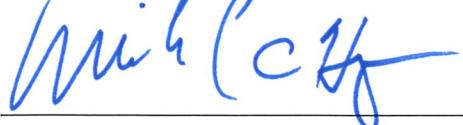
**PASSED AND APPROVED ON this the _____ day of _____ A.D.,
2020.**

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Purchase of four (4) AeroClave Decontamination Systems not to exceed \$60,759.44.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Oct 21, 2020

SUBMITTED BY: Eric Maloney

EXHIBITS: 2020.21.10_Quote_AeroClave.pdf

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$60,759.44	N/A	N/A	85-8530-5300

PAYMENT TO BE MADE TO: AeroClave, LLC

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

The AeroClave is a COVID approved decontamination system. The system provides the aerosolized decontamination of the ambulance, fire apparatus, equipment, and the station. These four systems will be at each of our four stations to enhance our infection control measures and improve firefighter health and safety.

The equipment will be paid for using grant funding. The City applied for a grant from Coronavirus Emergency Supplemental Funding Program, administered by the Office of the Governor, Public Safety Office, Criminal Justice Division on May 7, 2020. The Office of the Governor notified the City on October 16, 2020 that the grant has been awarded. After the equipment has been purchased, the expenditure will be reimbursed by the grant.

Pricing was obtained and the AeroClaves will be purchased through a cooperative purchasing program called H-GAC.

RECOMMENDED ACTION:

Approve the City Manager to purchase four (4) AeroClave Decontamination Systems not to exceed \$60,759.44.

**AeroClave, LLC**

4007 Forsyth Road
Winter Park
Florida
United States 32792

Quote

Valid Till: Dec 31, 2020

Quote Number : 1491633000010254234

BILL TO:

701 Main Street
Kerrville
Texas
USA
78028

SHIP TO:

701 Main Street
Kerrville
Texas
USA
78028

Account Name: **City of Kerrville (TX)**
Contact Name: **Amy Dozier**

Quote Stage:

S.No.	Product Details	Qty	List Price	Discount	Total
1.	RDS3110 - HGAC AeroClave Room Decontamination System, Model 3110.	4	\$ 13,509.04	\$ 0.00	\$ 54,036.16
2.	APA25 - HGAC AeroClave Portable Applicator, Hand Sprayer, 25'	4	\$ 1,205.28	\$ 0.00	\$ 4,821.12
3.	VOXU12 - HGAC Vital Oxide disinfectant solution, 1 Case, Four 1 Gal. Bottles ea.	8	\$ 130.27	\$ 0.00	\$ 1,042.16
4.	RDS3110 - shipping Shipping and Handling	4	\$ 175.00	\$ 0.00	\$ 700.00
5.	VOXU12 - shipping Shipping and Handling	8	\$ 20.00	\$ 0.00	\$ 160.00
Sub Total \$ 60,759.44 Tax \$ 0.00 Adjustment \$ 0.00 Grand Total \$ 60,759.44					

Terms and Conditions

WE ARE NOT ACCEPTING RETURNS/CANCELLATIONS UNDER ANY CIRCUMSTANCES DURING THIS CRITICAL TIME

ALL PRICES ARE LISTED IN USD (\$)

The information contained in this quote is applicable for 30 days.

On-site training is available for \$2,000/day.

Vital-Oxide Disinfectant pricing is as follows (1 case = four 1 gallon bottles):

- 1-11 cases - \$140.00 USD (GSA: \$126.95 USD) per case + \$20.00 shipping per case
- 12-35 cases - \$132.00 USD (GSA: \$119.90 USD) per case + free shipping (Contiguous United States only)
- 36 case pallet - \$120.00 USD (GSA: \$108.82 USD) per case + free shipping (Contiguous United States only)

Hardware and Vital Oxide quantity discounts available.

With each purchase, AeroClave will provide 12 months free parts and labor warranty. For customers within a 30-mile radius, this will be performed on-site. For customers outside a 30-mile radius, AeroClave will provide a loaner unit while the unit is under repair. If unit problem is determined to be a manufacturing or workmanship defect, AeroClave will pay for the shipping both ways. If problem is determined to be caused by operator error or abuse, freight cost will be the responsibility of the owner.

Should you have any questions regarding this quote, please contact Michael Quinoy
(mquinoy@aeroclave.com). We look forward to working with you.

Thanks for your business!

AeroClave LLC



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Minutes for the City Council workshop held October 13, 2020.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Aug 19, 2020

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20201027_Minutes_Council workshop 10-13-20 4pm.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
0	0	0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Minutes for the City Council workshop held October 13, 2020 at 4:00 p.m.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL MINUTES
WORKSHOP, CAILLOUX CITY CENTER**

**OCTOBER 13, 2020 4:00 PM
KERRVILLE, TEXAS**

CALL TO ORDER: On October 13, 2020, at 4:01 p.m., the Kerrville City Council Workshop was called to order by Mayor Bill Blackburn at the Cailloux City Center, 910 Main Street.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Judy Eychner	Mayor Pro Tem, Councilmember Place 3
Gary Cochrane	Councilmember Place 1
Kim Clarkson	Councilmember Place 2
Delayne Sigerman	Councilmember Place 4

COUNCILMEMBER ABSENT:

None

CITY STAFF PRESENT:

Mark McDaniel	City Manager
Mike Hayes	City Attorney
Shelley McElhannon	City Secretary
Kim Meismer	Executive Director for General Operations

VISITORS PRESENT: No citizens were physically present during the workshop, nor were any citizens engaged through the Zoom webinar.

1. PUBLIC COMMENT:

No person(s) signed up to provide comment.

Councilmember Judy Eychner made a motion the City Council adjourn into closed executive session under 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.074 (personnel/officers), and 551.087 (business prospect/economic development). Councilmember Gary Cochrane seconded, and the motion passed 5-0.

RECESS: Mayor Blackburn recessed workshop at 4:04 p.m.

RECONVENE: The workshop was reconvened in closed executive session by Mayor Blackburn in the Cailloux City Center upstairs conference room at 4:04 p.m.

2. EXECUTIVE SESSION:

City Council may adjourn into executive (closed) session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberations regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (business prospect/economic development) of Chapter 551 of the Texas Government Code. Council will discuss the following matters in executive session:

- 2.A. City Attorney annual evaluation (551.074).
- 2.B. Project Wildflower (551.087).
- 2.C. Workforce Housing project on City's Loop 534 property (551.071, 551.072, 551.087).

The closed executive session adjourned, Council returned to open session at 5:45 p.m.

4. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF ANY:

No action was taken in executive session.

ADJOURN.

The workshop was adjourned at 5:45 p.m.

APPROVED BY COUNCIL: _____

APPROVED:

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Minutes for the City Council meeting held October 13, 2020.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Aug 19, 2020

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20201027_Minutes_Council Regular meeting 10-13-20 6pm.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
0	0	0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Minutes for the City Council meeting held October 13, 2020 at 6:00 p.m.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
OCTOBER 13, 2020**

On October 13, 2020, at 6:00 p.m. the meeting was called to order by Mayor Bill Blackburn in the Cailloux City Center at 910 Main Street. The invocation was offered by Councilmember Gary Cochrane, followed by the Pledge of Allegiance led by Councilmember Cochrane.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Judy Eychner	Councilmember, Mayor Pro Tem
Kim Clarkson	Councilmember
Gary Cochrane	Councilmember
Delayne Sigerman	Councilmember

COUNCILMEMBER ABSENT:

None

CITY EXECUTIVE STAFF:

Mark McDaniel	City Manager
Mike Hayes	City Attorney
Shelley McElhannon	City Secretary
Stuart Cunyus	Public Information Officer
Amy Dozier	Chief Financial Officer
Eric Maloney	Deputy Fire Chief
Drew Paxton	Planning Director

VISITORS PRESENT: A list of the citizens physically present during the meeting is on file in the City Secretary's Office for the required retention period. In addition, public participation was engaged through a Zoom webinar.

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Item of Interest to the Community was presented by Stuart Cunyus and Councilmember Judy Eychner.

2. PRESENTATIONS:

2A. Kerrville Kindness award.

Mayor Blackburn presented the Kerrville Kindness award to the City of Kerrville "Make a Difference Committee" employees, represented by Koy Coffer and Misty Gordon.

2B. Proclamation naming October 2020 as Hill Country Night Sky month.

Mayor Blackburn presented a proclamation proclaiming October 2020 as Hill Country Night Sky month. The proclamation was accepted by Bruce Barton, Richard Bobick, Barbara Oates, Dr. Bill Rector, and Debbie Thompson.

2C. Status of construction of new HEB on Main Street.

Store manager Greg Nichols provided status update on the construction of the new HEB on Main Street.

3. VISITORS FORUM:

The following person(s) spoke:

- Bill Morgan
- Jerry Wolff
- George Eychner – was not present when called

4. CONSENT AGENDA:

Councilmember Cochrane made a motion to approve the consent agenda items, and Councilmember Eychner seconded. The motion passed 5-0.

4A. Resolution No. 21-2020. A Resolution approving negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp, regarding the Company's 2020 Rate Review Mechanism Filing.

4B. Ratification of Medical Director Contract for the City of Kerrville Fire Department, Emergency Medical Services.

4C. Minutes for the City Council meeting held September 22, 2020.

END OF CONSENT AGENDA

5. INFORMATION & DISCUSSION:

5A. Update on the final terms of the General Obligation Refunding Bonds, Series 2020 and presentation of the transaction summary.

Shelley McElhannon read item 5A caption into record.

Amy Dozier introduced item. Anne Berger-Entrekin with Hilltop Securities provided information and responded to questions.

6. PUBLIC HEARING AND ORDINANCES, FIRST READING:

6A. Ordinance No. 2020-21. An Ordinance changing the zoning of an 1.93 acre property, more commonly known as 1478 State Highway 173 (Bandera Hwy); consisting of part of Lot 16, Block 2 of the Highpointe at Riverhill Subdivision; from a Single Family Zoning District (R-1) to a Neighborhood Commercial Zoning District (C-1); and providing other matters relating to this subject.

Mayor Blackburn opened the public hearing at 6:42 p.m.

Shelley McElhannon read Ordinance No. 2020-21 caption into record.

Drew Paxton presented information and responded to questions.

No citizens/persons spoke.

Mayor Blackburn closed the public hearing at 6:46 p.m.

Councilmember Eychner made a motion to approve Ordinance No. 2020-21 first reading, seconded by Councilmember Delayne Sigerman. The motion passed 5-0.

6B. Ordinance No. 2020-22. An Ordinance changing the zoning for a portion of a subdivision, consisting of Lot 1, block 1, Arcadia Falls Estates, more commonly known as 2255 Arcadia Falls; from a Single Family Zoning District (R-1) to a Medium Density Zoning District (R-2); and providing other matters relating to this subject.

Shelley McElhannon read Ordinance No. 2020-22 caption into record.
Drew Paxton presented information and responded to questions.
Mayor Blackburn opened the public hearing at 6:46 p.m.
No citizens/persons spoke.
Mayor Blackburn closed the public hearing at 6:46 p.m.

Councilmember Kim Clarkson made a motion to approve Ordinance No. 2020-22 first reading, seconded by Councilmember Cochrane. The motion passed 5-0.

7. ORDINANCES, SECOND READING:

7A. Ordinance No. 2020-18. Second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas. Such Chapter more commonly known as the City's Zoning Code; by amending the Zoning Code to include adding new definitions, amending regulations regarding front yard setbacks, clarifying uses within Residential Transition Zoning Districts (RT) and the Airport Zoning District, revising the formula for determining parking spaces for multi-tenant buildings, clarifying administrative processes, deleting requirements for specific building materials, and other amendments as provided.

Shelley McElhannon read Ordinance No. 2020-18 caption into record.

Councilmember Eychner made a motion to approve Ordinance No. 2020-18 second reading, seconded by Councilmember Sigerman. The motion passed 5-0.

7B. Ordinance No. 2020-19. Second reading. An Ordinance adopting amendments to the City of Kerrville, Texas, Sign Code, as found within Chapter 92 of the City's Code of Ordinances; said amendments to establish specific regulations for signs located within a Residential Transition Zoning District (RT).

Shelley McElhannon read Ordinance No. 2020-19 caption into record.
Drew Paxton presented information and responded to questions.

Councilmember Clarkson moved to approve the Ordinance No. 2020-19 on second reading with revisions to prohibit electronic signs, and for the maximum square footage to be 26 square feet: specifically Page 3, Item 2, Letter "B" – strike 32 and replace with 26 square feet; and Letter "D" electronic signs – strike the remainder of that sentence and add the words 'are prohibited'. The motion was seconded by Councilmember Cochrane. The motion passed 5-0.

7C. Ordinance No. 2020-20. Second reading. An Ordinance amending the Comprehensive Plan for the City of Kerrville, Texas, (Kerrville 2050), pursuant to Chapter 213 of the Texas Local Government Code; by amending the Thoroughfare

Plan contained therein to realign future connections from Olympic Drive and deleting a proposed future connection from Bear Skin Trail to Ranchero Road.

Shelley McElhannon read Ordinance No. 2020-20 caption into record.

Councilmember Cochrane made a motion to approve Ordinance No. 2020-20 second reading, seconded by Councilmember Sigerman. The motion passed 5-0.

8. CONSIDERATION AND POSSIBLE ACTION:

8A. Briefing and possible action as to the City's ongoing preparedness and response to COVID-19 (Coronavirus).

Deputy Fire Chief Eric Maloney presented information and responded to questions.

9. ITEMS FOR FUTURE AGENDAS:

None

10. EXECUTIVE SESSION:

None

11. ACTIONS ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:

N/A

ADJOURN. The meeting adjourned at 6:58 p.m.

APPROVED BY COUNCIL: _____

APPROVED:

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Minutes for the City Council special-called meeting held October 21, 2020.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Aug 19, 2020

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20201027_Minutes_Council special-called 5pm 10-21-20.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
0	0	0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Minutes for the City Council special-called meeting held October 21, 2020 at 5:00p.m.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL SPECIAL-CALLED MEETING MINUTES
CITY HALL COUNCIL CHAMBERS, KERRVILLE, TEXAS
OCTOBER 21, 2020 5:00 PM**

CALL TO ORDER: October 21, 2020, at 5:00 p.m., the Kerrville City Council Special-called meeting was called to order by Mayor Bill Blackburn at the Kerrville City Hall Council Chambers, 701 Main Street. The invocation was offered by Councilmember Kim Clarkson, followed by the Pledge of Allegiance led by Councilmember Clarkson.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Judy Eychner	Mayor Pro Tem, Councilmember Place 3
Gary Cochrane	Councilmember Place 1
Kim Clarkson	Councilmember Place 2
Delayne Sigerman	Councilmember Place 4

COUNCILMEMBER ABSENT:

None

CITY STAFF PRESENT:

Mark McDaniel	City Manager
E.A. Hoppe	Deputy City Manager
Mike Hayes	City Attorney
Shelley McElhannon	City Secretary
Kim Meismer	Executive Director for General Operations

VISITORS PRESENT: A list of the citizens physically present during the meeting is on file in the City Secretary's Office for the required retention period. In addition, public participation was engaged through a Zoom webinar.

Councilmember Judy Eychner made a motion the City Council adjourn into closed executive session under 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), and 551.087 (business prospect/economic development). Councilmember Gary Cochrane seconded, and the motion passed 5-0.

Mayor Blackburn convened the special-called meeting into closed executive session at 5:03 p.m.

1. EXECUTIVE SESSION:

City Council may adjourn into executive (closed) session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberations regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (business prospect/economic development) of Chapter 551 of the Texas Government Code. Council will discuss the following matters in executive session:

1A. Subdivision Development Agreement with Lennar Homes of Texas Land and Construction, Ltd., for City-owned property located in the 3200 block of Loop 534 (551.071, 551.072, and 551.087).

The closed executive session adjourned, Council returned to open session at 5:19 p.m.

2. OPEN SESSION:

2.A. Subdivision Development Agreement with Lennar Homes of Texas Land and Construction, Ltd., for City-owned property located in the 3200 block of Loop 534.

Shelley McElhannon read Item 2A caption into record.

Mark McDaniel presented information and responded to questions.

The following person(s) spoke:

- Chris Braaten (provided written comment, which was read into record by Kim Meismier)
- Gil Salinas
- Barbara Dewell
- John Harrison
- Bruce Stracke

Councilmember Cochrane made a motion to authorize the City Manager to execute a residential subdivision development agreement with Lennar Homes of Texas Land and Construction, Ltd. to develop workforce housing, seconded by Councilmember Eychner. The motion passed 5-0.

ADJOURN.

The workshop was adjourned at 6:04 p.m.

APPROVED BY COUNCIL: _____

APPROVED:

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Ordinance No. 2020-21. Second reading. An Ordinance changing the zoning of an 1.93 acre property, more commonly known as 1478 State Highway 173 (Bandera Hwy); consisting of part of Lot 16, Block 2 of the Highpointe at Riverhill Subdivision; from a Single Family Zoning District (R-1) to a Neighborhood Commercial Zoning District (C-1); and providing other matters relating to this subject.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Oct 02, 2020

SUBMITTED BY: Drew Paxton

EXHIBITS: [20201027_Ordinance_2020-21 Zone Change 1478 Highway 173 \(Bandera Hwy\) Second reading.pdf](#)
[20201013_Map_1478 Bandera Hwy.pdf](#)
[20201013_PublicComment_Pummill_Opposed.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Proposal

Public hearing, consideration, and action to recommend an ordinance to change the zoning from R-1 Single Family Residential District to C-1 Neighborhood Commercial District on approximately 1.93 acres out of original Survey No. 146, Wm C. Francis, Abstract No. 137; including 1.7 acres part of Lot No. 16, Block 2, of Highpointe at Riverhill Section One-B and 0.23 acres of unplatte land, and generally located at 1478 Bandera Highway.

The applicant is proposing a future commercial development accessible only from Bandera Hwy. If a zoning change is approved, this parcel of land would require replatting prior to issuance of any building permits. This parcel already has a Bandera Hwy address and is not accessible from the Riverhill residential development due to an extremely steep hillside that separates the residential development from this parcel. It is reasonable for this parcel to be rezoned since it is unlikely that anyone would build a single family home directly adjacent to Bandera Hwy in this location, and due to direct highway access, the parcel is prime for commercial development.

Procedural Requirements

11 letters were mailed on 8/20/2020 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 8/13/2020. At the time of drafting this Agenda Bill, only one public comment had been received (please see attached).

Staff Analysis and Recommendation

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Vacant Land

Direction: North

Current Zoning: C-3 General Commercial

Existing Land Uses: Movie Theater

Direction: East

Current Zoning: R-3 Multifamily Residential

Existing Land Uses: Assisted Living and Retirement Communities

Direction: South and West

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Single Family Homes

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and land directly adjacent to the south and west are designated Neighborhood Residential (NR) in the Kerrville 2050 Comprehensive Plan. Neighborhood Residential designates single family detached homes as the primary land use, however, also allows for carefully chosen locations for retail and commercial uses. This zoning change request would be consistent with the Comprehensive Plan.

Thoroughfare Plan:

The subject property is located on Bandera Hwy, a primary arterial.

Traffic Impact:

Bandera Hwy is already designed along this stretch of roadway to allow for ingress and egress of vehicles from adjacent properties. No traffic impact is anticipated.

Parking:

All parking requirements of the zoning code shall be met, therefore, adequate parking will be provided at the time of site design and construction.

Recommendation:

Because this property has highway frontage and cannot be accessed from the Riverhill single family home development, it is reasonable for this parcel to be rezoned. It is unlikely that anyone would build a single family home directly adjacent to Bandera Hwy along this stretch of roadway, and due to direct highway access, the parcel is prime for commercial development. Based on these circumstances and the consistency with the Kerrville 2050 Plan, staff recommends the rezoning request from R-1 to C-1.

On September 3rd, the Planning and Zoning Commission recommended the case for approval with a unanimous vote.

Attachments:

Location Map

Public Comments

Ordinance No. 2020-21 was approved by City Council on first reading 10/13/20.

RECOMMENDED ACTION:

Recommend approval of the Ordinance No. 2020-21 on second reading.

CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2020-21

AN ORDINANCE AMENDING CHAPTER 60 OF THE CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS, WHICH ADOPTED ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH THE CITY'S COMPREHENSIVE PLAN, SUCH CHAPTER MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING OF AN 1.93 ACRE PROPERTY ADDRESSED AS 1478 STATE HIGHWAY 173 (BANDERA HWY); CONSISTING OF PART OF LOT 16, BLOCK 2 OF THE HIGHPOINTE AT RIVERHILL SUBDIVISION AND ANOTHER PORTION OUT OF UNPLATTED LAND; WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; FROM A SINGLE FAMILY RESIDENTIAL ZONING DISTRICT (R-1) TO A NEIGHBORHOOD COMMERCIAL ZONING DISTRICT (C-1); PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing held before the City Council on October 13, 2020, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on this Ordinance, the adoption of which will result in the change of a zoning district for the property located at 1478 State Highway 173 and comprising approximately 1.93 acres; such change to result in the removal of the property from a Single Family Residential Zoning District (R-1) to placement within a Neighborhood Commercial Zoning District (C-1); and

WHEREAS, on October 13, 2020, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

SECTION ONE. The Zoning Code for the City of Kerrville, Texas, as enacted by City Council and effective October 1, 2019 and included within Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* be

and the same are hereby amended to designate the following described property zoned as within a Neighborhood Commercial Zoning District (C-1):

Legal Description: Being a certain tract or parcel of land comprising approximately 1.93 acres, 1.7 acres consisting of part of Lot No. 16, Block No. 2, and out of the Highpointe at Riverhill Subdivision, as filed at Volume 1562, Page 143 of the Kerr County real property records; and .23 acres of unplatte land; and within the City of Kerrville, Kerr County, Texas; said tract depicted at Exhibit A, attached hereto and made a part hereof for all purposes, and hereafter referred to as the "Property."

Address: 1478 State Highway 173

SECTION TWO. The City Manager or designee is authorized and directed to amend the City's *Official Zoning Map* to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with the City's Zoning Code.

SECTION THREE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION FIVE. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

SECTION SIX. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07 of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the 13 day of OCTOBER, A.D., 2020.

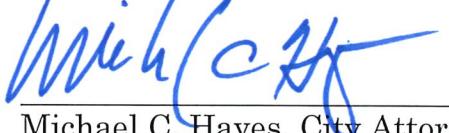
PASSED AND APPROVED ON SECOND AND FINAL READING, this
the ____ of _____, A.D., 2020.

Bill Blackburn, Mayor

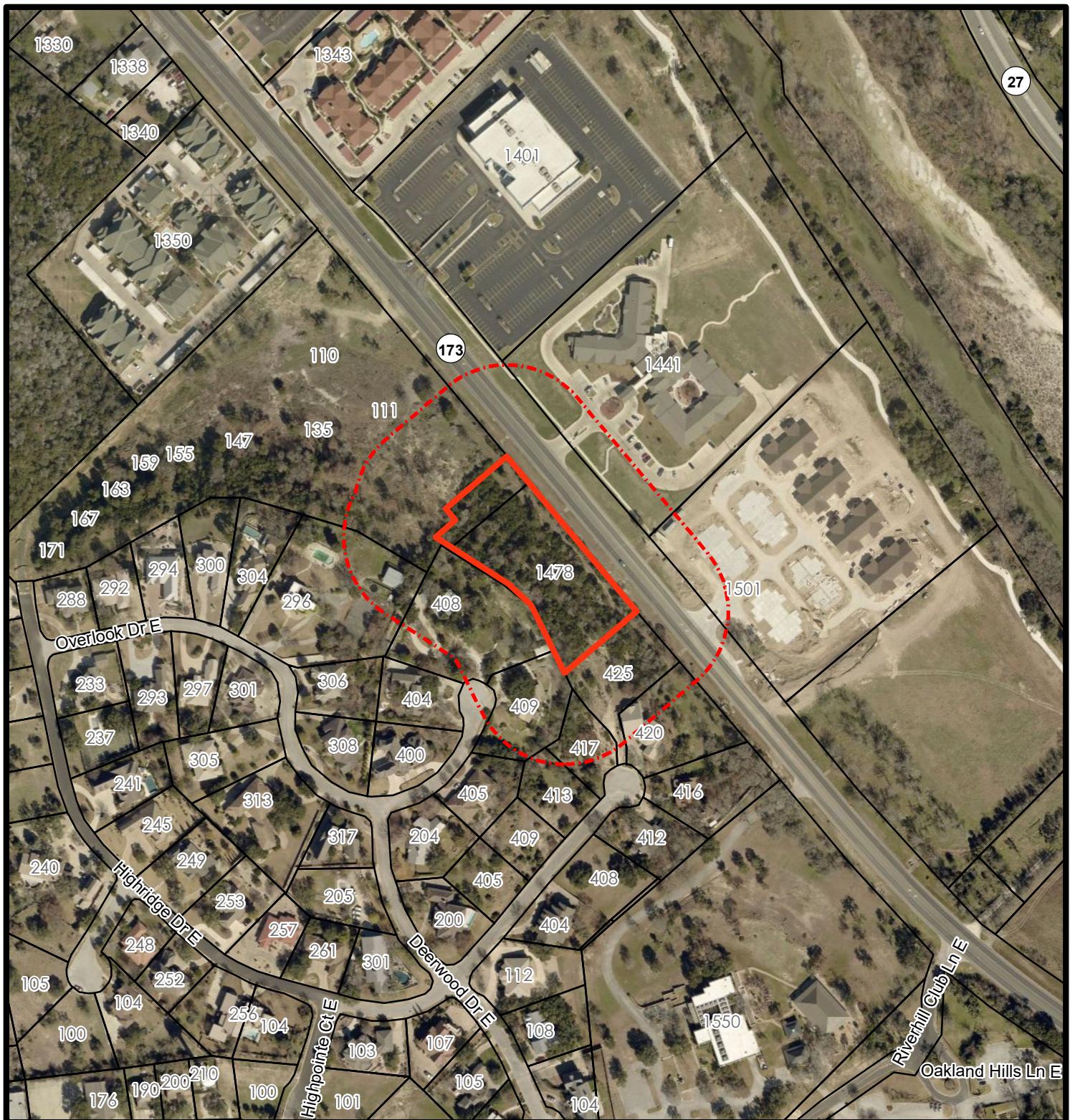
ATTEST:

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney



Location Map

Case # 2020-031

Location:
1478 Bandera Hwy

Legend

200' Notification Area
Subject Properties



0 100 200 400

Scale In Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.

From: [Robert Pummill](#)
To: [Planning Division](#)
Subject: CASE 2020-031
Date: Sunday, July 26, 2020 11:56:03 AM

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Reference CASE 2020-031

We , Robert Pummill and Shirley Pummill, are the property owners of 420 and 425 Highridge Drive adjacent to property under consideration for re-zoning.

We purchased this property with the understanding the adjacent properties would remain zoned R-1.

We feel a change as requested would reduce the value of our property therefore we are IN OPPOSITION TO THE PROPOSAL.

Respectfully;
Robert and Shirley Pummill
420 Highridge Drive
Kerrville, Tx.



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Ordinance No. 2020-22. Second reading. An Ordinance changing the zoning for a portion of a subdivision, consisting of Lot 1, Block 1, Arcadia Falls Estates, more commonly known as 2255 Arcadia Falls; from a Single Family Zoning District (R-1) to a Medium Density Zoning District (R-2); and providing other matters relating to this subject.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Oct 15, 2020

SUBMITTED BY: Drew Paxton

EXHIBITS: [20201027_Ordinance_2020-22 Zone Change 2255 Arcadia Falls - second reading.pdf](#)
[20201013_Map_2255 Arcadia Falls Lane.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Proposal

Public hearing, consideration, and action to recommend an ordinance to change the zoning from R-1 Single Family Residential District to R-2 Medium Density Residential District on Lot 1, Arcadia Falls Estates, and generally located at 2255 Arcadia Falls Lane.

The applicant is proposing to increase the size of an existing single family residential home located within an R-2 Medium Density Residential District. The increase in home size requires the home addition to cross an adjacent property line which is not allowed by code. Although the applicant owns the adjacent property, a building permit cannot be issued until the lots are combined and the lot line issue resolved. The challenge with this request is that the adjacent property is currently dual zoned as R-1 Single Family

Residential and R-2 Medium Density Residential, not allowing replatting to combine lots. In order to be in compliance with Zoning Code and Subdivision Code and allow the parcels to be replatted, all parcels must be zoned the same. Two steps have to occur in order for the home addition to be permitted; rezoning followed by replatting. First, the R-1/R-2 dual zoned property needs to be rezoned to only R-2 so that all properties have the same zoning. Because a majority of adjacent residential properties are zoned R-2, R-2 was chosen as the most appropriate zoning change request. This rezoning then allows the applicant to proceed to step two, replatting. Now having the same zoning designation, the properties can be replatted and combined, eliminating the lot line issue and allowing the applicant to complete the building permit process.

Procedural Requirements

11 letters were mailed on 8/20/2020 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 8/13/2020. At the time of drafting this Agenda Bill, no public comments had been received.

Staff Analysis and Recommendation

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Vacant Land

Direction: North

Current Zoning: IM Industrial and Manufacturing

Existing Land Uses: Vacant Land

Direction: South

Current Zoning: N/A

Existing Land Uses: Guadalupe River

Direction: West

Current Zoning: IM Industrial and Manufacturing / R-1 Single Family Residential

Existing Land Uses: Vacant land

Direction: East

Current Zoning: R-2 Medium Density Residential

Existing Land Uses: Single Family Detached Homes

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and land directly adjacent to the west and east are designated Neighborhood Residential (NR) in the Kerrville 2050 Comprehensive Plan. Neighborhood Residential designates single family detached homes as the primary land use. The request for R-2 zoning is consistent with the Kerrville 2050 Plan.

Thoroughfare Plan:

The subject property is located on Arcadia Falls Lane, a private road.

Traffic Impact:

Arcadia Falls Lane is a private road. No traffic impact is anticipated.

Parking:

All parking requirements of the zoning code shall be met, therefore, adequate parking will be provided at the time of site design and construction.

Recommendation:

Because the applicant is not changing the housing density when compared to surrounding properties and is only requesting this zoning change to allow an addition to an existing home, it seems reasonable to grant this zoning change request. Based on these circumstances and the consistency with the Kerrville 2050 Plan, staff recommends the rezoning request from R-1 to R-2.

On September 3rd, the Planning and Zoning Commission recommend the case for approval with a unanimous vote.

Attachments:

Location Map

Ordinance No. 2020-22 was approved by City Council on first reading 10/13/20.

RECOMMENDED ACTION:

Approve Ordinance No. 2020-22 on second reading.

CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2020-22

AN ORDINANCE AMENDING CHAPTER 60 OF THE CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS, WHICH ADOPTED ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH THE CITY'S COMPREHENSIVE PLAN, SUCH CHAPTER MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING AND CLASSIFICATION FOR A PORTION OF A SUBDIVISION, CONSISTING OF LOT 1, BLOCK 1, ARCADIA FALLS ESTATES; MORE COMMONLY KNOWN AS 2255 ARCADIA FALLS; FROM A SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (R-1) TO A MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT (R-2); PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing held before the City Council on October 13, 2020, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on an ordinance, the adoption of which will result in the change of a zoning district for a property located at 2255 Arcadia Falls (Lot 1, Arcadia Falls Estates); such change to result in the removal of the property from a Single-family Zoning District (R-1) to placement within a Medium Density Residential Zoning District (R-2); and

WHEREAS, on October 13, 2020, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

SECTION ONE. The Zoning Code for the City of Kerrville, Texas, as enacted by City Council and effective October 1, 2019 and included within Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* be and the same are hereby amended to designate the following described property zoned as a Medium Density Residential Zoning District (R-2):

Legal Description: consisting of Lot 1, Arcadia Falls Estates, within the City of Kerrville, Kerr County, Texas; said property being depicted at Exhibit A, attached hereto and made a part hereof for all purposes;

Address: 2255 Arcadia Falls, and hereafter referred to as the "Property."

SECTION TWO. The City Manager or designee is authorized and directed to amend the City's *Official Zoning Map* to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with the City's Zoning Code.

SECTION THREE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION FIVE. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

SECTION SIX. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07 of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the 13 day of OCTOBER, A.D., 2020.

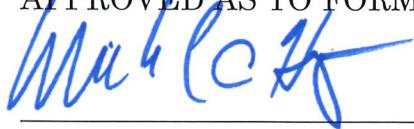
PASSED AND APPROVED ON SECOND AND FINAL READING, this the _____ day of _____, A.D., 2020.

Bill Blackburn, Mayor

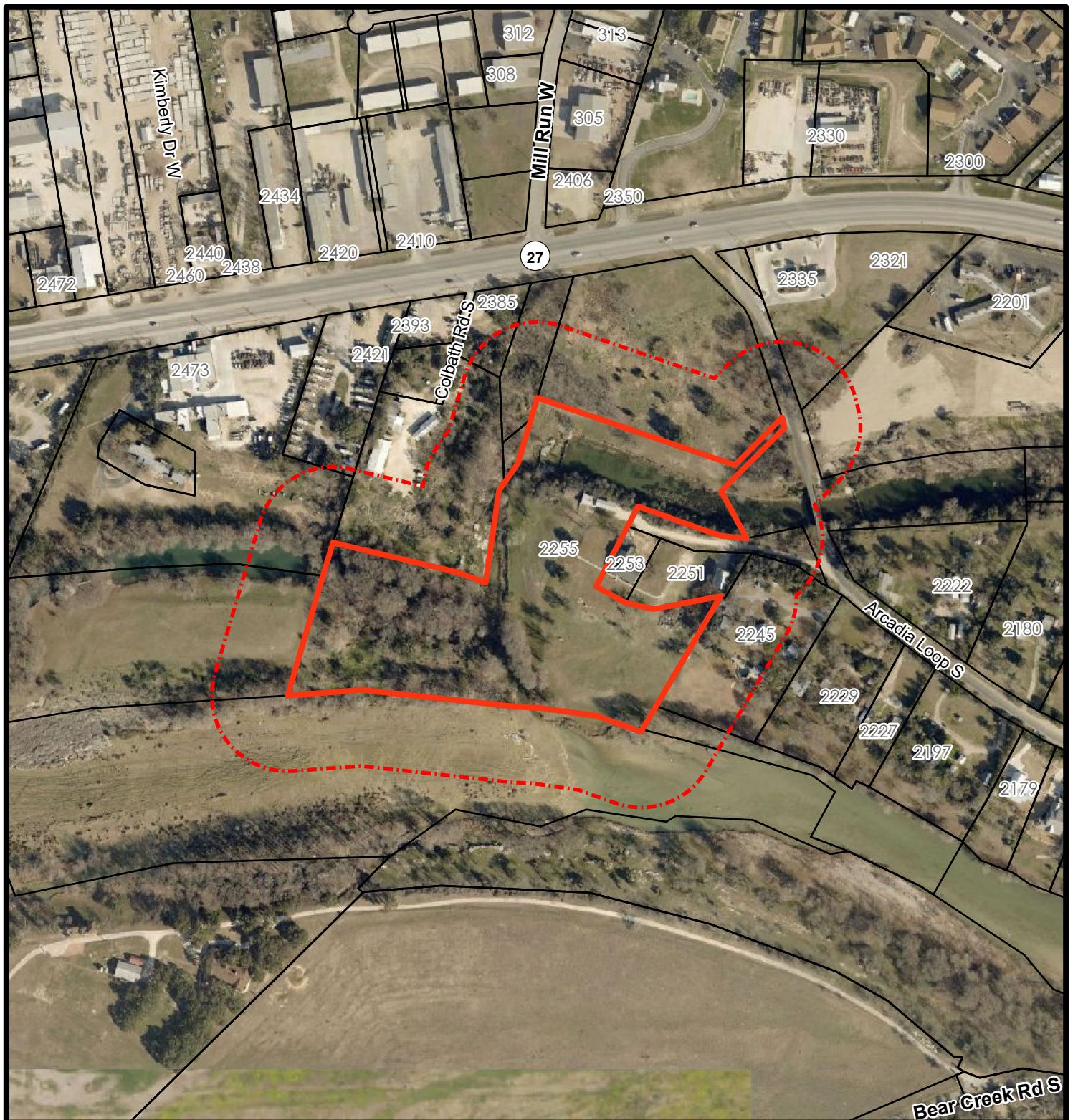
ATTEST:

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Michael C. Hayes".

Michael C. Hayes, City Attorney



Location Map

Case # 2020-043

Location:
2255 Arcadia Loop

Legend

200' Notification Area
Subject Properties



0 125 250 500

Scale In Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Application for Downtown Sidewalk Cafe Seating: Humble Fork.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Oct 21, 2020

SUBMITTED BY: Stuart Barron

EXHIBITS: [20201027_Application_HumbleFork sidewalk cafe seating.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	Yes
Key Priority Area	D - Downtown Revitalization
Guiding Principle	D2. Foster a Downtown that tells the community's history/story/lore by preserving and enhancing historic features and a sense of place, celebrating and connecting Downtown to the Guadalupe River and developing a brand and a unified identity for Downtown
Action Item	D2.11 - Promote outdoor dining, especially overlooking the river

SUMMARY STATEMENT:

Staff has accepted the Humble Fork's application. The application is administratively complete, and being presented to Council for review and acceptance per Article II Sec. 30-55.

RECOMMENDED ACTION:

Review and approve Sidewalk Café Permit.



Case # Pw/EN 0

Sidewalk Café License Application

Chapter 30, Article II - Sidewalk Cafes

AN INCOMPLETE APPLICATION WILL DELAY PROCESSING.

Return completed application to 200 Sidney Baker Street, Kerrville, Texas 78028 or via email planning.division@kerrvilletx.gov
Questions? Call (830) 258-1514

1. APPLICANT/OWNER CONTACT INFORMATION

Name of Owner: Hugo Madrid Email: thehumblefork@hotmail.com
Mailing Address: 701 Water ST Phone: 830 955-5528
Name of Applicant: Patricia Lanfranchi Email: lanfranchipatricia@hotmail.com
Mailing Address: 701 Water ST If different than Owner Phone: 210-730-6394

2. SUBJECT PROPERTY

Project Name: OUT side Tables.

Street address: 701 Water ST

Tax/Property ID Number: 3-20686-6675-2

Legal Description/Subdivision Name: The Humble FORK IN C.

Block: _____ Lot: _____ Acreage: _____ Zoning District: _____

Attach metes and bounds description if the property is not platted

3. OWNER / APPLICANT ACKNOWLEDGEMENT

I hereby certify that I am the Owner of the subject property. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the application may be denied and/or the permit or approval may be revoked. I further acknowledge that application processing does not formally begin until application is deemed complete and all fees have been paid.

Owner Signature:

Date: 2-26-2020

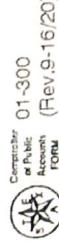
If application is not signed by Owner, an Owner Affidavit (DVS-FRM-066.PLN) is required.

I hereby certify that I am the Duly Authorized Agent of the Owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the application may be denied and/or the permit or approval may be revoked. I further acknowledge that application processing does not formally begin until application is deemed complete and all fees have been paid.

Applicant Signature:

Date: 2-26-2020

Sign here if you are the Applicant. If Owner not signing, an Owner Affidavit (DVS-FRM-066.PLN) is required.



01-300
(Rev. 9-16-20)

TEXAS SALES AND USE TAX PERMIT

This permit is not transferable, and this side must be prominently displayed in your place of business.

Retailers: A seller may NOT accept a copy of this permit in lieu of a properly completed exemption or resale certificate. A certificate is necessary to document why tax is not collected on a sale.

TAXPAYER NAME, BUSINESS LOCATION NAME, and PHYSICAL LOCATION

THE HUMBLE FORK, INC.

THE HUMBLE FORK
701 WATER ST
KERRVILLE
KERR COUNTY

TX 78028-5319

NAICS: 722511 Full-Service Restaurants

WE SHOW THIS BUSINESS IN THE FOLLOWING LOCAL SALES TAX AUTHORITIES:

CITY: KERRVILLE

COUNTY: KERR

EFF: 12/01/2018
EFF: 12/01/2018

You must obtain a new permit if there is a change of ownership, location, or business location name.

Type of permit

SALES AND USE TAX

Taxpayer number

3-20686-6675-2

Location number

00001

First business date of location

12/01/2018


Glenn Hegar
Comptroller of Public Accounts

You may need to collect sales and/or use tax for other local taxing authorities depending on your type of business.

For additional information, see "Collecting Local Sales and Use Tax" section on the back of this document.

If you have any questions regarding sales tax, visit our website at www.comptroller.texas.gov or call us at 1-800-252-5555.

Business hours organization.

Tuesday To Saturday

11 - 9 PM

Sunday

11 - 3 PM.

OPEN

the humble fork
dinner

THE HUMBLE FORK

We are
open

the
humble fork

TAKEAWAY
TAKEAWAY

TAKEAWAY

BAR

Table size 30x30

20' x 30' footprint

HUMBLE FORK

10' x 10' footprint

1' = 1'



7' CLEARANCE

10'

PROPOSED EXTERIOR
SCANNER FUSE

THE HUMBLE FORK

B. 2. 2022



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/26/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER		CONTACT NAME: Liz Jimenez	
Loyo Insurance Group, LLC 2939 Mossrock Ste. 270		PHONE (A/C. No. Ext.): 210-340-1111	FAX (A/C. No.): 210-637-9082
San Antonio TX 78230		E-MAIL ADDRESS: liz@loyoinsurance.com	
		INSURER(S) AFFORDING COVERAGE NAIC #	
		INSURER A: Lloyd's of London	15792
		INSURER B: Texas Mutual Insurance Company	22945
		INSURER C: Lloyd's of London	15792
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGEs		CERTIFICATE NUMBER:		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSR W/WD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		TCN112681	12/01/2019	12/01/2020	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ex occurrence) \$ 100,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO- JECT <input type="checkbox"/> LOC				MED EXP (Any one person) \$ 5,000	
					PERSONAL & ADV INJURY \$ 1,000,000	
	AUTOMOBILE LIABILITY					GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					PRODUCTS - COMP/OP AGG \$ 1,000,000
	UMBRELLA LIAB	<input checked="" type="checkbox"/> OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
B	DED <input type="checkbox"/> RETENTION \$		0002025014	12/22/2019	12/22/2020	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT \$ 1,000,000
C	Property		TCN112681	12/01/2019	12/01/2021	E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
						E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER

CANCELLATION

The Humble Fork Inc. 701 Water Street		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
Kerrville TX 78028		AUTHORIZED REPRESENTATIVE Luis Loyo



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Briefing and possible action as to the City's ongoing preparedness and response to COVID-19 (Coronavirus).

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Aug 19, 2020

SUBMITTED BY: Shelley McElhannon

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

On-going responsiveness to changing conditions and situations.

RECOMMENDED ACTION:

Actions for the preparedness and response to COVID-19 (Coronavirus) circumstances.



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Declaration of local state of disaster due to a public health emergency, March 20, 2020.

AGENDA DATE OF: October 27, 2020 **DATE SUBMITTED:** Aug 19, 2020

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20201027_Resolution_16-2020 Extending Mayor's Disaster Declaration COVID 7-28-20.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Review the Disaster Declaration revised March 20, 2020.

RECOMMENDED ACTION:

Review declaration. Update if needed.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 16-2020**

**A RESOLUTION AUTHORIZED BY SECTION
418.108(B) OF THE TEXAS GOVERNMENT CODE
EXTENDING THE MAYOR'S DECLARATION THAT
COVID-19 (CORONAVIRUS) POSES AN IMMINENT
THREAT OF DISASTER WITHIN THE CITY OF
KERRVILLE AND DECLARING A STATE OF
DISASTER WITHIN THE CITY**

WHEREAS, on March 16, 2020, Mayor Bill Blackburn, acting in accordance with authority granted to him under the City's Charter and Section 418.108(a) of the Texas Government Code, declared a local state of disaster ("disaster declaration") for the City due to concerns related to the coronavirus disease 2019 (COVID-19); and

WHEREAS, the Mayor revised and reissued the disaster declaration on March 18, 2020 and March 19, 2020 to account for new information and health recommendations; and

WHEREAS, Section 418.108(b) of the Texas Government Code provides that the disaster declaration may not be continued for a period of more than seven days except with the consent of City Council; and

WHEREAS, City Council, pursuant to its adoption of Resolution No. 06-2020 consented to the Mayor's declaration and extended it in accordance with state law; and

WHEREAS, the Mayor, on today's date, has issued a revised declaration, which revises his previously issued declaration to update it to current conditions and needs; and

WHEREAS, City Council believes that the conditions necessitating the disaster declaration will continue to exist for a period of more than seven days; and

WHEREAS, City Council supports the disaster declaration signed by Mayor Bill Blackburn on July 28, 2020, and consents to its continuation for a period of more than seven days;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF KERRVILLE:**

City Council hereby ratifies the disaster declaration signed by Mayor Bill Blackburn on July 28, 2020 and consents to its continuation indefinitely or until such time as it is terminated by order of the Council. Said declaration is attached hereto as **Exhibit A**.

PASSED AND APPROVED ON this the 28 day of July, A.D., 2020.

ATTEST:


Shelley McElhannon, City Secretary


Bill Blackburn, Mayor

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

**DECLARATION OF LOCAL STATE OF DISASTER DUE TO A PUBLIC
HEALTH EMERGENCY – EXTENDED (4th Declaration)**

**A DECLARATION OF THE MAYOR OF THE CITY OF
KERRVILLE, TEXAS, DECLARING THAT COVID-19
(CORONAVIRUS) REMAINS AN IMMINENT THREAT OF
DISASTER WITHIN THE CITY OF KERRVILLE AND
EXTENDING THE DECLARATION OF A STATE OF DISASTER
WITHIN THE CITY; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of Kerrville, Texas (the “City”) from on or before the 16th day of March 2020, prepared for damage, injury, or loss of life resulting from the novel coronavirus (COVID-19), which has been recognized globally as a contagious respiratory virus; and

WHEREAS, it is critical that the City continue taking actions to respond to and mitigate the spread of COVID-19 to protect the health and welfare of the public; and

WHEREAS, extending the City’s *Declaration of Local State of Disaster Due to a Public Health Emergency* will continue to help facilitate and expedite the use and deployment of resources to enhance the City’s ongoing response and mitigation to COVID-19; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas certified that COVID-19 poses an imminent threat of disaster and declared a state of disaster for all counties in Texas, has extended his declaration several times, and to date, has issued approximately twenty-two orders, many of which remain in effect, in an effort to mitigate said disaster; and

WHEREAS, the Texas Department of State Health Services (“DSHS”) has previously determined, including an updated declaration issued on May 15, 2020, that as of March 19, 2020, COVID-19 represented and continues to represent a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, the Mayor urges all citizens of Kerrville and this community to continue to monitor government websites such as the Centers of Disease Control and Prevention (“CDC”), DSHS, and the Texas Governor as well as news sources in an attempt to remain aware and vigilant about COVID-19 and the evolving situation; and

WHEREAS, the Mayor, in seeking information from national, state, and local experts continues to believe that extraordinary measures must continue to be taken to respond to and to mitigate the spread of COVID-19 and its impact to the public health and welfare;

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF KERRVILLE:

SECTION ONE. Extending Declaration of Local State of Disaster. A local state of disaster (“disaster declaration”) was previously declared for the City of Kerrville, Texas, pursuant to Section 418.108(a), Texas Government Code, on March 16, 2020, and then revised on March 18, 2020 and March 19, 2020. The Mayor hereby extends the March 19, 2020, declaration in accordance with law.

SECTION TWO. Duration of Local State of Disaster. Pursuant to Section 418.108(b), Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by Kerrville City Council.

SECTION THREE. Publicity and Filing. Pursuant to Section 418.108(c), Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary, to include posting it on the City’s website.

SECTION FOUR. Continuing the Activation of the City Emergency Management Plan. Pursuant to Section 418.108(d), Texas Government Code, this declaration of a local state of disaster continues the activation of the City’s Emergency Management Plan.

SECTION FIVE. Public Meetings - Audience and presenter social distancing; public testimony and public hearing input. City Council meetings and meetings of other City Boards and Commissions may be delayed, rescheduled, or conducted in accordance with alternate measures as permitted by law. To reduce the chance of COVID-19 transmission, the City shall hold its public meetings in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with other members of the community, City Council and other Board and Commission members, and City staff. Public testimony and public hearing input for public comment and on all items on the agenda at public meetings of the City Council and City Boards and Commissions shall be provided in a manner that best serves these purposes, but balancing the right of a person to make a public statement, orally and in person, virtually, or in writing but keeping in mind the public health and safety. The City shall establish and provide notice of its *Council Meeting Procedures during Disaster Period* and shall also provide notice on its website of the meeting schedule for City Council and its other Boards and Commissions and the health measures applicable to each.

SECTION SIX. Municipal Court. All court proceedings in the City’s Municipal Court may be altered or even postponed in accordance with state law, including orders and direction from the Texas Supreme Court and the state’s Office of Court Administration.

SECTION SEVEN. City Manager Authority. The City Manager, or designee, is authorized to take the following actions, but shall provide notice of such to City Council following such action:

- a. make application for local, state, and federal assistance as necessary and/or applicable;
- b. accept on behalf of the City services, gifts, grants, equipment, supplies, and/or materials from private, nonprofit, or government sources;
- c. suspend disconnections, fees, and penalties related to the City's provision of services.

SECTION EIGHT. Limitation of Declaration. This disaster declaration does not extend to law enforcement activities, emergency responses, or to school districts or private school facilities within the City.

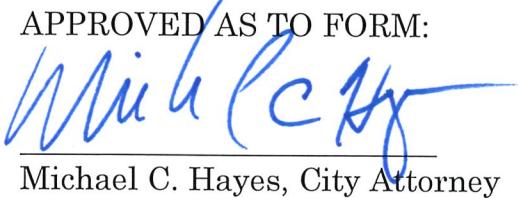
SECTION NINE. Effective Date. This proclamation shall take effect immediately from and after its issuance. This disaster declaration supersedes all previous declarations on this matter.

ORDERED and REVISED this the 28 day of July, 2020.

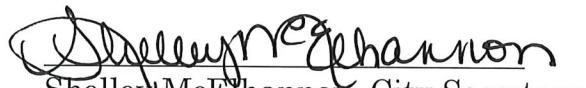
THE CITY OF KERRVILLE, TEXAS


Bill Blackburn, Mayor

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

ATTEST:


Shelley McElhannon, City Secretary