

RESOLUTION 20-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENEDY AMENDING THE CITY OF KENEDY COVID-19 REOPENING POLICY AND GUIDELINES; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

WHEREAS, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and

WHEREAS, Governor Greg Abbott declared a public health disaster on March 13, 2020; and

WHEREAS, on March 20, 2020 Mayor James D. Sutton issued a Declaration of Local State of Disaster Due to Public Health Emergency for the City of Kenedy in relation to the COVID-19 pandemic; and

WHEREAS, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of Kenedy residents; and

WHEREAS, On April 27, 2020 Governor Greg Abbott issued Executive Order GA-18 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, on June 3, 2020 Governor Greg Abbott through Executive Order GA-26 related to the expanded opening of Texas in response to the COVID-19 disaster; enacted Phase III of the Governor's three phase plan to reopen Texas; and

WHEREAS, the City of Kenedy desires to reopen while slowing the spread of the COVID-19 virus and on June 9, 2020 adopted the City of Kenedy COVID-19 Reopening Policy; and

WHEREAS, on June 26, 2020, Governor Abbot issued Executive Order 28. Paragraph 12, of said order reads as follows: "Except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, people

should not be in groups larger than ten and should maintain six feet of social distancing from those not in their group; and

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, infected persons can transmit the COVID-19 virus to others before showing any symptoms, and widespread and consistent use of face coverings over the nose and mouth when in public is a critical and necessary measure to help slow the spread of the virus while allowing local businesses to continuing to reopen and help the City of Kenedy's economy recover; and

WHEREAS, as of June 26, 2020 approximately 137,624 cases of COVID-19 have been reported in Texas including 2,324 deaths; and

WHEREAS, as of June 29, 2020 the City of Kenedy has had five (5) confirmed cases of COVID-19.

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

- Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 2. That the City Council hereby amends the City of Kenedy's COVID-19 Reopening Policy and Guidelines originally adopted on June 9, 2020 through the **additions to and deletions from** the attached Policy (attached hereto as Exhibit "A").
- Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters herein.
- Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.
- Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting,

including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and any publication required by law.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 29th DAY of JUNE, 2020.

CITY OF KENEDY, TEXAS

By: 

Mayor Pro-Tem Brandon Briones

ATTEST:



Amanda Hines, City Secretary

EXHIBIT "A"

AMENDED

CITY OF KENEDY

COVID-19 RE-OPENING POLICY AND GUIDELINES

As an integral part of reopening the City of Kenedy, it is necessary to implement policies designed to slow the spread of the coronavirus know as COVID-19 while providing for the safety of residents and staff throughout the reopening process and ongoing operations.

Section 1: Businesses

Businesses within the City of Kenedy may reopen in accordance with the guidelines provided by Governor Abbott in his April 27, 2020 Report to Open Texas, (<https://open.texas.gov>) as long they maintain strict social distancing guidelines, do not exceed capacity limits as set forth in Governor Abbott's Executive Orders, and enact policies designed to inhibit the spread of the COVID-19 virus.

Section 2: City Hall

The City of Kenedy City Hall will maintain its regular operating hours of 8:00 a.m. to 5:00 p.m. Monday through Friday (excluding holidays) and be fully opened to the public beginning on ~~July 6~~ **July 1**, 2020 with the following guidelines being strictly enforced:

1. All entrants to City Hall must wear a face mask when in common areas, bathrooms, and meeting rooms; when paying utility bills or conducting any City related business at the front counter; and when conducting any business related to the City Court including, but not limited to: the paying of fines, requests for deference, requests for trial, and any other item normally conducted through the City Court.
 - a. City Personnel and members of the Governing Body must wear a face mask upon entering City Hall; when within six (6) feet of front office clerical staff; and when interacting with residents at the window or in common areas—masks are permitted to be removed upon entering the City Secretary's or City Manager's office but must be promptly reapplied prior to exiting.
2. All entrants to City Hall shall maintain proper social distancing, keeping a minimum of six (6) feet between each other.

3. Entrants to City Hall wishing to conduct business with City Hall staff shall be limited to one resident at the window at any given time; shall wait in que in the designated area at the proper distance; and shall use hand sanitizer prior to entry into office area.

Section 3: City Operations

Effective Monday, July 6, 2020 the following City Operations will resume as normal:

1. Billing and Payments

- a. Beginning July 6, 2020 City Hall will begin accepting payment for utility bills at the City Hall counter under the conditions referenced in Section 2 above. The City will still receive payments made through the drop box or placed in the mail.
- b. Beginning on August 1, 2020 the City of Kenedy will begin adding late fees to utility bills in arrears and will re-institute water disconnects for non-payment. Residents with outstanding balances are encouraged to reach out to City Hall and establish a payment plan.
- c. Payments to be accepted beginning July 6, 2020 will include: cash, check, credit/debit card, and online payments.

2. City Court

- a. The presiding Municipal Judge will establish his/her policy and guidelines for the reopening of Municipal Court proceedings.
- b. Any guideline or policy established by the Municipal Judge must coincide with Section 2 above and provide for the safety of both the Court staff and resident.

3. Emergency Services (Police Department and Fire Department)

- a. All services deemed Emergency or First Responder Services will continue uninterrupted.
- b. The Chief of Police and the Fire Chief will establish their own policy and guidelines on how their respective departments will fully reopen.
- c. Any guideline or policy established by the Chief of Police and Fire Chief must coincide with Section 2 above and provide for the safety of both the officer/fireman and the resident when in the field.

4. City Parks

- a. Walking Trails will continue to remain open.
- b. Effective July 6, 2020 the outdoor basketball courts will reopen. Groups waiting for the court may not congregate in numbers more than ten (10) and each group of ten (10) must remain a minimum of six (6) apart from other groups.
- c. Effective July 6, 2020 the children's playground will reopen. Children playing should not do so in groups of more than ten (10) children. Parents and other spectators should distance themselves at minimum six (6) feet apart.

5. Water and Sewer Departments

- a. Effective July 6, 2020 the Water and Sewer Departments will resume normal activities. City Personnel will practice safe social distancing keeping at least six (6) feet from residents and will not enter the homes of residents. Additionally, masks or face coverings that cover the mouth and nose must be worn at all times when interacting with residents in public.

Section 4: Council Meetings and Board Meetings

City Council Meetings and all City Established Board Meetings may resume meeting in person beginning ~~on Tuesday, July 14, 2020~~ **on the date of the next regularly scheduled meeting after the rolling fourteen (14) day average percent of new COVID-19 cases maintains a steady downward trajectory at or below ten percent (10%),** under the following guidelines:

1. All participants/observers to the meeting will wear a face mask or face covering that covers the individual's nose and mouth.
2. All participants/observers will sanitize their hands prior to entering the Auditorium.
3. Each participant/observer will observe social distancing and seat themselves a minimum of six (6) feet from other participants/observers.
4. All members of the Governing Body and Staff will wear a mask and be properly social distanced from each other and those in the audience.
5. Any person refusing to adhere to these stipulations will be denied entry to the meeting or removed from the meeting if already in the Auditorium.

6. Upon disbanding from the meeting, all those in attendance will depart from the Auditorium through the nearest exit and will observe social distancing guidelines remaining a minimum of six (6) feet apart as they exit. Those in attendance will immediately, or as reasonably thereafter the conclusion of the meeting, vacate the parking area and refrain from congregating in groups.

Section 5: Mass Gatherings

Gatherings of more than ten (10) persons is strongly discouraged at this time, **and should be avoided until such time as the rolling fourteen (14) day average percent of new positive COVID-19 cases establishes a steady downward trajectory at or below ten percent (10%).** ~~unless absolutely necessary. Should it become necessary for a gathering of more than ten (10) persons, strict social distancing guidelines should be implemented and followed.~~

These guidelines would include keeping a distance of at least six (6) feet apart, wearing a mask or face covering that covers the nose and mouth, avoiding handshakes and hugs, coughing and sneezing into your elbow, using an alcohol based hand sanitizer to sanitize one's hands, and implementing proper hand washing technique whereby one washes their hands to above their wrists for a minimum of twenty (20) seconds and establishing a good lather, then rinsing under warm water.

Mayofest

As the single largest outdoor gathering in Kenedy, the City Council moved Mayofest to Labor Day Weekend (Sept. 4th and 5th). As of the adoption of this policy, there has been no foreseen reason to re-move or cancel Mayofest. Should Governor Abbott continue with his Reopen Texas plan, Mayofest should happen as indicated on Labor Day Weekend with all social distancing guidelines being implemented and observed.