

CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
VIA TELEPHONE CONFERENCE
LIMITED IN PERSON ATTENDANCE AVAILABLE
AGENDA –JULY 9, 2020 6:00 P.M.

NOTICE is hereby given that, pursuant to Section 551.045 of the Texas Government Code and the March 16, 2020 order by the Governor of the State of Texas, the City Council will hold its regular meeting on Thursday, July 9, 2020 at 6:00 p.m., via teleconference in accordance with Governor Abbott's order.

This meeting notice, agenda and agenda packet are posted online at www.gonzales.texas.gov.

In accordance with Governor Abbott's Executive Order 29 issued on July 2, 2020 every person attending the meeting shall wear a face covering over the nose and mouth unless the person is under 10 years of age or has a medical condition or disability that prevents wearing a face covering.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings. The Governor has since clarified his intent and stated that citizens should be allowed to offer comments by other means.

In person attendance by the public will be limited to 14 which is 50% capacity of the room less Council Members and required staff and should be separated by at least six (6) feet from other groups attending the meeting together. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Citizens wishing to offer comments on the posted agenda items may email their comments at least two hours prior to the start of the meeting and the comments will be read into the record during the time allocated for citizen comments. Emails may be sent to citysecretary@gonzales.texas.gov and must include the name of the citizen

The public toll-free dial in number to participate in the telephone conference is hosted through FreeConferenceCall.com.

Toll-free call in number: **1-844-854-2222**

When asked for an access code enter **348787#**

It is not necessary to announce yourself when you join the teleconference.

A recording of the telephone conference will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor
- Recognition of actions by City employees
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes. Individuals not able to attend due to space limitations may email the City Secretary at least two (2) hours prior to the meeting.

PRESENTATIONS

- 1.1 Presentation regarding the possible installation of interpretive panels on Confederate Square.

CONSENT AGENDA ITEMS

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

- 2.1 **Minutes** - Approval of the minutes for the June 11, 2020 Regular Meeting and June 1, 2020 and June 24, 2020 Special Called Meetings.
- 2.2 **Absences**-Approval of any council absences for the third quarter of fiscal year 2019-20.
- 2.3 Discuss, Consider & Possible Action on **Resolution #2020-59** Declaring Certain City Property Surplus and Authorizing the Sale, Donation or Destruction of Said Property in the manner most advantageous to the City of Gonzales
- 2.4 Discuss, Consider & Possible Action on **Resolution #2020-60** Authorizing the Purchase of a Chevrolet Silverado 4x2 Crew Cab for the Wastewater Department in an Amount not to exceed \$54,115.
- 2.5 Discuss, Consider & Possible Action on **Resolution #2020-61** Authorizing the Purchase of a hydro-excavator and jetter trailer with trailer for the Wastewater Department in an Amount not to exceed \$149,371.

RESOLUTIONS, ORDINANCES AND COUNCIL ACTION

- 3.1 Discuss, Consider & Possible Action on **Resolution #2020-62** Accepting the Proposals and Awarding the Contract for the 2020 Drainage Improvement Plans to Lester Contracting, Inc.

- 3.2 Discuss, Consider & Possible Action on **Resolution #2020-63** Accepting the Proposals and Awarding the Contract for the 2020 Utility Improvement Plans to J & R Contracting Services, Inc.
- 3.3 Discuss and Conduct the first of two (2) required readings of a Resolution for the approval of a Type B Economic Development Project and Performance Agreement between the Gonzales Economic Development Corporation and Ace Invest, LLC, pursuant to Section 505.158 of the Texas Local Government Code.
- 3.4 Discuss, Consider & Possible Action on the City's Fiscal Management Contingency Plan.
- 3.5 Discuss, Consider & Possible Action on **Resolution #2020-64** Authorizing the Temporary Closure of Certain City Streets, Use of City Property and the Sale and Consumption of Alcohol on City Property for the Come & Take It Celebration on October 2, 3 and 4, 2020.
- 3.6 Discuss, Consider & Possible Action on **Resolution #2020-65** Authorizing the City Manager to defer all hotel occupancy tax payments for the second quarter of FY2019-2020 (January, February, March), or another quarter as determined by the City Council, for a minimum of 90 days, with penalties waived, based on the recommendation from the Gonzales Convention and Visitor's Bureau.
- 3.7 Discuss, Consider & Possible Action on authorizing the City Manager and City Secretary to negotiate an agreement for a joint election with Gonzales County for the May 2020 General Municipal Election postponed to November 3, 2020.
- 3.8 Discuss, Consider & Possible Action on **Resolution #2020-66** Authorizing the City Manager to execute a boundary line agreement and special warranty deed with the Gonzales Chamber of Commerce & Agriculture for a portion of land located at 304 St. Louis Street.
- 3.9 Discuss, consider and provide direction on a project to install interpretive panels on Confederate Square.
- 3.10 Discuss, Consider & Possible Action Approving **Resolution #2020-67** Appointing Five Citizens to the Charter Review Commission to be Empaneled from August 1, 2020 through January 31, 2021 as required by Section 11.11 of the City of Gonzales Charter.
- 3.11 Discuss, Consider & Possible Action Approving **Resolution #2020-68** Approving the Amendment of the Job Description and Position Classification for the City Secretary to include duties of Administrative Services Director.
- 3.12 Discussion and Council Direction on priorities of future capital improvement projects for the Gonzales Economic Development Corporation's consideration, to the extent allowed by law, to include the following:
 - Feasibility and cost estimation of an elevated storage tank in the vicinity of the Industrial Park to create a new pressure plain
 - Acquisition of additional land for industrial development
 - A master plan for the airport

STAFF/BOARD REPORTS

- 4.1 Financial Report for the month of June 2020.
- 4.2 City Manager, Tim Patek will update the City Council on the following: code enforcement and Jim Price Clean-up Update

CLOSED SESSION

- 5.1(a) Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:
 1. In Re Estate of J. B. Wells litigation
 2. Patricia Bennett and Gloria Knight v. City of Gonzales, Texas Cause No. 27,500
 3. A Guerra Enterprise LLC D/B/A Holiday Inn Express & Suites Cause No. 27,591
- (b) Pursuant to Section 551.086 of the Texas Government Code, to deliberate, vote or take final action on a competitive matter related to certain public power utilities
 1. Consider matters related to contracts for electric service

RETURN TO OPEN SESSION

- 6.1 Discuss and Consider any Action Resulting from Closed Session as Necessary

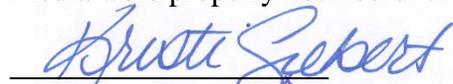
CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

- Requests by Mayor and Councilmembers for items on a future City Council agenda
- Announcements by Mayor and Councilmembers
- City and community events attended and to be attended
- Continuing education events attended and to be attended

ADJOURN

EXECUTIVE SESSION: The City Council reserves the right to discuss any of the above items in Executive Closed Session if they meet the qualifications in Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, of Chapter 551 of the Government Code of the State of Texas.

CERTIFIED as posted by 5:30 p.m. on July 6, 2020. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.



Kristi Gilbert, Interim City Secretary

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –JUNE 11, 2020**

The Regular Meeting of the City Council was held on **June 11, 2020** at 6:00 p.m. via teleconference **pursuant to Section 551.045 of the Texas Government Code and in accordance with the March 16, 2020 order by the Governor of the State of Texas.**

The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily mandated public hearings, such as zoning and similar hearings.

This meeting was closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings was granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The public was offered a toll-free dial in number to participate in the telephone conference hosted through FreeConferenceCall.com.

CALL TO ORDER AND INVOCATION

Mayor Kacir called the meeting to order at 6:04 p.m. and a quorum was certified.

Attendee Name	Title	Status
Connie L. Kacir	Mayor	Present in person
Gary Schroeder	Council Member, District 1	Present in person
Tommy Schurig	Council Member, District 2	Present in person
Bobby O’Neal	Council Member, District 3	Present in person
Dan Blakemore	Mayor Pro Tem/Council Member, District 4	Present in person

STAFF PARTICIPATING:

City Manager Tim Patek, Interim City Secretary Kristi Gilbert, Finance Director Laura Zella, Tourism Director Ashley Simper and Police Chief Tim Crow.

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor

Mayor Kacir stated the Methodist Church had their service at Confederate Square and it was a success; the Economic Development Corporation awarded nearly \$300,000 in grants on June 1st; a pre-recorded Q&A was posted on the City’s Facebook page on June 3rd and a live Q&A was planned for July; a community prayer event was held on June 9th; the junior high rodeo finals will start on Father’s Day; and today the City was notified of the award of a GVEC Power Up Grant of \$25,000 for the reflection pool.

- Recognition of actions by City employees
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

Interim City Secretary Kristi Gilbert read comments emailed at least two hours prior to the meeting.

Barbara Priesmeyer Crozier asked the Council to support both recommendations made by the Gonzales Convention and Visitor Bureau Advisory Board for lodging recovery stimulus.

Ken Morrow voiced his support for the Council providing additional funds for tourism.

Holly Danz stated she supported the increased marketing dollars to aid in tourism recovery.

EXECUTIVE SESSION

The Council convened into executive session at 6:13 p.m.

PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

6.1(c) Pursuant to Section 551.086 of the Texas Government Code, to deliberate, vote or take final action on a competitive matter related to certain public power utilities

1. Consider matters related to contracts for electric service

RETURN TO OPEN SESSION

Reconvene into Open Meeting at 7:02 p.m. No action was taken in executive session.

PRESENTATIONS

- 1.1 Presentation and discussion on the May 2, 2020 General Election Postponed to November 3, 2020 due to COVID-19.

Interim City Secretary Kristi Gilbert provided the Council with an update on the General Election that was postponed to November 3, 2020. Ms. Gilbert stated the Council would need to make a decision on whether to contract with Gonzales County for a joint election. Ms. Gilbert stated that contracting with the county is not required, however, due to logistical reasons it would be nearly impossible to conduct a separate election. This is due to the requirement of conducting elections at each county polling location located in the city. Additionally, neither the county nor the city's primary vendor, have election equipment available for lease if the election was held separately. Ms. Gilbert stated the Council would vote on the item at the July meeting.

CONSENT AGENDA ITEMS

- 2.1 **Minutes** - Approval of the minutes for the May 14, 2020 Regular Meeting.
- 2.2 Discuss, Consider and Possible Action Approving **Ordinance #2020-12** Appointing Crystal Cedillo, Gonzales County Tax Assessor-Collector, as the Individual to Calculate

and Prepare the 2020 No-New Revenue and Voter-Approval Tax Rate Calculations for the City of Gonzales

- 2.3 Discuss, Consider & Possible Action on **Resolution #2020-47** Authorizing the City Manager to Execute an Agreement for Engineering Services for the Texas General Land Office Community Development Block Grant Disaster Recovery Program.
- 2.4 Discuss, Consider & Possible Action on **Resolution #2020-48** Authorizing the City Manager to Execute an Agreement for Grant Administration Services for the Texas General Land Office Community Development Block Grant Disaster Recovery Program.
- 2.5 Discuss, Consider & Possible Action on **Resolution #2020-49** Approving Amendments to the Gonzales Police Department Use of Force Policy.

ACTION: Items 2.1 through 2.5

APPROVED

Council Member O'Neal moved to approve the consent agenda as presented. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

PUBLIC HEARINGS

- 3.1 Public Hearing, Discussion & Possible Action Approving **Ordinance #2020-13** Amending the Official Zoning Map by Zoning the North Half of Lots 8 and 9 of the Kings Second Addition and Lot 7 and the South Half of Lots 8 And 9 of the Kings Second Addition, Gonzales, Texas from R-1 Single Family Residential to C-2 Heavy Commercial District.

Mayor Kacir opened the hearing to public comments 7:17 p.m.

Mr. Jagdish, applicant, stated he was requesting his property to be zoned entirely C-2 Heavy Commercial.

Ms. Gilbert presented the item and stated the application was in compliance with the Comprehensive Plan and the Planning and Zoning Commission had recommended approval unanimously with one commissioner absent.

Mayor Kacir closed the hearing to public comments at 7:20 p.m.

ACTION: Item 3.1

APPROVED

Mayor Pro Tem Blakemore moved to approve **Ordinance #2020-13** Amending the Official Zoning Map by Zoning the North Half of Lots 8 and 9 of the Kings Second Addition and Lot 7 and the South Half of Lots 8 and 9 of the Kings Second Addition, Gonzales, Texas from R-1 Single Family Residential to C-2 Heavy Commercial District. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.2 Public Hearing, Discussion & Possible Action regarding proposed amendments to the City of Gonzales Zoning Regulations to amend the following Sections: Section 14.202 Definitions by amending the definitions for manufactured homes, mobile homes and modular homes; Section 14.308 Mobile Home District (M-H) to amend the general requirements and parking requirements; and Section 14.503 Cessation of Nonconforming Use to include manufactured homes in the provisions.

NOTE: This item was tabled by the Planning and Zoning Commission, therefore, the City Council cannot take action and will not conduct the public hearing. This item is included for informational purposes only.

ACTION: Item 3.2

NO ACTION

No action was taken on this item.

- 3.3 Public Hearing, Discussion & Possible Action on **Resolution #2020-50** Affirming Concurrence with Title VI of the Civil Rights Act of 1964; Section 504 of The Rehabilitation Act of 1973, and Americans with Disabilities Act of 1990 (ADA), Including the ADA Amendments Act of 2008; the Architectural Barriers Act of 1968, Including the Use of a Telecommunications Device for Persons Who Are Deaf (TDDs) or an Equally Effective Communication System

Mayor Kacir opened the hearing to public comments at 7:21 p.m.

No one spoke.

Mayor Kacir closed the hearing to public comments 7:23 p.m.

ACTION: Item 3.2

APPROVED

Council Member Schurig moved to approve **Resolution #2020-50** Affirming Concurrence with Title VI of the Civil Rights Act of 1964; Section 504 of The Rehabilitation Act of 1973, and Americans with Disabilities Act of 1990 (ADA), Including the ADA Amendments Act of 2008; the Architectural Barriers Act of 1968, Including the Use of a Telecommunications Device for Persons Who Are Deaf (TDDs) or an Equally Effective Communication System. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

RESOLUTIONS, ORDINANCES AND COUNCIL ACTION

- 4.1 Discuss, Consider, and Possible Action on **Ordinance #2020-11** authorizing the issuance of up to \$4,240,000 in principal amount of *City of Gonzales, Texas General Obligation Refunding Bonds, Series 2020*, authorizing the execution of a deposit agreement, a paying agent/registrant agreement, a purchase contract and other instruments and procedures related thereto, delegating authority to certain city officials to select outstanding obligations to be refunded and approve all final terms of the bonds, approving an official statement, and calling certain obligations for redemption.

Bob Henderson, RBC Capital Markets, stated the refunding was cutting the interest rate nearly in half and will save the City approximately \$464,000.

ACTION: Item 4.1

APPROVED

Council Member O'Neal moved to approve **Ordinance #2020-11** authorizing the issuance of up to \$4,240,000 in principal amount of *City of Gonzales, Texas General Obligation Refunding Bonds, Series 2020*, authorizing the execution of a deposit agreement, a paying agent/registrar agreement, a purchase contract and other instruments and procedures related thereto, delegating authority to certain city officials to select outstanding obligations to be refunded and approve all final terms of the bonds, approving an official statement, and calling certain obligations for redemption. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 4.2 Discuss, Consider & Possible Action on **Resolution #2020-51** authorizing the City Manager to issue a change order to the contract with Tierra Lease Service, LLC to add Alternate #4 "Brick Yard Road" into the contract for the 2020 Street Improvement Plans.

ACTION: Item 4.2

APPROVED

Mayor Pro Tem Blakemore moved to approve **Resolution #2020-51** authorizing the City Manager to issue a change order to the contract with Tierra Lease Service, LLC to add Alternate #4 "Brick Yard Road" into the contract for the 2020 Street Improvement Plans. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 4.3 Discuss, Consider & Possible Action on **Resolution #2020-52** amending Section 8.16 of the City of Gonzales Employee Handbook regarding social media.

ACTION: Item 4.3

APPROVED

Council Member O'Neal moved to approve **Resolution #2020-52** amending Section 8.16 of the City of Gonzales Employee Handbook regarding social media. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 4.4 Discuss, Consider & Possible Action on the City's Fiscal Management Contingency Plan.

Discussion was held with regard to the city's working hours.

ACTION: Item 4.4

APPROVED

Mayor Pro Tem Blakemore moved to maintain the Level 2 Fiscal Management Contingency Plan until the July meeting. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 4.5 Discuss, Consider & Possible Action on **Resolution #2020-44** Authorizing the Expenditure in an Amount Not to Exceed \$100,800.00 for the Change Out of Electrical Poles.

ACTION: Item 4.5

APPROVED

Council Member Schurig moved to approve **Resolution #2020-44** Authorizing the Expenditure in an Amount Not to Exceed \$100,800.00 for the Change Out of Electrical Poles. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.6 Discuss, Consider & Possible Action Approving **Resolution #2020-53** establishing only City Departments can use the City Stage.

Mayor Kacir asked to postpone the item to allow for time to establish a policy related to the use of the stage to allow for other political subdivisions and community use.

ACTION: Item 4.6

POSTPONE

Mayor Pro Tem Blakemore moved to postpone to the July meeting. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 4.7 Discuss, Consider & Possible Action on **Resolution #2020-54** Authorizing the City Manager to defer all hotel occupancy tax payments for the second quarter of FY2019-2020 (January, February, March) for a minimum of 90 days, with penalties waived, based on the recommendation from the Gonzales Convention and Visitor's Bureau.

ACTION: Item 4.7

APPROVED

Mayor Pro Tem Blakemore moved to approve **Resolution #2020-54** Authorizing the City Manager to defer all hotel occupancy tax payments for the second quarter of FY2019-2020 (January, February, March) for a minimum of 90 days, with penalties waived, based on the recommendation from the Gonzales Convention and Visitor's Bureau effective June 11, 2020. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 4.8 Discuss, Consider & Possible Action on **Resolution #2020-55** Authorizing a Budget Amendment based on the Recommendation from the Gonzales Convention and Visitor Bureau.

ACTION: Item 4.8

APPROVED

Council Member O'Neal moved to approve **Resolution #2020-55** Authorizing a Budget Amendment based on the Recommendation from the Gonzales Convention and Visitor Bureau. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.9 Discuss, Consider & Possible Action on **Ordinance #2020-14** Providing for a Reasonable Limit of Time to be Spent Without Charges for Repeat Public Information Requestors.

ACTION: Item 4.9

APPROVED

Mayor Pro Tem Blakemore moved to approve **Ordinance #2020-14** Providing for a Reasonable Limit of Time to be Spent without Charges for Repeat Public Information

Requestors. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

STAFF/BOARD REPORTS

- 5.1 Financial Report for the Second Quarter of Fiscal Year 2019-2020 and the Month of May 2020.
- 5.2 City Manager, Tim Patek will update the City Council on the following: Harrell Addition (Country Village) a contract has been signed and a pre-construction meeting was held this morning with a start date of July 6, 2020 and GEDC Grant Status 79 applicants to date, 69 approved and funded, 6 pending, 3 pending committee review, 1 withdrawn \$342,100 to date.

CONVENE INTO CLOSED SESSION:

The Council convened into executive session at 8:02 p.m.

PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

- 6.1 (a) Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:
1. In Re Estate of J. B. Wells litigation
 2. Patricia Bennett and Gloria Knight v. City of Gonzales, Texas Cause No. 27,500
 3. A Guerra Enterprise LLC D/B/A Holiday Inn Express & Suites Cause No. 27,591
- (b) Pursuant to Section 551.074 of the Texas Government Code, the City of Gonzales will meet in closed session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
1. City Manager

RETURN TO OPEN SESSION

Reconvene into Open Meeting at 9:35 p.m.

- 6.1 Discuss and Consider any Action Resulting from Closed Session as Necessary

ACTION: Item 6.1

EXTEND CONTRACT

Council Member O’Neal moved to extend and renew the contract with Tim Patek for two years \$115,000 per year. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

ACTION: Reconsider Item 4.7

TABLE

Mayor Pro Tem Blakemore moved to reconsider Resolution 2020-54 based upon newer information and move consideration to the July or next Council Meeting. Council Member Schroeder. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

- Requests by Mayor and Councilmembers for items on a future City Council agenda
- Announcements by Mayor and Councilmembers
- City and community events attended and to be attended
- Continuing education events attended and to be attended

ADJOURN

On a motion by Council Member O’Neal and a second by Council Member Schroeder, the meeting was adjourned at 9:39 p.m.

Approved this 9th day of July 2020.

Connie Kacir, Mayor

Kristi Gilbert, Interim City Secretary

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –JUNE 1, 2020**

A Special Called Meeting of the City Council was held on **June 1, 2020** at 9:15 a.m. via teleconference **pursuant to Section 551.045 of the Texas Government Code and in accordance with the March 16, 2020 order by the Governor of the State of Texas.**

The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

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This meeting was closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings was granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The public was offered a toll-free dial in number to participate in the telephone conference hosted through FreeConferenceCall.com.

CALL TO ORDER AND INVOCATION

Mayor Kacir called the meeting to order at 9:40 a.m. and a quorum was certified.

Attendee Name	Title	Status
Connie L. Kacir	Mayor	Present in person
Gary Schroeder	Council Member, District 1	Present in person
Tommy Schurig	Council Member, District 2	Present in person
Bobby O’Neal	Council Member, District 3	Present in person
Dan Blakemore	Mayor Pro Tem/Council Member, District 4	Present in person

STAFF PARTICIPATING:

City Manager Tim Patek and Interim City Secretary Kristi Gilbert.

RESOLUTIONS, ORDINANCES AND COUNCIL ACTION

- 1.1 Discuss, Consider & Possible Action on **Resolution #2020-56 [Renumbered to Resolution #2020-46]** Approving an assignment of rights and authorizing the City Manager to execute a license agreement for the benefit of John E. Mallory and Stephanie A. Werth, and Anthony C. Roeher for an unopened street.

ACTION: Item 1.1

APPROVED

Council Member Schurig moved to approve **Resolution #2020-56 [Renumbered to Resolution #2020-46]** Approving an assignment of rights and authorizing the City Manager to execute a license agreement for the benefit of John E. Mallory and Stephanie A. Werth, and Anthony C. Roeher for an unopened street. Mayor Por Tem Blakemore

seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

ADJOURN

On a motion by Council Member Schurig and a second by Mayor Pro Tem Blakemore, the meeting was adjourned at 9:46 a.m.

Approved this 9th day of July 2020.

Connie Kacir, Mayor

Kristi Gilbert, Interim City Secretary

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –JUNE 24, 2020**

A Special Called Meeting of the City Council was held on **June 24, 2020** at 12:00 p.m. via teleconference **pursuant to Section 551.045 of the Texas Government Code and in accordance with the March 16, 2020 order by the Governor of the State of Texas.**

The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily mandated public hearings, such as zoning and similar hearings.

This meeting was closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings was granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The public was offered a toll-free dial in number to participate in the telephone conference hosted through FreeConferenceCall.com.

CALL TO ORDER AND INVOCATION

Mayor Kacir called the meeting to order at 12:00 p.m. and a quorum was certified.

Attendee Name	Title	Status
Connie L. Kacir	Mayor	Present in person
Gary Schroeder	Council Member, District 1 <i>(joined at 12:06p.m.)</i>	Present via phone
Tommy Schurig	Council Member, District 2	Present in person
Bobby O’Neal	Council Member, District 3	Present in person
Dan Blakemore	Mayor Pro Tem/Council Member, District 4	Present in person

STAFF PARTICIPATING:

City Manager Tim Patek and Interim City Secretary Kristi Gilbert.

CONVENE INTO CLOSED SESSION:

The Council convened into executive session at 12:06 p.m. Immediately after convening into executive session the Mayor advised that no discussion was necessary and no executive session was held.

- 1.1 Pursuant to Section 551.086 of the Texas Government Code, to deliberate, vote or take final action on a competitive matter related to certain public power utilities
 - a. Consider matters related to contracts for electric service

RETURN TO OPEN SESSION

The Council returned to open session at 12:09 p.m. after waiting for connection issues to be resolved with the teleconference.

- 2.1 Discuss and Consider any Action Resulting from Closed Session as Necessary
No closed session was conducted.

RESOLUTIONS, ORDINANCES AND COUNCIL ACTION

- 3.1 Discuss, Consider & Possible Action on **Resolution #2020-56** Authorizing the Mayor to execute a license agreement with Anthony C. Roehr and Dana Lynn Roehr.

ACTION: Item 3.1

APPROVED

Mayor Pro Tem Blakemore moved to approve **Resolution #2020-56** Authorizing the Mayor to execute a license agreement with Anthony C. Roehr and Dana Lynn Roehr. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 3.2 Discuss, Consider & Possible Action on **Resolution #2020-57** Authorizing the Mayor to execute a license agreement with John Edgar Mallory, Jr. and Stephanie A. Werth.

ACTION: Item 3.2

APPROVED

Council Member O'Neal moved to approve **Resolution #2020-57** Authorizing the Mayor to execute a license agreement with John Edgar Mallory, Jr. and Stephanie A. Werth. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 3.3 Discuss, Consider & Possible Action on **Resolution #2020-58** Authorizing the Mayor to execute a license agreement with River Land Holdings

ACTION: Item 3.3

APPROVED

Council Member Schurig moved to approve on **Resolution #2020-58** Authorizing the Mayor to execute a license agreement with River Land Holdings. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 3.4 Discuss, Consider & Possible Action on **Resolution #2020-59** Authorizing the Mayor to execute a boundary line agreement and special warranty deed with the Gonzales Chamber of Commerce and Agriculture for a portion of property located at 304 Saint Louis Street.

ACTION: Item 3.4

NO ACTION

ADJOURN

On a motion by Council Member Schurig and a second by Mayor Pro Tem Blakemore, the meeting was adjourned at 12:14 p.m.

Approved this 9th day of July 2020.

Connie Kacir, Mayor

Kristi Gilbert, Interim City Secretary

DRAFT

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Absences-Approval of any council absences for the third quarter of fiscal year 2019-20.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Consent

BACKGROUND:

Section 3.02 of the City of Gonzales Charter states that if the mayor or any councilmember shall be absent from three consecutive regularly scheduled meetings, special meetings or council workshop meetings without valid excuse, the city council must at its next regular meeting declare a vacancy to exist and shall fill said vacancy as set forth in [Section 3.06](#) of this charter.

The Charter is not specific as to what constitutes a valid excuse. Only the City Council as a body may judge the validity of an absence by a member of the City Council. As such, absences will be brought for the City Council as a consent agenda item along with the reason provided for the absence, and a presumption that the absence is excused. Council may remove the item from consent for further discussion, debate and individual consideration of an absence if deemed merited. In the absence of such, the absence will be deemed excused upon approval of the consent agenda.

Below are the meetings conducted in the third quarter of fiscal year 2019-20.

Regular Meeting – April 9, 2020 – no absences
Regular Meeting – May 14, 2020 – no absences
Called Meeting – June 1, 2020 – no absences
Regular Meeting – June 11, 2020 – no absences
Regular Meeting – June 24, 2020 – no absences

POLICY CONSIDERATIONS:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the council take the action they deem necessary.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-59 Declaring Certain City Property Surplus and Authorizing the Sale, Donation or Destruction of Said Property in the manner most advantageous to the City of Gonzales

DATE: July 9, 2020

TYPE AGENDA ITEM:

Consent

BACKGROUND:

In 2013 the Council approved a policy whereby the Council would declare property that staff determined to be of no further use to the City to be surplus. The policy also states that Council will recommend the disposal method of the property.

The attached property and supplies listed have been determined to no longer have a use for the City of Gonzales and staff respectfully requests it to be declared surplus.

POLICY CONSIDERATIONS:

Approval of this resolution would be consistent with the policy approved in 2013.

FISCAL IMPACT:

The dollar amount that the surplus property is sold for will increase the general fund revenues.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2020-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS DECLARING CERTAIN CITY PROPERTY SURPLUS AND AUTHORIZING THE SALE AND DONATION OF SAID PROPERTY IN THE MANNER MOST ADVANTAGEOUS TO THE CITY OF GONZALES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2013 the Council approved a policy whereby the Council would declare property that staff determined to be of no further use to the City to be surplus; and,

WHEREAS, the policy states that Council will recommend the disposal method of the property; and

WHEREAS, the attached properties listed have been determined to no longer have a use for the City of Gonzales and staff respectfully requests it to be declared surplus; and

WHEREAS, the surplus vehicles identified in Exhibit “A” will be sold via governmental auction in a manner in which to be the most advantageous to the City of Gonzales.

WHEREAS, the surplus property identified in Exhibit “B” are mobile phones and equipment that will be sold back to companies that will wipe the devices or destroyed to prevent the misuse of stored data.

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

Section 1. That the recitals contain in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 2. The City Council of the City of Gonzales, Texas hereby declares the attached Exhibit A as surplus property and authorizes the sale or donation of said property in accordance with the forgoing legislative findings.

Section 3. The City Council of the City of Gonzales, Texas hereby declares the attached Exhibit B as surplus property and authorizes the sale or destruction of said property in accordance with the forgoing legislative findings.

Section 4. 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 5. That it is officially found, determined and declared that the meeting at which this Ordinance 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, as amended, Texas Government Code.

Section 6. This Resolution shall be effective upon its approval.

Section 7. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED, APPROVED and ADOPTED by the City Council of the City of Gonzales, Texas, on this 9th day of July 2020.

CITY OF GONZALES

Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, Interim City Secretary

EXHIBIT "A"

Department	Description	Year	Serial/VIN	Qty
Parks	Ford F150		1FTRF12216NB23134	1
Revenue Collections	Epson TM-U950P		A95G010705	1
Revenue Collections	Epson TM-U950P		A95G010696	1
Revenue Collections	Badge Holder Clips			50
Revenue Collections	Epson ERC-03 31B			3
Revenue Collections	Cash Boxes			2
Revenue Collections	Dell Cartridge		M5200	1
Revenue Collections	Bulletin Board 4' by 5'			1
Revenue Collections	Receipt Paper - 2ply		2 3/4" - Upgraded Receipt Printers	23.5
Fire Department	Ford F350	1997	1FDKF38G8VEB04834	1
Fire Department	Ford F350	2014	1FTRF3B65EEA74274	1
Fire Department	SCBA Cylinders with Valve		Scott 30 minute - 45000psi	13
Various	Havis iPad Case/Cover		DS-DA-702	11
Various	Lifeproof iPad Case w/ Cover			5
Various	Lifeproof iPad Case			7
City Secretary	Scientific Atlantic Cable Box		Explorer 3250HD	1

EXHIBIT "B"
MOBILE EQUIPMENT

MAKE	MODEL		MAKE	MODEL	
BLACKBERRY	-----		MOTOROLA	98001XQBSA	
BLACKBERRY	-----		MOTOROLA	-----	
IPHONE	A1332	iPhone 4	MOTOROLA	-----	
IPHONE	A1533	iPhone 5s	MOTOROLA	-----	
IPHONE	A1387	iPhone 4s	MOTOROLA	-----	
IPHONE	A1532	iPhone 5c	MOTOROLA	93290XYBSA	
IPHONE	A1532	iPhone 5c	MOTOROLA	-----	
IPHONE	A1532	iPhone 5c	MOTOROLA	-----	
IPHONE	A1532	iPhone 5c	MOTOROLA	-----	
IPHONE	A1532	iPhone 5c	MOTOROLA	-----	
IPHONE	A1532	iPhone 5c	MOTOROLA	-----	
IPHONE	A1532	iPhone 5c	MOTOROLA	-----	
IPHONE	A1532	iPhone 5c	MOTOROLA	-----	
IPHONE	A1532	iPhone 5c	MOTOROLA	-----	
IPHONE	A1533	iPhone 5s	MOTOROLA	-----	
IPHONE	A1332	iPhone 4	NOKIA	2720A-2B	
IPHONE	A1332	iPhone 4	NOKIA	2720A-2B	
IPHONE	A1387	iPhone 4s	NOKIA	2610	
IPHONE	A1633	iPhone 6s	NOKIA	6101B	
IPHONE	A1633	iPhone 6s	NOKIA	6101B	
IPHONE	A1549	iPhone 6s	NOKIA	2720A-2B	
IPHONE	A1778	iPhone 7	NOKIA	2720A-2B	
			PANTECH	P2030	
			PANTECH	P2050	

IPHONE	A1533	iPhone 5s
IPHONE	A1533	iPhone 5s
IPHONE	A1533	iPhone 5s
IPHONE	A1387	iPhone 4s
IPHONE	A1332	iPhone 4
IPHONE	A1387	iPhone 4s
IPHONE	A1387	iPhone 4s
IPHONE	A1332	iPhone 4
IPHONE	A1332	iPhone 4
IPHONE	A1332	iPhone 4
IPAD	A1459	
KYOCERA	E4710	
KYOCERA	E4710	
KYOCERA	E4710	
LG	-----	
LG	-----	
LG	-----	

PANTECH	P6030	
PANTECH	P2030	
PANTECH	P2030	
SAMSUNG	SGH-A237	
SAMSUNG	SGH-847	
SAMSUNG	SGH-1847	
SAMSUNG	SGH-1847	
SAMSUNG	SGH-1847	
SAMSUNG	SM-B780A	
SAMSUNG	SGH-A997	
SAMSUNG	SGH-A847	
SAMSUNG	SGH-A997	
SAMSUNG	SM-B780A	
SAMSUNG	SGH-A87	
SIERRA	AIRCARD 313U	

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-60 Authorizing the Purchase of a Chevrolet Silverado 4x2 Crew Cab for the Wastewater Department in an Amount not to exceed \$54,115.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

On September 12, 2019 the City Council of the City of Gonzales Approved the Operating Budget for the City of Gonzales for the Fiscal Year Beginning October 1, 2019 and ending September 30, 2020.

The Wastewater Fund included budgeting of \$290,000 for a hydro excavator. Staff identified three pieces of alternative equipment that, when combined, can perform the same functions as the single hydro-excavator machine at a savings to the City. This requires the purchase of a Chevrolet Silverado to pull the hydro-excavator and trailer. The hydro-excavator and trailer purchase are listed for consideration on this agenda as well. The pricing for the Chevrolet Silverado was obtained from BuyBoard Cooperative Purchasing which assists local governments in reducing costs through this government-to-government procurement service available nationwide.

FISCAL IMPACT:

The funds are currently budgeted in Vehicles/Equipment Wastewater Account 230-7-730.608 which has a budgeted balance of \$290,000 in the 2019-2020 Fiscal Year Budget that was verified with the Finance Director. The price for new Chevrolet Silverado is \$54,115.00. The pricing for the Ring-O-Matic HiCFM Vacuum Excavator with installed equipment and delivery is quoted at \$92,291. The outfitted jetter trailer with delivery is quoted at \$57,080. By purchasing the equipment separately, the City will realize a savings of \$86,514 over what was budgeted.

POLICY CONSIDERATIONS

This is consistent with what has been done in the past.

STAFF RECOMMENDATION:

Staff respectfully recommends approval of this resolution.

RESOLUTION NO. 2020-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE PURCHASE OF A CHEVROLET SILVERADO FOR THE WASTEWATER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$54,115.00; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an annual operating budget for the fiscal year October 1, 2019 through September 30, 2020, was approved and adopted by the City Council on September 12, 2019; and,

WHEREAS, as set forth in the City's Fiscal and Budgetary Policy, all City purchases and contracts over \$50,000 shall conform to a competitive bidding process as set forth in Chapter 252 of the Local Government Code of Texas; and,

WHEREAS, the pricing for the Chevrolet Silverado was obtained through BuyBoard Cooperative Purchasing which assists local governments in reducing costs through a government-to-government procurement services; and,

WHEREAS, the Finance Director verified that funds are currently budgeted in Vehicles/Equipment Wastewater Account 230-7-130.608 which has a budgeted balance of \$290,000 in the 2019-2020 Fiscal Year Budget; and,

WHEREAS, the total cost of the Chevrolet Silverado is \$54,115; and,

WHEREAS, the City Council finds that purchasing a Chevrolet Silverado for the Wastewater Department is in the best interest of the City and its citizens and will further promote the public health, safety, and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales hereby authorizes the purchase of a Chevrolet Silverado for the Wastewater Department in an amount not to exceed \$54,115.

Section 2. 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 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 resolved 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 Resolution, 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 it is so resolved.

PASSED AND APPROVED this 9th day of July 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary

QUOTE# 001-Q84822

CONTRACT PRICING WORKSHEET

End User: CITY OF GONZALES	Contractor: CALDWELL COUNTRY
Contact Name: MARLAND F. MERCER	CALDWELL COUNTRY
Email: MMERCER@GONZALES.TEXAS.GOV	Prepared By: Averyt Knapp
Phone #: 830-263-0971	Email: aknapp@caldwellcountry.com
Fax #:	Phone #: 979-567-6116
Location City: GONZALES, TEXAS	Fax #: 979-567-4376
Date Prepared: JUNE 23, 2020	Address: P. O. Box 27, Caldwell, TX 77836
Contract Number: BUY BOARD #601-19	Tax ID # 14-1856872
Product Description: 2020-2021 CHEVROLET 3500HD SILVERADO 4X2 CREW CAB 60CA CC31043	
A Base Price & Options:	
	\$53,715

B Fleet Quote Option:

Code	Description	Cost	Code	Description	Cost
	4X2-CREW CAB, 14,000#GVWR -DUAL REAR WHEEL, 6.6L-V8 DURAMAX DIESEL, 10- SPD ALLISON AUTOMATIC, 3.42 LOCKING REAR AXLE DIFFERENTIAL, FULL SIZE SPARE TIRE AND WHEEL, 40-20-40 VINYL SEATS, FULL RUBBER FLOOR, AIR CONDITION, AMFM- STEREO W/BLUETOOTH, TILT, CRUISE, POWER WINDOWS, POWER LOCKS, POWER TRAILER TOW MIRRORS, KEYLESS ENTRY, OEM INTEGRATED TRAILER BRAKE CONTROLLER, REAR VISION CAMERA PREP KIT, 9' KNAPHEIDE 6108D54J1 SERVICE BODY W/FLIP- TOP LIDS, 3 COMPARTMENTS PER SIDE, 20" DEEP COMPARTMENTS, STANDARD SHELVING AND DIVIDERS, 54" WIDE FLOOR, 8" WIDE TREADPLATE STEEL BUMPER, HD REAR RECEIVER HITCH W/7- WAY PLUT, LIGHTS, REFLECTORS, BLACK MUD FLAPS, PAINT OUTSIDE BODY WHITE TO MATCH CAB,	INCL			

	INSTALL BACK UP CAMERA ON BODY, OVERHEAD 1225 LADDER RACK, FULL CARGO AREA SPRAY LINER				
	GM WARRANTY 5YR/100,000 MILES POWERTRAIN @ N/C	INCL		CALDWELL COUNTRY PO BOX 27 CALDWELL, TEXAS 77836	
Subtotal B					INCL
C Unpublished Options					
Code	Description	Cost	Code	Description	Cost
Subtotal C					
D Other Price Adjustments (Installation, Delivery, Etc...)					
Subtotal D					INCL
E Unit Cost Before Fee & Non-Equipment Charges(A+B+C+D)					\$53,715
Quantity Ordered					1
Subtotal E					\$53,715
F Non-Equipment Charges (Trade-In, Warranty, Etc...)					
BUY BOARD FEE					\$400
G. Color of Vehicle: WHITE					
H. Total Purchase Price (E+F)					\$54,115
Estimated Delivery Date:					150-180 DAYS APPX

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-61 Authorizing the Purchase of a hydro-excavator and jetter trailer with trailer for the Wastewater Department in an Amount not to exceed \$149,371.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

On September 12, 2019 the City Council of the City of Gonzales Approved the Operating Budget for the City of Gonzales for the Fiscal Year Beginning October 1, 2019 and ending September 30, 2020.

The Wastewater Fund included budgeting of \$290,000 for a hydro excavator to replace the current sewer machine that is over 10 years old. Staff identified three pieces of alternative equipment that, when combined, can perform the same functions as the single hydro-excavator machine at a savings to the City of \$86,514. This requires the purchase of a Chevrolet Silverado to pull the hydro-excavator and trailer. The Chevrolet Silverado is listed for consideration on this agenda as well. The pricing for the Ring-O-Matic HiCFM Vacuum Excavator with installed equipment and delivery is quoted at \$92,291. The outfitted jetter trailer with delivery is quoted at \$57,080.

The prices were obtained from HGACBuy which assists local governments in reducing costs through this government-to-government procurement service available nationwide.

FISCAL IMPACT:

The funds are currently budgeted in Vehicles/Equipment Wastewater Account 230-7-730.608 which has a budgeted balance of \$290,000 in the 2019-2020 Fiscal Year Budget that was verified with the Finance Director. The price for new Chevrolet Silverado is \$54,115.00. The pricing for the Ring-O-Matic HiCFM Vacuum Excavator with installed equipment and delivery is quoted at \$92,291. The outfitted jetter trailer with delivery is quoted at \$57,080. By purchasing the equipment separately, the City will realize a savings of \$86,514 over what was budgeted.

POLICY CONSIDERATIONS

This is consistent with what has been done in the past.

STAFF RECOMMENDATION:

Staff respectfully recommends approval of this resolution.

RESOLUTION NO. 2020-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE PURCHASE OF A RING-O-MATIC HiCFM VACUUM EXCAVATOR AND JETTER TRAILER FOR THE WASTEWATER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$149,371.00; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an annual operating budget for the fiscal year October 1, 2019 through September 30, 2020, was approved and adopted by the City Council on September 12, 2019; and,

WHEREAS, as set forth in the City's Fiscal and Budgetary Policy, all City purchases and contracts over \$50,000 shall conform to a competitive bidding process as set forth in Chapter 252 of the Local Government Code of Texas; and,

WHEREAS, the pricing for the Ring-O-Matic HiCFM Vacuum Excavator and jetter trailer was obtained through HGACBuy which assists local governments in reducing costs through a government-to-government procurement services; and,

WHEREAS, the Finance Director verified that funds are currently budgeted in Vehicles/Equipment Wastewater Account 230-7-730.608 which has a budgeted balance of \$290,000 in the 2019-2020 Fiscal Year Budget; and,

WHEREAS, the total cost of the Ring-O-Matic HiCFM Vacuum Excavator with installed equipment and delivery is quoted at \$92,291 and the outfitted jetter trailer with delivery is quoted at \$57,080; and,

WHEREAS, the City Council finds that purchasing the equipment for the Wastewater Department is in the best interest of the City and its citizens and will further promote the public health, safety, and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales hereby authorizes the purchase of a Ring-O-Matic HiCFM Vacuum Excavator with installed equipment in an amount not to exceed \$92,291.

Section 2. The City Council of the City of Gonzales hereby authorizes the purchase of an outfitted jetter trailer for the Wastewater Department in an amount not to exceed \$57,080.

Section 3. 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 4. 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 resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. 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 7. 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 Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 9th day of July 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary



CONTRACT PRICING WORKSHEET
For Standard Equipment Purchases

Contract No.:

SC01-15

Date Prepared:

6/19/2020

*This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.*

Buying Agency:	City of Gonzales	Contractor:	Harben Inc.
Contact Person:	Marland Mercer	Prepared By:	Marlene Boozer
Phone:		Phone:	770-889-9535
Fax:		Fax:	(770) 887-9411
Email:		Email:	marlene.mcfalls@harben.com

Product Code:	C027	Description:	4018 DTK 600 ET 180
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A. Product Item Base Unit Price Per Contractor's H-GAC Contract: 51,600

B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
MKII Dump Gun(includes 2 nozzles)	1,160		
Strobe Light	410		
Workstation Light	215		
Manhole Light	215		
Fender Mounted Toolbox/ Tandem Axle (2)	1730		
		Subtotal From Additional Sheet(s):	
		Subtotal B:	3730

C. Unpublished Options - Itemize below - Attach additional sheet if necessary
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
Option for 750 gl water tank			
		Subtotal From Additional Sheet(s):	
		Subtotal C:	0

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 0%

D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)

Quantity Ordered:	1	X Subtotal of A + B + C:	55330	=	Subtotal D:	55330
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E. Other Charges, Trade-Ins, Allowances, Discounts, Etc.

Description	Cost	Description	Cost
Freight	1,750.00		
		Subtotal E:	1750

Delivery Date: 5-6 Weeks ARO **F. Total Purchase Price (D+E):** 57080

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-62 Accepting the Proposals and Awarding the Contract for the 2020 Drainage Improvement Plans to Lester Contracting, Inc.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The City has received bids for the 2020 Drainage Improvement Plans. These plans include the replacement of drainage culverts under the TXGN Railroad at Railroad Street, improvement of channels adjacent to the railroad and a culvert crossing at Church Street to alleviate flooding along Railroad Street north of the railroad tracks. Also, the plans include installation of storm sewer from St. Lawrence Street to St. Vincent Street and to Tinsley Creek to alleviate flooding at St. Lawrence Street, St. Louis Street and St. Vincent Street.

POLICY CONSIDERATIONS:

As funds are available, the city should consider improving the drainage system in order to provide safe travel ways for the public.

FISCAL IMPACT:

This Agenda Item will expend \$1,053,011.95 as the base amount. This item was budgeted for \$677,500 from the 2019 Certificate of Obligation; however, with certain other projects being under budget, and other certain projects being funded from other sources (CDBG Grant) it is anticipated this cost overage can be absorbed within the 2019 Certificate of Obligation.

ATTACHMENTS:

Bid tabulation

STAFF RECOMMENDATION:

Staff respectfully recommends the contract be awarded to Lester Contracting, Inc. in the amount of \$1,053,011.95 for construction of the 2020 Drainage Improvement Projects,

RESOLUTION NO. 2020-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS ACCEPTING THE PROPOSALS AND AWARDING THE CONTRACT FOR THE 2020 DRAINAGE IMPROVEMENT PROJECTS TO LESTER CONTRACTING, INC.; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Capital Improvement Plan for Fiscal Year Budget 2019-2020 included the 2020 Drainage Improvement Projects to be competitively bid as per Chapter 252 of the Local Government Code; and,

WHEREAS, the advertisements for the Request for Proposals were published in the newspaper for three consecutive weeks beginning June 4th, 2020; and,

WHEREAS, the proposals were due to be received by the City of Gonzales on June 25th, 2020 at 2:00 p.m.; and,

WHEREAS, proposals were received from Diamond X Contracting , Inc., Myers Concrete Construction, Rocking Q Construction, LLC., Lester Contracting, Inc., Qro Mex Construction Company, Inc., M&C Fonseca Construction Company, Inc. and Tierra Lease Service, LLC., by the due date published; and,

WHEREAS, Local Government Code Section 252.043(a) states that the if the competitive bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods and services at the best value for the municipality; and,

WHEREAS, the City Engineer evaluated the proposals and recommends to award the contract to Lester Contracting, Inc. who is the lowest responsible bidder with a base bid amount of \$1,053,011.95.

WHEREAS, the City Council finds that entering into an agreement for the 2020 Drainage Improvement Plans is in the best interest of the City and its citizens and will further promote the public health, safety, and general welfare of the City.

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

Section 1. The City Council of the City of Gonzales hereby awards the contract for the 2020 Drainage Improvement Plans to Lester Contracting, Inc. and authorizes the City Manager to execute the agreement.

Section 2. 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 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 resolved 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 Resolution, 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 it is so resolved.

PASSED AND APPROVED this 9th day of July, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

BID TABULATION - Base Bid Sheet

CITY OF GONZALES

PROJECT NAME: 2020 Drainage Improvement Plans

PROJECT MANAGER: Todd Remschel

PRE-BID CONFERENCE DATE &
TIME: N/A

BID DATE & TIME:
Thursday, June 25, 2020

PROJECT CONSULTANT: J. KEITH SCHAUER, P.E.,
DOUCET & ASSOCIATES, INC.

BID OPENING LOCATION: Gonzales City Hall, 820 Saint Joseph Street, Gonzales, Texas 78629

	BIDDER / FIRM NAME	2020 Drainage Improvement Plans Base Bid	Alternate #1	Bid Bond	Addendum #1	Addendum #2
1	Diamond X	1,696,487.50	1,793,357.50	✓	✓	✓
2	Myers Concrete	1,334,896.00	62,300.00	✓	✓	✓
3	Rockin Q	1,330,594.00	59,517.00	✓	✓	✓
4	Lester Contracting	1,053,011.95	45,846.25	✓	✓	✓
5	Tierra Lease	1,163,597.50	73,200.00	✓	✓	✓
6	M&C Fonseca	1,240,608.00	48,533.50	✓	✓	✓
7	Qro Mex	1,314,689.00	71,649.00	✓	✓	✓
8						
9						
10						

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-63 Accepting the Proposals and Awarding the Contract for the 2020 Utility Improvement Plans to J & R Contracting Services, Inc.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The City has received bids for the 2020 Utility Improvement Plans. These plans include the replacement of a water line in St. James Street from St. Louis to St. Lawrence, and replacement of water and wastewater lines in St. Lawrence Street from St. James Street to Seydler Street. Also, the waterline in 700 block of St. Paul Street will be replaced.

POLICY CONSIDERATIONS:

As funds are available, the city should consider replacing and maintaining utilities in order to provide safe living conditions for the public.

FISCAL IMPACT:

This Agenda Item will expend \$1,468,254.00 as the base contract amount and up to an additional \$10,000 is requested as contingency for unforeseen issues during construction for a total amount up to \$1,478,254.00. Funding for this project will come from 2019 Certificate of Obligation.

ATTACHMENTS:

Bid tabulation

STAFF RECOMMENDATION:

Staff respectfully recommends the contract be awarded to J& R Contracting Services, Inc. in the amount of \$1,468,254.00 for construction of the 2020 Utility Improvement Projects, with a contingency allowance up to \$10,000.00 for unforeseen issues during construction.

RESOLUTION NO. 2020-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS ACCEPTING THE PROPOSALS AND AWARDING THE CONTRACT FOR THE 2020 UTILITY IMPROVEMENT PROJECTS TO J & R CONTRACTING SERVICES, INC.; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Capital Improvement Plan for Fiscal Year Budget 2019-2020 included the 2020 Utility Improvement Projects to be competitively bid as per Chapter 252 of the Local Government Code; and,

WHEREAS, the advertisements for the Request for Proposals were published in the newspaper for three consecutive weeks beginning June 4th, 2020; and,

WHEREAS, the proposals were due to be received by the City of Gonzales on June 25th, 2020 at 3:00 p.m.; and,

WHEREAS, proposals were received from Atlas Construction, Corp., Rocking Q Construction, LLC., Lester Contracting, Inc., J&R Contracting Services, Inc., Maverick Underground, R.L. Jones LP, Qro Mex Construction Company, Inc., M&C Fonseca Construction Company, Inc. and Texas Pride Utilities, LLC., by the due date published; and,

WHEREAS, Local Government Code Section 252.043(a) states that the if the competitive bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods and services at the best value for the municipality; and,

WHEREAS, the City Engineer evaluated the proposals and recommends to award the contract to J & R Contracting Services, Inc. who is the lowest responsible bidder with a base bid amount of \$1,468,254.00 and an additional contingency of \$10,000.00, for a total amount up to \$1,478,254.00; and,

WHEREAS, the City Council finds that entering into an agreement for the 2020 Utility Improvement Plans in the best interest of the City and its citizens and will further promote the public health, safety, and general welfare of the City.

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

Section 1. The City Council of the City of Gonzales hereby awards the contract for the 2020 Utility Improvement Plans to J & R Contracting Services, Inc. and authorizes the City Manager to execute the agreement.

Section 2. 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 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 resolved 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 Resolution, 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 it is so resolved.

PASSED AND APPROVED this 9th day of July, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary

BID TABULATION - Base Bid Sheet
CITY OF GONZALES

PROJECT NAME: 2020 Utility Improvement Plans

PROJECT MANAGER: Marland Mercer

PRE-BID CONFERENCE DATE & TIME: N/A

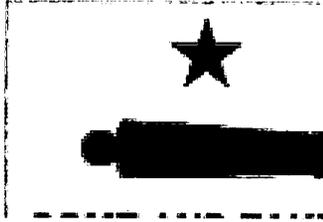
BID DATE & TIME: Thursday, June 25, 2020

PROJECT CONSULTANT: J. KEITH SCHAUER, P.E.,
DOUCET & ASSOCIATES, INC.

BID OPENING LOCATION: Gonzales City Hall, 820 Saint Joseph Street, Gonzales, Texas 78629

	BIDDER / FIRM NAME	2020 Utility Improvement Plans Base Bid	Bid Bond	Addendum #1
1	Atlas Construction	1,841,328. <u>00</u>	✓	✓
2	Rockin Q	2,604,639. <u>00</u>	✓	✓
3	Lester	2,186,089. <u>06</u>	✓	✓
4	J+R Contracting	1,468,254. <u>00</u>	✓	✓
5	Mavenck	1,591,340. <u>50</u>	✓	
6	RL Jones	3,075,128. <u>00</u>	✓	✓
7	Qro Mex	2,235,840. <u>00</u>	✓	✓
8	MHC Fonseca	1,581,200. <u>50</u>	✓	✓
9	Texas Pride	2,391,851. <u>00</u>	✓	✓
10				

**COUNCIL AGENDA
ITEM BRIEFING DATA**



AGENDA ITEM

Discuss and Conduct the first of two (2) required readings of a Resolution for the approval of a Type B Economic Development Project and Performance Agreement between the Gonzales Economic Development Corporation and Ace Invest, LLC, pursuant to Section 505.158 of the Texas Local Government Code.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution (*requires two separate readings*)

BACKGROUND:

Attached for your review is the loan/grant application, additional information requested, and a floor plan of the Ace Invest, LLC, project located at 608 St. Paul Street. Ace Invest, LLC, has invested in the revitalization of the downtown area as described in the application. The project involves completely renovating the property and the installation of a required sprinkler system.

POLICY CONSIDERATIONS:

City Council approval is required for the expenditure of Type B Corporation funds and the performance agreement.

FISCAL IMPACT:

Available funds: The GEDC budget for FY 19/20 has available funds in line item 7-700.718 (Small Business Grant Program) in the amount of \$50,000.00

ATTACHMENTS:

Memorandum / Ace Invest LLC Application and additional information requested

STAFF RECOMMENDATION:

The GEDC respectfully requests City Council approval of the performance agreement and expenditure of funds in the amount of \$33,200.00 to Ace Invest, LLC.



Memorandum

June 29, 2020

To: Honorable Mayor Kacir and City Council
Mr. Tim Patek
Kristi Gilbert, Interim City Secretary

From: Gonzales Economic Development Corporation
Kim Tucker, Interim Executive Director

Re: Approval of Project for Ace Invest, LLC

The above-referenced project requires City Council approval for the expenditure of Type B Corporation funds. Since the proposed expenditure of funds is more than \$10,000.00, the City Council must adopt a resolution authorizing the project after giving the resolution two (2) separate readings (*Tex. Loc. Gov't. Code Ann* §505.158).

The loan/grant application, additional information requested, and a floor plan of the project are attached for your review. Ace Invest, LLC, has invested in the revitalization of the downtown area as described in the application by completely renovating the property located at 608 St. Paul Street. Ace Invest, LLC, was required to accommodate a major safety precaution which included the installation of a sprinkler system and modifications to the original floor plan. After review and discussion of the application the GEDC board unanimously approved the funding request in the amount of \$33,200.00.

The following steps are required for a Type B Corporation:

1. **Approval of Project:** Approved by GEDC on June 1, 2020
2. **Publication Notice of Public Hearing:** Published in the Gonzales Inquirer on June 11, 2020
3. **Public Hearing:** Public Hearing was held on June 22, 2020 – no comments were received
4. **Approval of GEDC Expenditure of Funds/Performance Agreement by City Council** (two separate readings)
5. **Execution of Performance Agreement:** between the GEDC and Ace Invest, LLC: to be completed
6. **Funding of Project:** Once sixty (60) days has passed since the publication notice of the project, the Corporation is authorized to make expenditures related to the project (§505.160 (a))

Therefore, we respectfully request approval of this project and expenditure of funds in the amount of \$33,200.00 to Ace Invest, LLC.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING A TYPE B ECONOMIC DEVELOPMENT PROJECT AND PERFORMANCE AGREEMENT, BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION, AND ACE INVEST, LLC, FOR ECONOMIC DEVELOPMENT PURPOSES AUTHORIZED PURSUANT TO SECTION 505.158 OF THE TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Gonzales Economic Development Corporation (hereinafter referred to as the “PEDC”) is a Type B Economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended; and

WHEREAS, Section 505.158 of the Texas Local Government Code provides that “[f]or a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, “project” also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation’s board of directors to promote new or expanded business development.” Further, the statute provides that “[a] Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation’s authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings”; and

WHEREAS, GEDC has approved a project with Ace Invest, LLC , and the Performance Agreement is attached hereto as *Exhibit A*; and

WHEREAS, the City Council of the City of Gonzales, Texas, finds and determines that the expenditure as specified in the Performance Agreement, attached hereto as *Exhibit A*, will promote new or expanded business development, and otherwise meets the definition of “project,” as that term is defined by Section 505.158 of the Texas Local Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AS FOLLOWS:

Section 1. That the foregoing recitals are hereby found to be true and correct findings of the City of Gonzales, Texas, and are fully incorporated into the body of this Resolution.

Section 2. That the City Council of the City of Gonzales, Texas, finds and determines that the project, Performance Agreement, attached hereto as *Exhibit A*, will promote new and expanded business development, and is otherwise consistent with Section 505.158 of the Texas Local Government Code.

Section 3. That the City Council of the City of Gonzales, Texas, following the second reading of this Resolution authorizes the project, Performance Agreement, attached hereto as *Exhibit A*, and authorize the Mayor to execute this Resolution.

Section 4. That this Resolution shall become effective from and after its passage.

DULY RESOLVED by the City Council of the City of Gonzales, Texas, on this the ____
____ day of _____, 2020.

APPROVED:

Connie L. Kacir, Mayor

ATTEST:

Kristi Gilbert, Interim City Secretary

Exhibit A

Performance Agreement

LOAN/GRANT APPLICATION

Name of the Organization: Ace Invest LLC.
Project Contact(s): Prashanth Tangutur, Rajeev Jain
Phone(s): 920-265-1359 (Prashanth), 603-943-0518 (Rajeev)
Address: 16238 RR 620 N #122 Austin TX 78717

Project Summary:

Name: Texian Heritage Conference Center

Background:

Ace Invest LLC is an Austin based company owned by Prashanth Tangutur and Rajeev Jain who are well versed with rental real estate business and who also hail from business families. The owners have been very successfully with multiple projects in the Austin metro area and are looking to expand to the next upcoming areas in and around Austin.

Market Opportunity:

Gonzales is going through a growth phase that encompasses various types of businesses such as mining, tourism, realty and law firms. The city is expected to attract more people and is expected to be on a growth trajectory in the next 5 years. There is an imminent need to provide a convention /business center that is close to the downtown and city center. Based on our market analysis we have collected data that the surrounding hotel establishments are in dire need of this facility. There isn't one available in the downtown area today which makes it harder for business to conduct conventions or meetings or celebrations.

Business Plan

The plan is to expand 608 St. Paul St which is currently an office space to be a convention center that is in close proximity to the Hotel Alcalde and Gonzales Courthouse. This would require an overall investment of \$95K to convert the existing business area to the convention center. This property (608 St. Paul St.) meets current city property zoning requirements. We would also like to keep alive the Gonzales history and heritage and will be naming our boardrooms and main hall in the name of our heroes and historical figures.

Model:

Please see the attached.

Project Goals & Objectives:

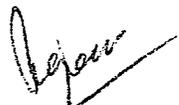
To provide a convention center to host businesses to conduct meetings in the downtown area of Gonzales city. Convention center can accommodate a large gathering of audience up to 120 people and also be able to host business meetings in 2 different meeting rooms/boardrooms.

Funding Amount Requested : \$33,200

Projected Beginning Date : 4/20/2020

Projected Ending Date: 6/30/2020


(Prashanth Tangutur, Partner, ACE Invest LLC)


(Rajeev Jain, Partner, ACE Invest LLC)

Date:

05/19/20

Date:

5/19/2020

The Application

A. Project Description

Title : **Texian Heritage Conference Center**

We would like to build a conference center at 608 St Paul Street which should be functional by July 1st, 2020. The center is going to have 2 boardrooms and one big hall. The facility can be used as a business center to host corporate events. The main big hall can be used for large events, parties, weddings and shows. The hall should be able to host 100+ guests. The location for the property makes it attractive for people to host their events and overall should uplift the economy of the city of Gonzales.

Construction work has started on April 20th, 2020. Please see the attached renovation plan for more details. The estimated completion date for the project is June 30th, 2020.

The center will be named as "Texian Heritage Conference Center". The two boardrooms will be called "**Almaron Dickinson Boardroom**" and "**Thomas R. Miller Boardroom**". The main hall is being named as "**Albert Martin Hall**". This will keep the heritage and pride of Texas in our city of Gonzales.

When we started the project, we had a budget of \$60,000 for renovation. Towards the finalization of the project plan (after we started), we had to accommodate a major safety precaution that included installation of the sprinkler system which exceed the overall project estimate by \$35,000. This cost includes the necessary design changes during construction, installation of sprinkler system and also modifications in the current floor plan.

As the conference/convention center is going to add value to the city of Gonzales and will be adding appeal to the downtown area, we are requesting \$33,200 grant from GEDC for the help with complying with city and safety codes for the building for installing sprinkler system and making other necessary changes. We were able to find additional \$1800 to fund this and requesting \$33,200 from the overall cost of \$35000.

The capital investment for this project has been from our hard-earned nest egg that we have been accumulating over the years doing real estate in the Austin metropolitan area. The incremental funds that are needed to cover the costs related to the sprinkler installation needs external sources of funding. We are looking to GEDC to support us so that as a result, this ends up being a great value-add for the Gonzales city.

B. Project Budget

Project budget is as follows:

Demolition and Framing -	\$11700
Rough-In Electrical, Plumbing -	\$16500
HVAC Systems	\$10000
Wall insulation, Sheetrock, Trim & Doors-	\$11700
Finishing Sheetrock, Painting, Ceiling -	\$7800
Flooring (Tiles), Trim out Electrical/Plumbing -	\$15800
Hardware install and Final Testing/Finishing -	\$4145
Sprinkler System (Chero-Key Piping) -	\$15500
Builder Risk Insurance	\$500
Travel, Miss Expenses	\$1355
Total Amount	\$95000

We are using local "Alcalde Group" for building construction and "Chero-Key Piping Co" from Houston, TX for installing the sprinkler system as we were unable to find a local Gonzales company for such work. "Alcalde Group" is a well-known builder in Gonzales, TX with constructing many buildings in downtown area and have told us that they will be using local labor and supplies (whatever is available) from Gonzales, TX.

C. Project Motivation

We first heard of City of Gonzales from our kids who study in Austin, TX. One of their teacher told them about the great history of the city and this is where we decided to come and visit the city. While visiting, we met some of local resident and saw a business opportunity which aligned with business needs of the city. Our goals are very much aligned with "Economic Development Corporation Act" as the proposed center is going to make the overall place an attractive venue for businesses as well as for the local resident of the city of Gonzales.

In our survey, we found that there aren't many places where people can have boardroom meeting specially for the people coming from out of town. The location is easily accessible and near the courthouse which makes it a perfect venue for court related meetings. Local residents can take advantage for their birthday parties or weddings or reception by renting the big hall. The food/catering as well as accommodation can be arranged from next door hotel.

We have a plan to connect with "Gonzales County Historical Commission" in order to add authenticity to the center by adding some historical painting/photos of the great leaders of Texas.

D. Project Addenda and/or Attachments

- 1) Floor plan is attached.

Business Plan

A. Executive Summary

1. Objectives

The plan is to expand 608 St. Paul St which is currently an office space to be a convention center that is in close proximity to the Hotel Alcalde and Gonzales Courthouse. This would require an overall investment of \$95K to convert the existing business area to the convention center. This property (608 St. Paul St.) meets current city property zoning requirements.

2. Mission

Our mission is to make City of Gonzales very visible in the state of Texas and make it a prime business hub at par with other growing areas around Austin.

We would also like to keep alive the Gonzales history and heritage and will be naming our boardrooms and main hall in the name of our heroes and historical figures.

B. Company Summary

Ace Invest LLC is an Austin based company owned by Prashanth Tangutur and Rajeev Jain who are well versed with rental real estate business and who also hail from business families. The owners have been very successful with multiple projects in the Austin metro area and are looking to expand to the next upcoming areas in and around Austin.

C. Products

Convention center with Party Hall in the city of Gonzales and in the heart of the downtown.

D. Market Segmentation

1. Market Needs

We couldn't find many good options for businesspeople to have boardroom meeting or for having a large party room which can fit in 100+ people.

2. Main Competitors

Based on submitted plan, we couldn't identify any competitor.

E. Strategy and Implementation Summary

Our tenant will be marketing the center thru online as well as thru local advertising.

I (We), hereinafter referred to as "APPLICANT", on behalf of the identified entity, submit to the Gonzales Economic Development Corporation, hereinafter referred to as "GEDC", this application for consideration of a Loan/Grant under the provisions of the GEDC's 4B Sales Tax funded Loan/Grant program.

As part of this application, APPLICANT represents to GEDC the following:

1. APPLICANT has received a copy of the GEDC Guidelines and Criteria for the GEDC Loan/Grant Program. APPLICANT acknowledges to GEDC that in making this application, APPLICANT understands the terms and provisions thereof, and all questions relating to any needed interpretation thereof have been answered by authorized representatives of GEDC prior to the submission of this application.
2. APPLICANT has secured such legal, accounting, and /or other advice that may be necessary for APPLICANT to determine the desirability of making this application and/or accurately and correctly answering any questions as hereinafter set out. APPLICANT acknowledges that it has completely relied on the advice and counsel of experts and/or appropriate persons retained, employed, or compensated by APPLICANT, and that it has not relied upon, nor is APPLICANT now attempting to rely upon, the advice and counsel of GEDC, its appointed board of directors, employees, agents, and/or elected officials.
3. By signing this document, "Applicant for Loan/Grant of 4B Sales Tax Funds from the Gonzales Economic Development Corporation" either in an individual capacity, jointly, or in a representative capacity, APPLICANT acknowledges and verifies that all of the facts, information, and allegations as herein set out are true, correct and accurate, and that GEDC may rely thereon as if the same had been signed by APPLICANT or APPLICANT'S agent before a Notary Public or other authorized officer permitted by law to administer oaths and to take acknowledgements. APPLICANT further acknowledges and understands that any materially false or misleading statements of fact may be considered a violation of the criminal laws of the State of Texas.
4. If APPLICANT is a corporate entity, APPLICANT swears and affirms that all applicable franchise taxes, sales tax, or other taxes paid for the privilege of conducting business have been fully paid, and that the APPLICANT is fully authorized to transact business in the State of Texas, and in the state of incorporation if different from the State of Texas. In addition, APPLICANT, whether a corporate entity, partnership, or other legal type of business entity, or an individual, acknowledges and verifies that APPLICANT is current on all current tax obligations, assessments, or other governmental levies and assessments, and that the same have been paid when due and payable, and that no delinquencies exist at this time.
5. By signing this document, "Application for Loan/Grant of 4B Sales Tax Funds from the Gonzales Economic Development Corporation" either in an individual capacity, jointly, or in a representative capacity, APPLICANT acknowledges and gives express permission for GEDC, its appointed board of directors, employees, and/or agents to conduct background and credit checks, employment verification, and criminal history on APPLICANT.
6. By signing this document, "Application for Loan/Grant of 4B Sales Tax Funds from the Gonzales Economic Development Corporation" either in an individual capacity, jointly, or in a representative capacity, APPLICANT certifies that the business does not and will not knowingly employ an undocumented worker. If the APPLICANT is convicted of engaging in a pattern or practice of violations of federal law governing the unlawful employment of aliens, APPLICANT will be required to repay the total amount of funds received from the GEDC, at a rate and term, to be specified in the written agreement, within 120 days of receiving notice of the violation.

Here is the response to your questions.

- What was the acquisition cost of the property located at 608 St. Paul Street?
 - Rajeev : \$105,000
- Will this project create any new jobs? If so, how many?
 - Rajeev:
 - It should create temporary jobs for local people. The center will be used for bringing various businesses to have their trade shows (e.g. Antique or gun shows etc) and parties (business, birthday, weddings etc) which will require temporary workforce (from 1 to 10+ people at a time based on the shows/party) to be hired to support the events.
 - This project will enable local businesses to position their products and services better via trade shows, community events etc, which will drive up their top line growth.
 - The conference center is also supposed to be an extension of the Alcalde Hotel which is expected to drive more hotel stays due to hosting of weddings, birthday parties and business conferences. Hence, revenue from tourism is expected to increase for the city due to this addition.
 - Local services such as food catering, flower decorators, cleaning services, event planning etc will benefit hugely by this addition which will indirectly result in increased tax money for the city
 - The center will provide more money (recurring) to city of Gonzales in terms of property tax.
 - The center/project will add to the appeal of downtown.
 - Once the business grows, there are prospects to hire full time staff for the upkeep of the property (1-4 people in 3 years)
- Will this project be retaining any jobs, if applicable?
 - Rajeev: This is not applicable as this is a new project/offering.

Please let me know if there is any question.

Thanks

Regards

Rajeev

ALBERT MARTIN HALL

48'-5" x 38'-0"
1,843 Sq. Ft.

MENS

PRIVATE

THOMAS R. MILLER
BOARDROOM
14'-2" x 10'-0"
142 Sq. Ft.

FOYER
400 Sq. Ft.

14'-2" x 10'-11"

14'-2" x 17'-3"

WOMENS

PRIVATE

ALMARON DICKINSON
BOARDROOM
14'-2" x 10'-0"
142 Sq. Ft.

**Texian Heritage Conference Center
at The Alcalde Hotel and Grill
608 St. Paul St., Gonzales, TX**

PERFORMANCE AGREEMENT

This **PERFORMANCE AGREEMENT** by and between the **GONZALES ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as the "GEDC"), and **ACE INVEST, LLC**, a Texas limited liability company (hereinafter referred to as "Developer"), is made and executed on the following recitals, terms and conditions.

WHEREAS, the GEDC is a Type B economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended; and

WHEREAS, Section 501.101 of the Texas Local Government Code, in pertinent part, defines the term "project" to mean "land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements that are: (1) for the creation or retention of primary jobs; and (2) found by the board of directors to be required or suitable for the development, retention, or expansion of: (A) manufacturing and industrial facilities; (B) research and development facilities; (C) military facilities, including closed or realigned military bases; (F) recycling facilities; (I) distribution centers; (J) small warehouse facilities capable of serving as decentralized storage and distribution centers; (K) primary job training facilities for use by institutions of higher education; or (L) regional or national corporate headquarters facilities"; and

WHEREAS, Section 501.103 of the Texas Local Government Code, in pertinent part, defines the term "project" to mean "expenditures that are found by the board of directors to be required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, limited to: (1) streets and roads, rail spurs, water and sewer utilities, electric utilities, or gas utilities, drainage, site improvements, and related improvements; (2) telecommunications and Internet improvements; and

WHEREAS, Section 505.152 of the Texas Local Government Code, in pertinent part, defines the term "project" to mean "land, buildings, equipment, facilities, and improvements found by the board of directors to be required or suitable for use for professional and amateur sports, including children's sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of the items described by this section"; and

WHEREAS, Section 501.158 of the Texas Local Government Code prohibits the provision of a direct incentive unless GEDC enters into an Agreement with Developer providing at a minimum a schedule of additional payroll or jobs to be created or retained by GEDC's investment; a schedule of capital investments to be made as consideration for any direct incentives provided by GEDC to Developer; and a provision specifying the terms and conditions upon which repayment must be made should Developer fail to meet the agreed to performance requirements specified in this Agreement; and

WHEREAS, Developer has applied to GEDC for financial assistance necessary to operate a convention/conference/multi-use center generally located at 608 St. Paul Street, in the City of Gonzales, Texas; and

WHEREAS, the GEDC's Board of Directors have determined the financial assistance to be provided to Developer is consistent and meets the definition of "project" as that term is defined in Sections 501.101, 501.103, of the Texas Local Government Code; and the definition of "cost" as that term is defined by Section 501.152 of the Texas Local Government Code; and

WHEREAS, Developer agrees and understands that Section 501.073(a) of the Texas Local Government Code requires the City Council of the City of Gonzales, Texas, to approve all programs and expenditures of the GEDC, and accordingly this Agreement is not effective until City Council has approved this project at a City Council meeting called and held for that purpose.

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the GEDC and Developer agree as follows:

SECTION 1. FINDINGS INCORPORATED.

The foregoing recitals are hereby incorporated into the body of this Agreement and shall be considered part of the mutual covenants, consideration and promises that bind the parties.

SECTION 2. TERM.

This Agreement shall be effective as of the Effective Date, as defined herein, and shall continue thereafter until two (2) years later, unless terminated sooner under the provisions hereof.

SECTION 3. DEFINITIONS.

The following words shall have the following meanings when used in this Agreement.

- (a) **Act.** The word "Act" means Chapters 501 to 505 of the Texas Local Government Code, as amended.
- (b) **Agreement.** The word "Agreement" means this Performance Agreement, together with all exhibits and schedules attached to this Agreement from time to time, if any.
- (c) **Developer.** The words "Developer" mean Ace Invest, LLC, a Texas limited liability company, its successors and assigns, whose address for the purposes of this Agreement is 16238 RR 620 N, #122, Austin, Texas 78717.

- (d) **Effective Date.** The words “Effective Date” mean the date of the letter to execute this Agreement by and between the Developer and the GEDC.
- (e) **Event of Default.** The words “Event of Default” mean and include any of the Events of Default set forth below in the section entitled “Events of Default.”
- (f) **GEDC.** The term “GEDC” means the Gonzales Economic Development Corporation, a Texas non-profit corporation, its successors and assigns, whose corporate address for the purposes of this Agreement is 820 Saint Joseph Street, Gonzales, Texas 78629.
- (g) **Property.** The word “Property” means the approximate blocks of land generally located at 608 St. Paul Street, Gonzales, Gonzales County, Texas, and as generally depicted in *Exhibit A* of this Agreement, which is attached hereto and incorporated herein for all purposes.
- (h) **Qualified Expenditures.** The words “Qualified Expenditures” mean those expenditures consisting of building improvements, including, but not limited to the installation of a sprinkler system and necessary modifications to the building, and other expenses related to the same, and which meet the definition of “project” as that term is defined in Section 501.101, 501.103, 505.152, 505.158 of the Act, and meet the definition of “cost” as that term is defined in Section 501.152 of the Act.
- (i) **Term.** The word “Term” means the term of this Agreement as specified in Section 2 of this Agreement.

SECTION 4. AFFIRMATIVE COVENANTS OF DEVELOPER.

Developer covenants and agrees with GEDC that, while this Agreement is in effect, it shall comply with the following terms and conditions:

- (a) **Qualified Expenditures.** Developer covenants and agrees to submit to the GEDC invoices, paid receipts, or other documentation of the Qualified Expenditures in a form acceptable to the GEDC prior to any reimbursement. Developer covenants and agrees to provide to the GEDC said invoices, receipts, or other documentation by December 31, 2020.
- (b) **Certificate of Occupancy.** Developer covenants and agrees to obtain or cause to be obtained by December 31, 2020, a Certificate of Occupancy from the City of Gonzales, Texas, for a minimum of 3,000 square feet for a convention/conference/multi-use center located on the Property.
- (c) **Operate Convention/Conference/Multi-Use Facility.** Developer covenants and agrees to maintain and operate a minimum of 3,000 square feet multi-use facility located on the Property during the Term of this Agreement.

- (d) **Performance Conditions.** Developer agrees to make, execute and deliver to GEDC such other promissory notes, instruments, documents and other agreements as GEDC or its attorneys may reasonably request to evidence this Agreement.
- (e) **Performance.** Developer agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between the Developer and GEDC.

SECTION 5. AFFIRMATIVE COVENANTS OF GEDC.

GEDC covenants and agrees with Developer that, while this Agreement is in effect, it shall comply with the following terms and conditions:

- (a) **Financial Assistance for Qualified Expenditures.** GEDC covenants and agrees to provide financial assistance in the amount of **THIRTY-THREE THOUSAND TWO HUNDRED DOLLARS (\$33,200.00)** to Developer. The GEDC covenants and agrees to submit reimbursement for Qualified Expenditures made by the Developer pursuant to Section 4(a) of this Agreement.
- (b) **Performance.** GEDC agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between the Developer and GEDC.

SECTION 6. CESSATION OF ADVANCES.

If the GEDC has made any commitment to provide any financial assistance to Developer, whether under this Agreement or under any other agreement, the GEDC shall have no obligation to advance or disburse the financial assistance if: (i) Developer becomes insolvent, files a petition in bankruptcy or similar proceedings, or is adjudged bankrupt; or (ii) an Event of Default occurs.

SECTION 7. EVENTS OF DEFAULT.

Each of the following shall constitute an Event of Default under this Agreement:

- (a) **General Event of Default.** Failure of Developer or GEDC to comply with or to perform any other term, obligation, covenant or condition contained in this Agreement, or failure of Developer or GEDC to comply with or to perform any other term, obligation, covenant or condition contained in any other agreement by and between Developer and GEDC is an Event of Default.

- (b) **False Statements.** Any warranty, representation, or statement made or furnished to GEDC by or on behalf of Developer under this Agreement that is false or misleading in any material respect, either now or at the time made or furnished is an Event of Default.
- (c) **Insolvency.** Developer's insolvency, appointment of receiver for any part of Developer's property, any assignment for the benefit of creditors of Developer, any type of creditor workout for Developer, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Developer is an Event of Default.
- (d) **Ad Valorem Taxes.** Developer allows its ad valorem taxes owed to the City of Gonzales, Texas, to become delinquent and fails to timely and properly follow the legal procedures for protest and/or contest of such taxes and to cure such failure within thirty (30) days after written notice thereof from GEDC and/or Gonzales County Central Appraisal District is an Event of Default.

SECTION 8. EFFECT OF AN EVENT OF DEFAULT.

In the event of default under Section 7 of this Agreement, the non-defaulting party shall give written notice to the other party of any default, and the defaulting party shall have thirty (30) days to cure said default. Should said default remain uncured as of the last day of the applicable cure period, and the non-defaulting party is not otherwise in default, the non-defaulting party shall have the right to immediately terminate this Agreement, enforce specific performance as appropriate or maintain a cause of action for damages caused by the event(s) of default. In the event, Developer defaults and is unable or unwilling to cure said default within the prescribed time period, the amounts provided by the GEDC to Developer pursuant to Section 5(a) of this Agreement shall become immediately due and payable by Developer to the GEDC.

SECTION 9. INDEMNIFICATION.

Developer shall indemnify, save, and hold harmless GEDC, its directors, officers, agents, attorneys, and employees (collectively, the "Indemnitees") from and against: (i) any and all claims, demands, actions or causes of action that are asserted against any Indemnitee if the claim, demand, action or cause of action directly or indirectly relates to tortious interference with contract or business interference, or wrongful or negligent use of GEDC's financial assistance by Developer or its agents and employees; (ii) any administrative or investigative proceeding by any governmental authority directly or indirectly related, to a claim, demand, action or cause of action in which GEDC is a disinterested party; (iii) any claim, demand, action or cause of action which directly or indirectly contests or challenges the legal authority of GEDC or Developer to enter into this Agreement; and (iv) any and all liabilities, losses, costs, or expenses (including reasonable attorneys' fees and disbursements) that any Indemnitee suffers or incurs as a result of any of the foregoing; provided, however, that Developer shall have no obligation under this Section to GEDC with respect to any of the foregoing arising out of the gross negligence or willful misconduct of GEDC or the breach by GEDC of this Agreement. If any claim, demand, action or cause of action is asserted

against any Indemnitee, such Indemnitee shall promptly notify Developer, but the failure to so promptly notify Developer shall not affect Developer's obligations under this Section unless such failure materially prejudices Developer's right to participate in the contest of such claim, demand, action or cause of action, as hereinafter provided. If requested by Developer in writing, as so long as no Default or Event of Default shall have occurred and be continuing, such Indemnitee shall in good faith contest the validity, applicability and amount of such claim, demand, action or cause of action and shall permit Developer to participate in such contest. Any Indemnitee that proposes to settle or compromise any claim, demand, action, cause of action or proceeding for which Developer may be liable for payment of indemnity hereunder shall give Developer written notice of the terms of such proposed settlement or compromise reasonably in advance of settling or compromising such claim or proceeding and shall obtain Developer's concurrence thereto.

SECTION 10. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are a part of this Agreement:

- (a) **Amendments.** This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- (b) **Applicable Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Gonzales County, Texas. Venue for any action arising under this Agreement shall lie in the state district courts of Gonzales County, Texas.
- (c) **Assignment.** This Agreement may not be assigned without the express written consent of the other party.
- (d) **Binding Obligation.** This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. Developer warrants and represents that the individual or individuals executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. GEDC warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind it to the same.
- (e) **Caption Headings.** Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.
- (f) **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

DEVELOPER ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS PERFORMANCE AGREEMENT, AND DEVELOPER AGREES TO ITS TERMS. THIS AGREEMENT IS EFFECTIVE AS OF THE EFFECTIVE DATE AS IS PROVIDED HEREIN.

GEDC:

GONZALES ECONOMIC DEVELOPMENT CORPORATION,

a Texas non-profit corporation

By: _____
Andy Rodriguez, President

Date Signed: _____

ATTEST:

Gerri Lawing, Secretary

DEVELOPER:

ACE INVEST, LLC,

a Texas limited liability company

By: _____

Name: _____

Title: _____

Date Signed: _____

Exhibit A

Legal Description of the Property

Gonzales County Appraisal District
Property ID: 11925
Property Legal Description: BLK 34 PT LOT 2 N LOT 3
Gonzales Blocks

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on the City's Fiscal Management Contingency Plan.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Consideration

BACKGROUND:

On March 25, 2020, the City Council unanimously voted to enact Fiscal Management Contingency Plan Level II and postpone all capital improvement projects for a period of 30 days. Staff is seeking direction on future steps.

At the June 11, 2020 Council meeting, the City Council unanimously voted to continue with Fiscal Management Contingency Plan Level II and allow capital projects to move forward.

POLICY CONSIDERATIONS:

Staff is seeking direction from the City Council.

FISCAL IMPACT:

The fiscal impact depends on the Contingency Plan Level adopted.

ATTACHMENTS:

Fiscal Management Contingency Plan

STAFF RECOMMENDATION:

Staff is seeking direction from the City Council.

Fiscal Management Contingency Plan

The fiscal management plan will assist City management in guiding future planning efforts. The Plan is a guide only, and is intended to assist in budget balancing strategies. Depending upon management's response to economic and financial conditions, some parts of the plan may be implemented sooner or later, in accordance with direction from City Council. Economic and budget conditions will be evaluated monthly, and any budget impacts resulting from economic conditions or trends will be identified.

Throughout the contingency plan process, the goal is to protect current service levels, while continuing to provide competitive pay and benefits to all employees.

Budgetary Revenue Shortfall Contingency Plan

- A. The City will establish a plan to address economic situations that cause revenue to be significantly less than the adopted budget revenue. The plan is comprised of the following components:
 - Indicators – Serve as warnings that potential budgetary revenue shortfalls are increasing in probability. Staff will monitor state and national economic indicators to identify recessionary or inflationary trends that could negatively impact consumer spending or property values.
 - Levels – Serve to classify and communicate the severity of the estimated budgetary revenue shortfalls and identify the actions to be taken at the given phase.
 - Actions – Preplanned steps to be taken in order to prudently address and counteract the estimated budgetary revenue shortfall.
- B. The actions listed in Levels I through IV are intended to be short-term in nature. In the event the underlying economic situation is expected to last for consecutive years, more permanent actions will be taken.
- C. The City Manager or designee will apprise City Council at the regular City Council meeting immediately following any action taken through this plan. Information such as underlying economic condition, economic indicators, estimated budgetary revenue shortfalls, actions taken and expected duration will be presented to City Council.
- D. The City Council may appropriate available fund balance as needed to cover any estimated revenue shortfall. Appropriation of fund balance must be carefully weighed and long-term budgetary impacts must be considered in conjunction with the projected length of the economic downturn.
- E. Actions taken through this plan must always consider the impact in revenue generation. Actions taken should reduce expenses well in excess of resulting revenue losses.
- F. The following is a summary of classifications and the corresponding actions to be taken.
 1. Level I: The estimated annual revenue is below budget projections for 3 consecutive months. Current economic conditions and indicators may continue.
 - a. Expenditures:
 - i. Freeze newly created positions.
 - ii. Implement a time delay for hiring vacant positions.
 - iii. Increase/decrease temperatures in all City Buildings during hours not open to public.

- b. Revenues:
 - i. Identify any potential new revenue sources.
 - c. Service Level Impacts:
 - i. Minor service level disruptions and/or delays.
 - ii. New projects may be postponed or deferred.
 - iii. Begin planning for Levels II through IV.
 - iv. Implement Community Communication Plan in order to communicate to citizens any service levels that may be impacted.
 - d. Improvement in Economic Conditions. When the estimated annual revenue equals or exceeds the budget projections for 3 consecutive months *and economic indicators are anticipated to continue to improve*, initiate normal operating procedures.
2. Level II: The estimated annual revenue is below budget projections for 6 consecutive months. Current economic conditions and indicators are anticipated to continue.
- a. Expenditures:
 - i. Implement a managed-hiring program for vacant positions.
 - ii. Reduce the hours/number of part-time and seasonal employees as per Reduction in Force Policy.
 - iii. Reduce travel and training expenses.
 - iv. Review and prioritize reductions of operating and capital expenditures.
 - v. Eliminate or defer capital outlay expenses.
 - vi. Review and prioritize expenses for professional and contracted services.
 - b. Revenues:
 - i. Evaluate user fees in order to remain competitive.
 - ii. Identify and/or implement new revenue sources.
 - iii. Evaluate Electric, Solid Waste, Water, and Wastewater rate increases.
 - iv. Evaluate use of available fund balance.
 - c. Service Levels Impacts:
 - i. Cutbacks or reductions in non-essential day-to-day operations (number of times parks are mowed, hours of operations of facilities).
 - ii. Adjust service hours for City Facilities. (example: increase hours of City Hall from 9 hours to 11 hours for four days and close one day per week with increased/decreased temperatures or adjust hours of Library, etc.)
 - iii. Defer general (non-essential) maintenance.
 - iv. Prioritize and defer or freeze vehicle replacements, computer upgrades, and new computer purchases. Replacements for essential non-working equipment are allowed, subject to approval by the City Manager.
 - v. Reduce or defer non-essential repair and maintenance expenses. Example – vehicles, communications, office equipment, machinery and buildings. Repair and maintenance on non-working equipment is permitted, subject to approval by the City Manager.
 - d. Improvement in Economic Conditions. When the estimated annual revenue equals or exceeds the budget projections for 3 consecutive months, and *economic indicators are anticipated to continue to improve*, initiate Level I.

3. Level III: The estimated annual revenue is below budget projections for 9 consecutive months, or is below budget projections by more than 6% for 6 consecutive months. Current economic conditions and indicators are anticipated to continue or possibly worsen.
 - a. Expenses:
 - i. Prepare for implementation of a Reduction in Force Plan.
 - ii. Implement a compensation freeze.
 - iii. Identify overtime expenses that may likely be reduced.
 - iv. Reduce external program funding.
 - v. Eliminate or defer pending capital improvement projects.
 - vi. Consider deferring payments to City-owned utilities – Electric, Solid Waste, Water, and Wastewater services.
 - b. Revenues:
 - i. Recommend property tax increase.
 - ii. Recommend Electric, Solid Waste, Water, and Wastewater rate increase.
 - iii. Recommend new revenues, or increases in current fees.
 - iv. Recommend use of available fund balance.
 - c. Service Level Impacts:
 - i. Significant reductions in service levels.
 - ii. Evaluate and/or recommend a reduction in hours of operation at all facilities.
 - iii. Essential programs and services will be evaluated for reductions.
 - iv. Reduce energy costs through reduction in hours of operations.
 - d. Improvement in Economic Conditions. When the estimated annual revenue equals or exceeds the budget projections for 3 consecutive months, and *economic indicators are anticipated to continue to improve*, initiate Level II.
4. Level IV: The estimated annual revenue is below budget projections for 12 consecutive months, or is below budget projections by more than 6% for 9 consecutive months. Current economic conditions and indicators are anticipated to continue and are likely to worsen.
 - a. Expenditures:
 - i. Implement Reduction in Force Plan (reduce employee personnel costs, including an employee furlough plan for time off without pay and/or four-day work weeks, laying off of personnel, etc.).
 - ii. Consider other cost reduction strategies.
 - iii. Reduce departmental budgets by a fixed percentage or dollar amount.
 - iv. Eliminate external program funding.
 - v. Reduce and/or eliminate overtime expenses throughout departments.
 - b. Revenues:
 - i. Implement property tax rate increase.
 - ii. Implement Electric, Solid Waste, Water, and Wastewater rate increase.
 - iii. Increase user fees.
 - iv. Implement use of available fund balance.
 - c. Service Level Impacts:
 - i. Reduce hours of operations to all facilities.
 - ii. Implement service level reductions throughout all departments and/or eliminate specific programs.

- iii. Departments will prioritize service levels and programs according to City Council goals and objectives.
- iv. Defer infrastructure and street overlay maintenance.
- d. Improvement in Economic Conditions. When the estimated annual revenue equals or exceeds the budget projections for 3 consecutive months, and *economic indicators are anticipated to continue to improve*, initiate Level III.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-66 Authorizing the Temporary Closure of Certain City Streets, Use of City Property and the Sale and Consumption of Alcohol on City Property for the Come & Take It Celebration on October 2, 3 and 4, 2020

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Annually the Gonzales Chamber of Commerce holds the city's Come & Take It Celebration which includes a parade, street closures, use of Confederate and Texas Heroes Squares and the sale and consumption of alcohol. The celebration will be held the first full weekend of October beginning October 2, 3 and 4th. The Come & Take It Committee is requesting to close the streets in phases beginning at 8:00 a.m. on Friday, October 2, 2020 to help alleviate the traffic congestion while the vendors are coming in and trying to set up, and the celebration will end at 5:00 p.m. Sunday, October 4th and the streets will reopen by 8:00 p.m.

POLICY CONSIDERATIONS:

The request is consistent with what has been done in the past.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Copy of Come and Take It Event Form 2020
Copy of the Map for street closures

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2020-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE TEMPORARY CLOSURES OF CERTAIN CITY STREETS, USE OF CITY PROPERTY AND THE SALE AND CONSUMPTION OF ALCOHOL ON CITY PROPERTY FOR THE COME & TAKE IT CELEBRATION ON OCTOBER 2, 3 & 4, 2020; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Gonzales Chamber of Commerce uses the Confederate Square, Texas Heroes Square, and several downtown streets for the annual Come & Take It Celebration; and,

WHEREAS, said events include live music, carnival, vendor booths and events for the entire family; and,

WHEREAS, said events necessitate the closing of designated streets to increase the safety of citizens and guests; and,

WHEREAS, said events require approval of the City Council to allow the sale and consumption of alcoholic beverages; and,

WHEREAS, the City Council hereby finds that said events increase the community spirit of the City of Gonzales and increase the number of visitors to the community.

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

Section 1. The City Council of the City of Gonzales, Texas hereby authorizes temporary closure of certain city streets, use of city property and the sale and consumption of alcohol on city property for the Come & Take It Celebration on October 2, 3 and 4, 2020, all as set forth in the submitted Event Form attached hereto as Exhibit A.

Section 2. 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 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 resolved 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 Resolution, 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 it is so resolved.

PASSED AND APPROVED this 9th day of July 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary



GONZALES EVENT INFORMATION SHEET



This information is to be provided to the City of Gonzales at least 30 days prior to all public and private events held on City property.

EVENT NAME Come and Take It Celebration
 HOST ORGANIZATION Gonzales Chamber of Commerce
 CONTACT NAME Daisy Scheske
 CONTACT PHONE 830.672.6532
 EVENT DATE October 2-3-4 2020
 EVENT START TIME 6:00 p.m. EVENT END TIME 5:00 p.m.
 EVENT LOCATION Downtown Gonzales, Texas
 HOLIDAY CELEBRATED Y ___ N HOLIDAY: _____
 CITY COUNCIL APPROVAL REQUIRED Y N ___ MEETING DATE: ___ TBD

POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE 15,000
 MUSIC Y N ___ LIVE DJ ___
 FOOD Y N ___
 ALCOHOL Y N ___ RESPONSIBLE PARTY Chamber of Commerce
 MOTORIZED VEHICLES Y N ___ PARADE
 PUBLIC OR PRIVATE EVENT Public
 SECURITY Y ___ N ___ # OFFICERS NEEDED Out for bids/ Contracted out

ELECTRIC DEPARTMENT

ADDITIONAL LIGHTING Y N ___
 NUMBER OF OUTLETS NEEDED TBD
 AMPS/WATTS NEEDED TBD
 TENT Y N ___ SET UP DAY/TIME September 26 2020
 TENT SIZE: 60x150 & 100x180 TAKE DOWN DAY/TIME 7-Oct-20

STREETS DEPARTMENT

STREETS AFFECTED Y N ___
 BARRICADES NEEDED Y N ___
 STREETS TO BE CLOSED Y N ___ Please see attached map

SET UP TIME Times will vary starting on October 2, 2020
 TAKE DOWN TIME Streets will be open by 8 p.m. October 4, 2020

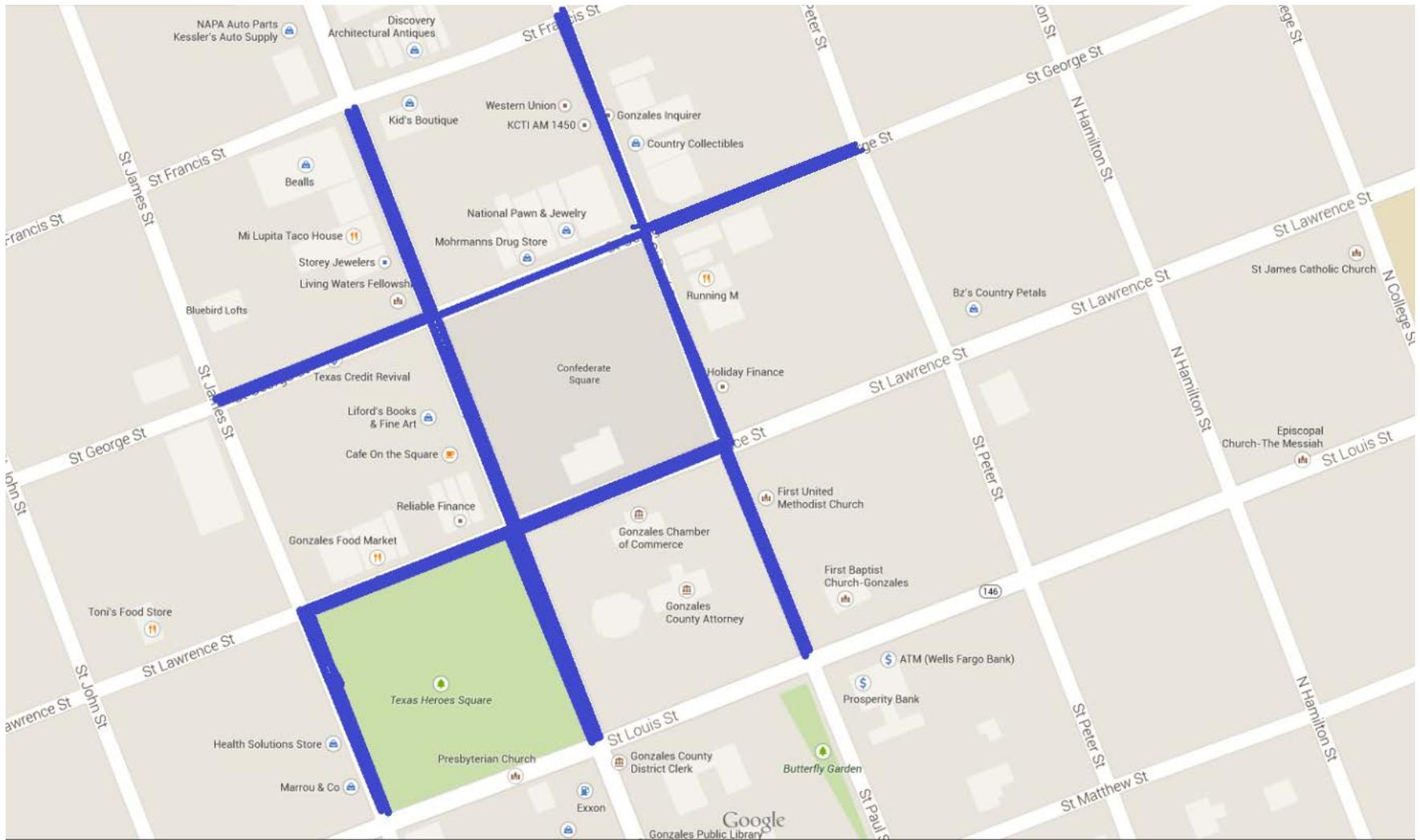
8:00- Street closures will be in phases throughout the day

COMMUNITY SERVICES DEPARTMENT

STAGE NEEDED @ \$25.00 each Y ___ N LOCATION Confederate Square
 20' wide X 12' deep X 4' tall CTI will be using their own stage near the beer tent
 NUMBER OF CHAIRS @ \$0.50 each NA
 NUMBER OF TABLES @ \$2.00 each NA
 NUMBER OF TRASH CANS We have contracted with a cleaning service: Will need extra trash cans
 SET UP TIME NA
 TAKE DOWN TIME NA

FOR INFORMATION CONTACT CITY SECRETARY
 (830) 672-2815- City Hall citysecretary@cityofgonzales.org
 (830) 672-2813- Fax

DISTRIBUTION: CS ___ CMG ___ MS ___ ED ___ EL ___ PKS ___
 PW ___ STR ___ FD ___ PD ___ EMS ___ SO ___



COUNCIL AGENDA ITEM BRIEFING DATA



DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Hotel Occupancy Taxes (HOT) are collected by both the State of Texas and City of Gonzales from lodging properties located within the city limits of Gonzales, Texas. Lodging property owners collect the monies and submit them to the City of Gonzales in the form of a quarterly payment, with some properties electing to submit monthly.

Due to unprecedented economic impacts upon the Tourism & Hospitality industry from the COVID-19 pandemic, local Gonzales lodging owners have seen significant decreases in occupancy rates and are experiencing severe revenue shortfalls. Most have faced the challenge of employee furloughs and layoffs, with some even having to close their properties.

The Gonzales Convention and Visitors Bureau presents this recommendation to the Gonzales City Council in an effort to ease the heavy burden upon local lodging partners by providing additional time for payment of HOT, in an effort to help them sustain operations and retain employees. The objective is to avoid permanent closure of our local lodging properties, which would be detrimental to the recovery of the destination.

POLICY CONSIDERATIONS:

The deferral of HOT payments will impact the overall fund balance of 500.811 temporarily. The financial responsibilities of this fund include the salary of the Tourism Director, 50% of debt service payments for the J.B. Wells Expo Center and funding assistance for local attractions and partners. Due to the current balance of available funds within this department, the GCVB felt comfortable making this recommendation in an effort to assist local lodging properties during this time of public health and economic crisis.

FISCAL IMPACT:

Approximately \$61,000 in delayed HOT payments for the second quarter of FY2019-2020.

ATTACHMENTS:

Request Letter

COVID-19 Impact Information

Outstanding HOT Funds Due (Under separate cover)

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

AGENDA ITEM

Discuss, Consider & Possible Action on Resolution # 2020-65 Authorizing the City Manager to defer all hotel occupancy tax payments for the second quarter of FY2019-2020, or another quarter as determined by City Council, for a minimum of 90 days, with penalties waived, based on the recommendation from the Gonzales Convention and Visitor Bureau.

RESOLUTION NO. 2020-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING THE RECOMMENDATION OF GONZALES CONVENTION & VISITOR BUREAU TO DEFER HOTEL OCCUPANCY TAX PAYMENTS FOR ALL GONZALES LODGING PROPERTIES FOR THE SECOND QUARTER OF FISCAL YEAR 2019-2020 FOR 90 DAYS, AS WELL AS WAIVE ALL PENALTIES; 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, President Trump declared a national emergency on March 13, 2020 in regards to the Coronavirus disease (COVID-19); and

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

WHEREAS, City of Gonzales Mayor Connie Kacir issued a Declaration of Public Health Emergency on March 15, 2020; and

WHEREAS, the City of Gonzales City Council extended the Declaration of Local Disaster on March 16, 2020; and

WHEREAS, in March of 2020, counties across Texas began implementing shelter-in-place and/or stay-at-home orders, prohibiting all non-essential travel within the restricted areas in an effort to mitigate the spread of COVID-19 throughout Texas; and

WHEREAS, Governor of Texas Greg Abbott issued an Executive Order on March 31, 2020 mandating the restrictive measures of social distancing, avoidance of social gatherings and interactions, telework for non-essential employees and closure of all non-essential businesses in an effort to mitigate the spread of COVID-19 throughout Texas; and,

WHEREAS, in late March of 2020, the Texas Comptroller granted 90-day extensions on state taxes due by businesses and individuals, as well as payment agreements and waiver of all penalties and interest in most instances; and,

WHEREAS, U.S. hotel profits fell 101% in March; and,

WHEREAS, as of April 28, 2020, nearly 300,000 hotel-related jobs have been lost in Texas due to the COVID-19 pandemic; and,

WHEREAS, over \$18 billion in hotel room revenue has been lost among United States hotel properties during the COVID-19 pandemic; and,

WHEREAS, most United States hoteliers, including hoteliers within the city limits of Gonzales, have reported single-digit occupancy during the COVID-19 pandemic; and,

WHEREAS, local hotel performance reports indicate over 70% daily decreases in year-over-year occupancy rates among Gonzales lodging properties since March 15, 2020; and,

WHEREAS, *Tourism Economics* declares COVID-19's impact to the U.S. travel industry to be 9x worse than the 9/11 terrorist attack; and,

WHEREAS, CBRE is projecting revenue losses of 80% for the second quarter of 2020 for U.S. hotel properties; and,

WHEREAS, 70% of direct lodging employees in the U.S. have been laid off or furloughed due to the COVID-19 pandemic.

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

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. The City Council of the City of Gonzales, Texas hereby approves the Gonzales Convention and Visitor Bureau's recommendation to defer Hotel Occupancy Tax payments for the second quarter of Fiscal Year 2019-20 (Jan-Mar 2020) for all lodging properties located within the city limits of Gonzales, for a minimum of 90 days from the due date of April 15, 2020 and to waive all penalties to lodging properties so long as the balance of hotel occupancy taxes due to the City of Gonzales are paid within the timeframe set forth by the City Council of Gonzales, Texas.

Section 3. That 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, as amended, Texas Government Code.

Section 4. This Resolution shall be effective upon its approval.

Section 5. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 9th day of July, 2020.

CITY OF GONZALES

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary



April 14, 2020

Via E-Mail ASimper@gonzales.texas.gov

Ashley Simper
Tourism Director
City of Gonzales

Dear Director Simper,

I operate the Best Western Regency Inn & Suites at 1811 E Sarah Dewitt Drive, Gonzales, Texas. Prior to the COVID-19 pandemic, which has had a devastating effect on my hotel, my associates, my family and my community, we employed 8 citizens and taxpayers who you have a duty and responsibility to represent and to ensure their best interests are protected – to include their employment opportunities.

My hotel has always supported this community as a driver of revenue, employment and local business activity. Additionally, regarding taxes, I have always paid them as a responsible businessperson. I recognize the need to support our local commerce, infrastructure and my fellow citizens.

Noting the terrible impact COVID-19 has had on the hospitality industry and my hotel, I am respectfully requesting that you waive the remittance of Hotel and Motel Occupancy Tax and grant those funds to my hotel for the period of the first quarter ending on March 31, 2020. Waiving this tax will help ensure the long-term health and sustainability of the area's diverse lodging community. It will allow our hotels to maintain operations, even if at a reduce capacity, that will enable us to employ associates. Their employment is a benefit to the community in that it reduces the number of those seeking unemployment benefits – allowing others to take advantage of a system already stressed by the ever-increasing number of unemployed who are in desperate need of financial assistance. Just as importantly, doing the right thing and waiving this tax during the crisis will allow our associates to continue to work while holding their heads high with dignity and honor as we continue to fight this terrible scourge together.

A person's self-worth and dignity are worthy of your attention and action.

Regency Inn & Suites

1811 E. Sarah Dewitt Dr., Gonzales, TX 78629 P: (830) 672-5555 Reservations: 1 (800) 780-7234 bestwestern.com

Wherever Life Takes You, Best Western Is There.®

Each Best Western® branded hotel is independently owned and operated.



My hotel wants to do its part in supporting the fight against this terrible virus by continuing to do business in the community. But your hoteliers need your help.

My request is simple, please waive the remittance of Hotel and Motel Occupancy Tax and grant those funds to my hotel for the period of the first quarter ending on March 31, 2020. It is the right thing to do for the greater good of our community and those who need your help – your citizens who want to work and support our community.

As a hotelier who wants to be a part of our business community for years to come, I am available if you have any questions at the following telephone number and email address:

Telephone: 916-606-9641

Email Address: nileshrp916@gmail.com

Thank you for considering this humble request. It is the right thing to do for the greater good.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Niles R. Patel', with a horizontal line underneath.

Niles R. Patel
Owner and Operator

cc: Mayor Connie Kacir (via email)

Regency Inn & Suites

1811 E. Sarah Dewitt Dr., Gonzales, TX 78629 P: (830) 672-5555 Reservations: 1 (800) 780-7234 bestwestern.com

Wherever Life Takes You, Best Western Is There.®

Each Best Western® branded hotel is independently owned and operated.

THE TEXAS LODGE

April 14, 2020

Via E-Mail ASimper@gonzales.texas.gov

Ashley Simper
Tourism Director
City of Gonzales

Dear Director Simper,

I operate the The Texas Lodge at 1821 E Sarah Dewitt Drive, Gonzales, Texas. Prior to the COVID-19 pandemic, which has had a devastating effect on my hotel, my associates, my family and my community. My hotel has always supported this community as a driver of revenue, employment and local business activity. Additionally, regarding taxes, I have always paid them as a responsible businessperson. I recognize the need to support our local commerce, infrastructure and my fellow citizens.

Noting the terrible impact COVID-19 has had on the hospitality industry and my hotel, I am respectfully requesting that you waive the remittance of Hotel and Motel Occupancy Tax and grant those funds to my hotel for the period of the first quarter ending on March 31, 2020. Waiving this tax will help ensure the long-term health and sustainability of the area's diverse lodging community. It will allow our hotels to maintain operations, even if at a reduce capacity, that will enable us to employ associates. Their employment is a benefit to the community in that it reduces the number of those seeking unemployment benefits – allowing others to take advantage of a system already stressed by the ever-increasing number of unemployed who are in desperate need of financial assistance. Just as importantly, doing the right thing and waiving this tax during the crisis will allow our associates to continue to work while holding their heads high with dignity and honor as we continue to fight this terrible scourge together.

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THE TEXAS LODGE

My hotel wants to do its part in supporting the fight against this terrible virus by continuing to do business in the community. But your hoteliers need your help.

My request is simple, please waive the remittance of Hotel and Motel Occupancy Tax and grant those funds to my hotel for the period of the first quarter ending on March 31, 2020. It is the right thing to do for the greater good of our community and those who need your help – your citizens who want to work and support our community.

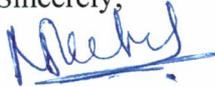
As a hotelier who wants to be a part of our business community for years to come, I am available if you have any questions at the following telephone number and email address:

Telephone: 916-606-9641

Email Address: nileshrp916@gmail.com

Thank you for considering this humble request. It is the right thing to do for the greater good.

Sincerely,



Niles R. Patel
Owner and Operator

cc: Mayor Connie Kacir (via email)



OXFORD ECONOMIC STUDY DATA

STATE BY STATE BREAKDOWN: JOB LOSS FIGURES FOR HOTEL INDUSTRY FROM CORONAVIRUS PANDEMIC

Study Showcases Potential Negative Impact Of Coronavirus Pandemic on Hotel Industry Employment

The hotel industry is facing an abrupt and unprecedented drop in hotel demand that is gaining pace and getting progressively deeper and more severe week by week.

The hotel industry supports nearly 8.3 million jobs total (direct hotel operations, guest spending, indirect supply-chain and induced), but drastic declines in occupancy rates will lead to massive job losses for individuals across the industry. Hotel owners are already reporting facing massive, unavoidable layoffs and furloughs.

Nearly 4 Million Employees Who Work In Or For The Hotel Industry Are Projected To Lose Their Jobs In The Coming Weeks, Or Have Already Been Furloughed.

STATE	Total Hotel Supported Jobs	Total Hotel Supported Job Loss
ALABAMA	82,164	(36,974)
ALASKA	33,674	(15,153)
ARIZONA	200,886	(90,399)
ARKANSAS	48,090	(21,640)
CALIFORNIA	1,014,600	(456,570)
COLORADO	176,034	(79,215)
CONNECTICUT	76,737	(34,532)
DELAWARE	14,877	(6,695)
DISTRICT OF COLUMBIA	40,824	(18,371)
FLORIDA	747,705	(336,467)
GEORGIA	255,767	(115,095)
HAWAII	140,093	(63,042)
IDAHO	40,978	(18,440)
ILLINOIS	292,588	(131,665)
INDIANA	109,908	(49,459)
IOWA	64,592	(29,066)
KANSAS	51,939	(23,373)
KENTUCKY	90,722	(40,825)
LOUISIANA	120,404	(54,182)
MAINE	42,468	(19,111)

MARYLAND	103,799	(46,709)
MASSACHUSETTS	163,678	(73,655)
MICHIGAN	193,432	(87,044)
MINNESOTA	131,048	(58,972)
MISSISSIPPI	80,978	(36,440)
MISSOURI	123,610	(55,625)
MONTANA	38,443	(17,299)
NEBRASKA	42,241	(19,009)
NEVADA	395,492	(177,971)
NEW HAMPSHIRE	36,778	(16,550)
NEW JERSEY	197,058	(88,676)
NEW MEXICO	54,079	(24,336)
NEW YORK	528,618	(237,878)
NORTH CAROLINA	216,178	(97,280)
NORTH DAKOTA	21,896	(9,853)
OHIO	192,378	(86,570)
OKLAHOMA	105,527	(47,487)
OREGON	114,338	(51,452)
PENNSYLVANIA	234,088	(105,340)
RHODE ISLAND	19,548	(8,796)
SOUTH CAROLINA	129,364	(58,214)
SOUTH DAKOTA	31,841	(14,328)
TENNESSEE	161,404	(72,632)
TEXAS	658,637	(296,387)
UTAH	86,463	(38,908)
VERMONT	36,959	(16,632)
VIRGINIA	192,936	(86,821)
WASHINGTON	190,566	(85,755)
WEST VIRGINIA	30,669	(13,801)
WISCONSIN	118,461	(53,307)
WYOMING	31,056	(13,975)
UNITED STATES	8,306,612	(3,737,975)
<i>Source: Oxford Economics (End of March, 2020)</i>		

* total jobs, including supply chain; Note: figures represent proportionate impacts of US hotel industry based on historical performance (each 10 percentage point decline in occupancy is shown as having the same successive impact for illustrative purposes). Economic impacts are based on Oxford Economics research for AHLA.

HISTORIC LOW OCCUPANCY

Impact to travel industry **9x worse** than 9/11.

(Tourism Economics)

Nearly **50% revenue decline** in 2020, **\$124B**

lost off \$270B total (Oxford Economics)

Eight in 10 hotel rooms are empty. (STR)

2020 is projected to be the **worst year on**

record for hotel occupancy. (CBRE)

Forecasted occupancy rate for 2020 **worse than**

1933 during Great Depression. (CBRE)



STAGGERING JOB LOSS

70% of hotel employees have been laid off or furloughed. (Oxford Economics and Hotel Effectiveness)

Nearly **1.6 million** hotel employees out of work and

\$2.4 billion in weekly lost wages due to the crisis (Oxford Economics

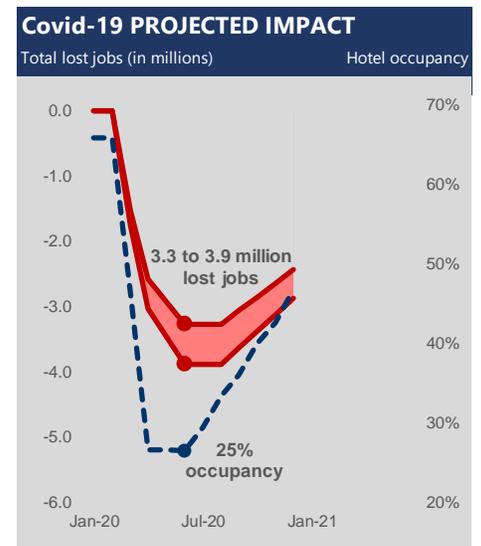
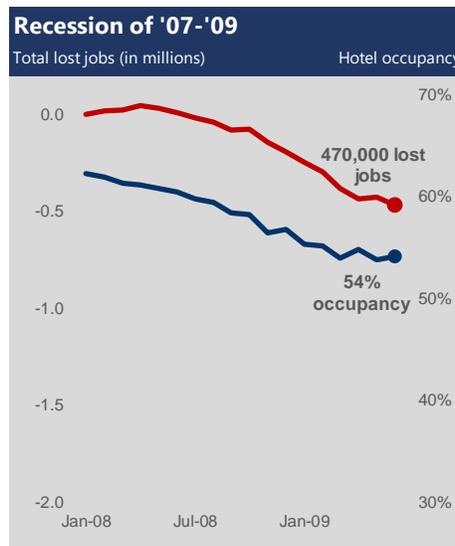
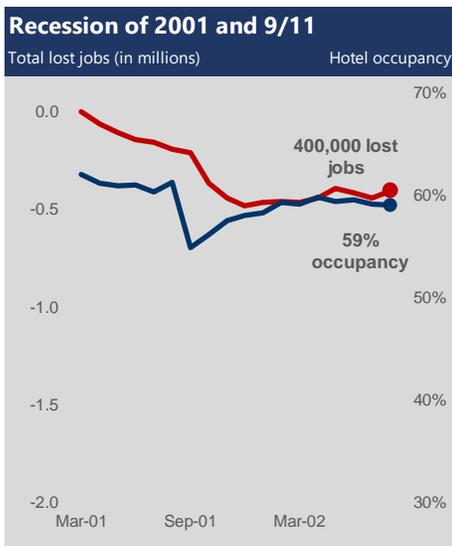
and Hotel Effectiveness)

Nearly **3.9 million** total hotel-supported jobs have been lost

since the crisis began (Oxford Economics)



COMPARISON TO OTHER FINANCIAL CRISES



Marker indicates June 2020

Note: Room night demand is based on monthly STR occupied room nights in US hotels (seasonally adjusted). Total lost jobs reflect total jobs supported by the hotel industry, including direct jobs at hotels and supported by guest ancillary spending (e.g., restaurants), as well as indirect (supply-chain) jobs, and induced jobs supported by wages and salaries of direct employees.

Source: STR, BEA, BLS, Oxford Economics

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on authorizing the City Manager and City Secretary to negotiate an agreement for a joint election with Gonzales County for the May 2020 General Municipal Election postponed to November 3, 2020.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

At the June 11, 2020 Council meeting, staff provided an update on the status of the postponed May 2, 2020 General Municipal Election (see attached memo sheet from June 11, 2020 meeting). Staff provided Council with two options to pursue with regard to conducting the election. At the time of the meeting, staff determined there was no election equipment available to lease from vendors, leaving Option A as the only feasible option. This would involve entering into an agreement with Gonzales County for a joint election. This item authorizes the City Manager and the City Secretary to negotiate a contract for a joint election with Gonzales County. We expect to have a final agreement available for adoption at the August 13, 2020 Council meeting.

FISCAL IMPACT:

This information is to be determined based on the number of other entities that will be participating.

ATTACHMENTS:

Presentation Memo from June 11, 2020 Council Meeting.

STAFF RECOMMENDATION:

Staff is recommending the City Council authorize the City Manager and City Secretary to negotiate a contract with Gonzales County to be approved by City Council at a later date.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Presentation and discussion on the May 2, 2020 General Election Postponed to November 3, 2020 due to COVID-19.

DATE: June 11, 2020

TYPE AGENDA ITEM:

Presentation

BACKGROUND:

At an emergency meeting on March 20, 2020, the City Council voted to postpone the May 2, 2020 General Election to November 3, 2020 as authorized by the Secretary of State's Election Advisory No. 2020-12 in response to concerns related to COVID-19. See the attached meeting memo and Election Advisory for your reference. The Secretary of State's Office has been working diligently to not only provide information for the Primary Election Run-Offs postponed to July 14, 2020, but also for the November 3, 2020 General Election. Staff met with County Clerk Lona Ackman and Deputy Elections Clerk Christy Horstman to discuss options. While some information is available, there are still many questions that remain unanswered for entities administering elections. The purpose of the presentation is to provide as much information as is available at this time and outline some items that we are still awaiting information on.

Knowns:

- The Governor authorized, but, did not mandate, the postponement of the election. However, in order to meet the social distancing requirements and protect election workers, the City elected to postpone.
- All candidates for a place on the ballot are frozen. There will not be an opportunity to submit an application for a place on the ballot, however, candidates can still withdraw their application.
- The changes will require an amendment to the election order that will be brought forward for City Council approval in July or August.
- Municipalities conducting an election in November must use the same polling location as the County, regardless of if they are sharing a ballot. (Election Code Sec. 42.0621) This means the City of Gonzales must have a polling location on election day at:
 - Gonzales Municipal Building
 - Gonzales Master Gardener's
 - Gonzales County Courthouse
 - JB Wells Multipurpose Facility
- Each Early Voting location requires a minimum of two people and each Election Day location must have at least three people.
- Placement of signs – The City does not establish a time frame for the placement of political signs. Private property owners' associations can regulate the timing of signs.

Unknowns:

- How to handle mail-in ballots for individuals that fear contracting COVID-19 at the polling location. This has been the subject of rulings by the Attorney General and lawsuits filed in federal court. The case is currently in the U.S. Court of Appeals for the Fifth Circuit and is expected to be appealed to the U.S. Supreme Court.
- When early voting will begin for the November 3, 2020 election. Governor Abbott has already extended early voting for the July 14th Run-Off and has stated he will extend it for November, but has not yet indicated when early voting will start.

Considering the knowns at this time, Staff has formulated two options that will require a vote by Council at the July 9, 2020 City Council meeting. Understand the Governor's Office and the Secretary of State's Office are expected to continue to issue orders on the November 3, 2020 Election which may change some of the information provided.

OPTION A: CONDUCT JOINT ELECTION WITH GONZALES COUNTY

- Enter into an agreement with Gonzales County for a joint election which would possibly include Gonzales ISD.
- All election costs (workers, equipment, ballot printing, supplies) would be shared by each participating entity based on the number of voters.

$$\text{Ex: } \frac{\text{Total Election Costs}}{\text{All Registered Voters for Gonzales County}} \times \text{\# of Gonzales Voters} = \text{Cost}$$

- A single ballot would be used to cast all votes and the Gonzales Council Members would be at the bottom of the ballot after Federal, State and County Offices.
Note: This is the first election that there will not be the option to vote straight party at the top of the ballot.
- The City will be responsible for proofing the ballots, canvassing the election results and administering the Oaths of Office.
- The County will be responsible for processing ballots by mail, hiring election workers, setting up polling locations, and tabulating the results on election night, among other duties.

OPTION B: CONDUCT ELECTION SOLELY FOR THE MUNICIPAL ELECTION

- The City would need to rent voting equipment from another vendor as the County does not have enough equipment to share. This would require a minimum of 12 Express Vote Machines, and six scanners. For the November election this would have cost \$25,650 if rented from the County, staff is still seeking bids for rentals from other vendors and expects the cost to be higher. (In May the cost would have been \$8,625.)
- A minimum of 12 election workers would need to be hired for Election Day and two workers for Early Voting. It may be difficult to identify election workers that are not already committed to working for Gonzales County.
- Each location would have a minimum of two full election set-ups (three if the Gonzales

ISD elects to conduct their elections on their own). This would result in the following at each location on Election Day:

- Six to Nine workers between the City, County and ISD
- 12-27 tables at each location
- Three different ballots
- Three different ballot boxes
- Three different lines to stand in

FISCAL IMPACT:

See information included in background statement.

ATTACHMENTS:

March 20, 2020 City Council Meeting Memo with Election Advisory No. 2020-12
Election Advisory No. 2020-17 November 3, 2020 Election Law Calendar

STAFF RECOMMENDATION:

At this time, Staff is recommending the City Council proceed with Option A and conduct a joint election, with a single ballot with Gonzales County. This will result in less voter confusion, reduced costs and availability of election workers. Gonzales County is waiting on information from the City to prepare a draft contract.

From June 11, 2020 Council Meeting

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on **Resolution #2020-66** Authorizing the City Manager to execute a boundary line agreement and special warranty deed with the Gonzales Chamber of Commerce & Agriculture for a portion of land located at 304 St. Louis Street.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

On May 4, 2020, the Gonzales Chamber of Commerce and Agriculture requested the City assist in addressing an encroachment of their new facility located at 304 St. Louis Street on to property owned by the City. The attached boundary line agreement and special warranty deed was drafted by the City Attorney in order to address the encroachment. This action will allow the Gonzales Chamber of Commerce to obtain a loan to fund building improvements.

As of the date of the City Council Agenda Packet compilation, the City has not received the description and depiction exhibits required for the agreement.

POLICY CONSIDERATIONS:

The City Council has previously approved a similar agreement.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff is seeking direction from the Council on this item.

RESOLUTION NO. 2020-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A BOUNDARY LINE AGREEMENT AND SPECIAL WARRANTY DEED WITH THE GONZALES CHAMBER OF COMMERCE AND AGRICULTURE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Gonzales Chamber of Commerce and Agriculture is requesting the boundary line of the tracts depicted in Exhibits “A” and “B” of the license agreement attached as Attachment A to be revised as indicated in Exhibit “C”; and,

WHEREAS, the City Council of the City of Gonzales hereby finds that the execution of the boundary line agreement and special warranty deed is in the best interest of the City.

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

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. The City Council of the City of Gonzales hereby approves the Boundary Line Agreement and Special Warranty Deed with the Gonzales Chamber of Commerce and Agriculture attached hereto as Attachment A and authorizes the execution of said Agreement by the Mayor.

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 resolved 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 Resolution, 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 it is so resolved.

Section 8. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 9th day of July, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary

Boundary Line Agreement and Special Warranty Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: June 16, 2020

Owner: City of Gonzales, Texas

Owner's Address: 820 St. Joseph Street
Gonzales, Texas 78629

Owner's Property: That certain tract located at 301 St. Joseph - Part of Lots 1-6, Block 17, Original Inner Town of Gonzales containing [number] acres, more or less, which is located in Gonzales County, Texas and is more fully described in Exhibit A attached hereto and incorporated herein by reference for all purposes.

Adjoining Owner: Gonzales Chamber of Commerce & Agriculture

Adjoining Owner's Address: 304 St. Louis
Gonzales, Texas 78629

Adjoining Owner's Property: That certain tract located at 304 St. Louis – Part of Lots 1 and 2, Block 17, Original Inner Town of Gonzales, containing [number] acres, more or less, which is located in Gonzales County, Texas and is more fully described in Exhibit B attached hereto and incorporated herein by reference for all purposes.

Based on an examination of title, surveys, and historical public records and permit information of Owner's Property and Adjoining Owner's Property, there appears to be a question as to the location of the common boundary line between Owner's Property and Adjoining Owner's Property. Owner and Adjoining Owner desire to settle the question by executing this agreement.

In consideration of settling the existing boundary line dispute and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner and Adjoining Owner hereby agree as follows:

1. Set forth in Exhibit C attached hereto and incorporated herein by reference for all purposes is a metes-and-bounds description of the line that Owner and Adjoining Owner have agreed will henceforth constitute the common boundary line between Owner's Property and Adjoining Owner's Property.

2. Owner and Adjoining Owner hereby grant, sell, and convey to each other their respective interests in the real property lying on the opposite side of the agreed common boundary line from the property that each of them owns and hereby agree to warrant and forever

defend the title to these interests in the grantee and the grantee's respective heirs, successors, and assigns against all claims arising by, through, or under the grantor but not otherwise.

3. This agreement binds and inures to the benefit of Owner and Adjoining Owner and their respective heirs, personal representatives, successors, and assigns.

Owner, City of Gonzales, Texas

By: Tim Patek, City Manager of Gonzales

Adjoining Owner, Gonzales Chamber of Commerce

By: _____, Gonzales Chamber of Commerce

STATE OF TEXAS §
COUNTY OF GONZALES §

This instrument was acknowledged before me on the _____ day of _____, 2020, by Tim Patek, City Manager of the City of Gonzales, Texas, a municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF GONZALES §

This instrument was acknowledged before me on the _____ day of _____, 2020, by _____ for the Gonzales Chamber of Commerce.

Notary Public, State of Texas

EXHIBIT A
DESCRIPTION AND DEPICTION OF OWNER'S PROPERTY

EXHIBIT B
DESCRIPTION AND DEPICTION OF ADJOINING OWNER'S PROPERTY

EXHIBIT C
DESCRIPTION AND DEPICTION OF AGREED UPON REVISED BOUNDARY BETWEEN
OWNER AND ADJOINING OWNER

May 4, 2020



Dear Council:

As you know, the Gonzales Chamber of Commerce purchased the red GVEC Home Store building at 304 St. Louis Street in Gonzales, Texas, in March of 2018. The attached survey reveals the building encroaches upon city owned property. As you can see, it is a very small encroachment of a foot or two.

We will soon be seeking a possible loan to fund improvements to our new building. As such, any lender will require we clear title to any encroachments. We understand the City usually will consider a lease only, especially in light of the recently passed resolution not to sell any city property.

However, we are requesting your consideration of a waiver to this particular resolution since it such a minute portion of real estate. We would most respectfully request your consideration of a donation of this small parcel to the Gonzales Chamber of Commerce and Agriculture so that we might proceed to a lender with clean title to the property.

If you should have any questions, please feel free to reach out to any board member or Chamber staff.

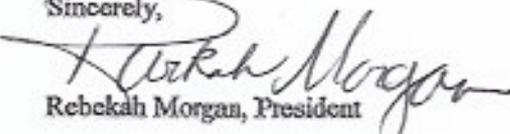
Chamber of Commerce Board of Directors:

President: Rebekah Morgan
Vice President: Dane King
2nd Vice President: Carolyn Morrow
Treasurer: Jason Fogle
Abigail Casares
Crystal Gray
Eddie Escobar
Edward Wuensch
Jean Peterek Burns
Kasey Rhodes
Samantha Garcia
Sarah Carrizales
Shawntel McCune
Steven Gresham
Suzanne Zaitz

Chamber of Commerce Staff:

Director: Daisy Scheske Freeman
Administrative Assistant: Elizabeth Riley
Visitor Center Docent: JoLaine Schurig
Student Associate: Molly Manning

Sincerely,


Rebekah Morgan, President

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, consider and provide direction on a project to install interpretive panels on Confederate Square.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

On this agenda, a presentation will be made by community members regarding a request for interpretive panels to be installed on Confederate Square. This item is for discussion purposes to allow the City Council to offer direction on the proposed project.

FISCAL IMPACT:

To be determined.

ATTACHMENTS:

None.

STAFF RECOMMENDATION:

Staff is seeking direction from the City Council.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving Resolution #2020-67 Appointing
Five Citizens to the Charter Review
Commission to be Empaneled from August 1,
2020 through January 31, 2021 as required by
Section 11.11 of the City of Gonzales Charter.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

As required in Section 11.11 of the City of Gonzales Charter, as amended in May of 2019, the City Council shall appoint a Charter Review Commission consisting of five citizens of the City of Gonzales at the July City Council meeting in years ending in zero (0) and five (5). Each councilmember shall appoint one (1) member to the commission. The charter review commission shall be empaneled from August 1st through January 31st. The final report of the commission shall be presented to the council no later than the February regular council meeting.

POLICY CONSIDERATIONS:

This is consistent with what has been done in the past.

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully requests City Council action deemed appropriate

RESOLUTION NO. 2020-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS APPOINTING FIVE CITIZENS TO THE CHARTER REVIEW COMMISSION TO BE EMPANELED FROM AUGUST 1, 2020 THROUGH JANUARY 31, 2021 AS REQUIRED BY SECTION 11.11 OF THE CITY OF GONZALES CHARTER; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council shall appoint a Charter Review Commission consisting of five citizens of the City of Gonzales at the July City Council meeting in years ending in zero (0) and five (5); and,

WHEREAS, each councilmember shall appoint one (1) member to the commission; and,

WHEREAS, the Charter Review Commission shall be empaneled from August 1st through January 31st; and,

WHEREAS, the recommendations of the Charter Review Commission shall be presented to the Council no later than the February regular council meeting; and,

WHEREAS, as prescribed in Local Government Code §9.004 the proposed Charter amendments will be presented to the voters at next uniform election date.

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

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. The City Council of the City of Gonzales, Texas hereby appoints _____, _____, _____, and _____ to the Charter Review Commission to be empaneled from August 1, 2020 through January 31, 2021 as required by Section 11.11 of the City of Gonzales Charter.

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 resolved 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 Resolution, 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 it is so resolved.

PASSED AND APPROVED this 9th day of July 2020

Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, Interim City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving Resolution #2020-68 Approving
the Amendment of the Job Description and
Position Classification for the City Secretary
to include duties of Administrative Services
Director.

DATE: July 9, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The City of Gonzales has previously discussed hiring a Human Resources Director. In lieu of hiring a dedicated Human Resources Director, staff is proposing to modify the job description of the City Secretary to handle human resource director functions, in addition to the continued management of Municipal Court activities and zoning administrator functions. Staff has proposed a new job title of City Secretary/Administrative Services Director to encompass all of these job functions.

POLICY CONSIDERATIONS:

This Resolution will amend the current version of classification and approve the amended position.

FISCAL IMPACT:

A budget amendment will be completed at a later date.

ATTACHMENTS:

Job description, amended position classification are attached.

STAFF RECOMMENDATION:

Staff respectfully requests the approval of this resolution.

RESOLUTION NO. 2020-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING THE AMENDMENT OF THE JOB DESCRIPTION AND POSITION CLASSIFICATION FOR THE CITY SECRETARY TO INCLUDE DUTIES OF ADMINISTRATIVE SERVICES DIRECTOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the job descriptions for the City of Gonzales employees are set in place to accurately describe the major responsibilities, essential functions and minimum requirements of each position; and,

WHEREAS, the City of Gonzales job descriptions and job classifications were reviewed, and suggested changes made; and,

WHEREAS, it is the desire of legal counsel and staff to present the proposed job descriptions and classifications to City Council for review and final approval; and,

WHEREAS, City Staff is requesting changes to amend the job description for the City Secretary to include the duties of Administrative Services Director; and,

WHEREAS, the City Council finds that approving the amendment to the City of Gonzales job description and job classification as described herein will further promote the public health, safety, and general welfare of the City.

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

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. The City Council of the City of Gonzales, Texas authorizes the amendment of the Job Description for City Secretary to include duties of Administrative Services Director and Amending Position Classification as set forth in the attached Exhibit A and directs the City Manager or designee to distribute them accordingly.

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 resolved 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 Resolution, 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 it is so resolved.

PASSED AND APPROVED this 9th day of July 2020

Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, Interim City Secretary

CITY OF GONZALES
POSITION DESCRIPTION

TITLE: Administrative Services Director/City Secretary

JOB CODE: Full-Time

DEPARTMENT: City Secretary

FLSA: Exempt

SUMMARY: Under general Administrative direction, performs administrative duties and is custodian of official records for the City of Gonzales; attends and records proceedings of official meetings of the City Council; conducts other related work as provided by Charter, Ordinance, or required by City Council and for proper coordination with City Manager's requirements in this area, under direction of the City Manager, is responsible for performing ~~executive-secretarial~~ work requiring advanced knowledge of Administration Management Operations and familiarity with ~~basic~~ functions of all City departments; and do related work as required. Essential duties and responsibilities include: processes official Publications or Notices and Ordinances; attests to, numbers, dates and effect changes in official documents authorized by City Council activity; ~~takes notes in person~~, records and prepares Minutes of City Council Meetings; arranges for Municipal elections; maintains files of Official City documents and records; searches files and assembles information; administers compliance with Open Records ~~Law~~Act and Public Information Act; uses office computer and equipment proficiently; composes, types and prints letters, Ordinances, Resolutions, memos, and miscellaneous correspondences; uses tact, diplomacy and an accommodating attitude in all contacts with the public and other departments; manages and updates municipal code; serves as the City's Zoning Administrator.

Serves as the City's Human Resources Director under administrative direction, plans, directs, coordinates, and administers the human resources and risk management functions, activities and services for the City; provides consultative services, direction and support to elected officials, directors and administration; works to ensure the City's compliance with pertinent federal, state and local laws, regulations and statutes, the City Charter and ordinances, rules and regulations and policies and procedures; plans the department services, programs, and projects; establishes goals, strategies and action steps for the organization; manages, administers and monitors the finance and budget functions; identifies and mitigates potential risk and liability to the City; develops and provides supervisory and employee training and development opportunities; performs other administrative support functions as directed by the City Manager.-

The intent of this position description is to provide a representative summary of the major duties and responsibilities performed by incumbent(s) in this position. Incumbent(s) may not be required to perform all duties in this description and incumbent(s) may be required to perform position-related tasks other than those specifically listed in this description.

Essential Job Functions:

- Prepares and manages agendas as directed by the Mayor and City Manager for the Council and City Boards and Commissions.
- Compiles supporting documents for agendas, posts meeting notices, including to the City's website.
- Prepares meeting minutes for approval by City Council and other Boards and Commissions of the City.
- Attends evening meetings of the City Council and other Boards and Commissions as the recording secretary.
- Publishes all required legal notices in the official newspaper of the City within the appropriate time requirements dictated by state law.
- Responds to requests for information and assistance from Council, staff and citizens.
- Maintains records, filing, drafts and correspondence for Mayor, City ~~Administrator~~Manager and other city officials.
- Maintains custody of city seal and official records of the city including ordinances, resolutions, minutes of the City Council, contracts, agreements, etc. Attests to all official documents of the City.
- Serves as the Official Records Management Officer for all city documents.
- Receives on behalf of the City petitions, initiatives, and referendums, recall proceedings and applications for office, and verifies all applications and petitions.
- Serves as Election Administrator. Coordinatinges and administrings elections and related matters for the City and other agencies as directed. Serves as Early Voting Election Judge.
- Assists in preparation and management of various budgets.
- Assists other departments with customer service as needed.

CITY OF GONZALES
POSITION DESCRIPTION

- Serves as the City's Zoning Administrator, prepares agendas, staff reports and minutes of the Zoning Board of Adjustment and the Planning & Zoning Commission.
- Serve as the Municipal Court Supervisor/Ex Officio Clerk of Said Court.
- Serves as the Human Resources Director to include planning, organizing, coordinating and directing all operations including the classification, compensation, recruitment, examination, labor relations, training, safety programs and regulatory compliance.
- Counsels employees, mediates employee issues, applies principles of conflict resolution and provides alternatives and solutions to resolve simple to complex workplace issues and complaints; mitigates potential harassment, violence in the workplace and risk or exposure to liability.
- Prepares human resource policies, rules and regulations for the City Manager and adoption by the City Council.
- Other duties as assigned.

Required Knowledge and Skills:

- Skill in providing excellent customer service to persons of all ages, regardless of social or economic backgrounds.
- Knowledge of the Texas Election Code, Texas Local Government Code, Texas Government Code, Public Information Act and Texas Open Meetings Act;
- Knowledge of the principles and practices of human resources administration including employee selection procedures, position classification, compensation, benefits administration and labor relations;
- Excellent knowledge of grammatical and technical writing rules and standards;
- Knowledge of City Charter and Ordinances; ~~basic~~-advanced knowledge related to local government administration and home rule governance;
- Advanced ~~K~~knowledge of municipal election laws and duties;
- Knowledge of basic accounting principles;
- ~~Advanced Knowledge of computer systems including Microsoft Windows, Microsoft Office (Word, Excel, PowerPoint, Access);~~
- ~~K~~knowledge of document retention and records management;
- ~~Knowledge of secretarial and administrative practices.~~
- Excellent oral and written communications skills including accurately recording information in precise, written form;
- Highly skilled in computer operations using all Microsoft Office applications;
- Skill in operating office equipment including copiers, scanners and fax machines; skill in technical writing and copy editing; excellent organizational, document management and record keeping skills.
- Ability to effectively communicate orally and in writing;
- Ability to work well with others;
- Ability to identify what information is needed by others for effective action;
- Ability to deal in a fair and courteous manner with a variety of individuals; ability to demonstrate consideration of others regardless of ethnicity, gender, beliefs, or personal style;
- Able to effectively record, document and process complex information in a timely manner;
- Ability to fulfill requests or otherwise provide services, accurate information, or assistance in a courteous and timely manner;
- Ability to present a positive image of the city;
- Ability to safeguard sensitive or confidential information from intentional or unintentional disclosure;
- Ability to maintain an accurate and legible record of official city business;
- Ability to organize and conduct an efficient and honest election in compliance with State law and local ordinances;
- Ability to set goals and accomplish same;
- Ability to type a minimum of 40 words per minute without errors.

Required Education, Experience and Certificates:

- High school graduate or equivalent
- ~~Associates~~-Bachelor's Degree preferred.

CITY OF GONZALES
POSITION DESCRIPTION

- A minimum of five years of progressively responsible administrative secretary experience, preferably in the public sector.
- Notary Public Certification
- City Secretary Certification by the Texas Municipal Clerks Certification Program (within ~~five~~three years of employment)

Environmental Factors and Conditions/Physical Requirements:

- Work is performed in an inside/outside environment.
- May be subject to repetitive motion such as typing and vision to monitor.
- May be subject to standing, sitting, walking, bending, reaching, kneeling and lifting (up to 50 lbs.)

Equipment and Tools Utilized:

- Equipment utilized includes computer, copier, calculator, fax machine and standard office equipment.

POSITION CLASSIFICATION

DEPARTMENT	EEO CLASS	FLSA
100-102 Administration		
City Manager	Professional-01	Exempt
Superintendent of Public Works	Officials/Administrative-15	Exempt
Special Project Manager	Officials/Administrative-15	Exempt
100-103 Community Development		
Building Official	Officials/Administrative-10	Exempt
Building Inspector	Officials/Administrative-10	Non-exempt
Code Compliance Officer	Administrative Support-15	Non-exempt
100-105 Main Street		
Main Street Manager	Administrative Support-01	Exempt
100-106 Economic Development		
Economic Development President/CEO	Officials/Administrative-01	Exempt
Administrative Assistant to President/CEO	Administrative Support-01	Non-exempt
100-107 Building Maintenance		
Janitor	Service/Maintenance-15	Non-exempt
Maintenance	Skilled Craft-15	Non-exempt
Building Maintenance Superintendent	Skilled Craft-15	Non-exempt
100-108 City Secretary		
Administrative Services Director/ City Secretary	Officials/Administrative-15	Exempt
100-109 Finance		
Director of Finance	Officials/Administrative-01	Exempt
Accountant I	Administrative Support-01	Non-exempt
Accountant II	Administrative Support-01	Non-exempt
100-110 Hotel/Motel		
Tourism Director	Professional-01	Exempt
100-201 Parks		
Parks and Recreation Director	Officials/Administrative-15	Exempt
Administrative Assistant	Administrative Support-01	Non-exempt
Crew Leader	Service/Maintenance-15	Non-exempt
Equipment Operator I (6)	Service/Maintenance-15	Non-exempt
Equipment Operator (Part-time)	Service/Maintenance-15	Non-exempt
100-202 Swimming Pool		
Pool Manager	Service/Maintenance-15	Non-exempt
Lifeguard (6)	Service/Maintenance-15	Non-exempt
Pool Cashier	Service/Maintenance-15	Non-exempt
100-204 Recreation		
Camp Supervisor	Service/Maintenance-15	Non-exempt
Camp Instructor (11)	Service/Maintenance-15	Non-exempt
100-206 Golf		
Golf Course Superintendent	Service/Maintenance-15	Non-exempt
Grounds Keeper	Service/Maintenance-15	Non-exempt
Cashier (Part-time 6)	Officials/Administrative-01	Non-exempt

POSITION CLASSIFICATION

DEPARTMENT	EEO CLASS	FLSA
100-301 Fire Department		
Chief (Part-time)	Officials/Administrative-05	Exempt
Battalion Chief	Officials/Administrative-05	Exempt
Captain (3)	Professional-05	Non-exempt
Lieutenant (3)	Professional-05	Non-exempt
Firefighter (3)	Protective Services-05	Non-exempt
Firefighter (Part-time as needed)	Protective Services-05	Non-exempt
Firefighter Trainee	Protective Services-05	Non-exempt
100-501 Police Department		
Chief of Police	Officials/Administrative-04	Exempt
Captain	Professional-04	Exempt
Criminal Services Lieutenant	Professional-04	Exempt
Support Services/Admin Lieutenant	Professional-04	Exempt
DEA Task Force Investigator	Technicians-04	Non-exempt
Patrol Sergeant (4)	Technicians-04	Non-exempt
Patrol Officer (12)	Protective Services-04	Non-exempt
Cadet	Protective Services-04	Non-exempt
Telecommunication Sergeant	Administrative Support-15	Non-exempt
Telecommunication Operator (4)	Administrative Support-15	Non-exempt
Telecommunication Operator (Part-time 1)	Administrative Support-15	Non-exempt
Police Records Clerk	Administrative Support-15	Non-exempt
100-504 Animal Control		
Animal Control Officer	Service/Maintenance-15	Non-exempt
100-550 Municipal Court		
Court Clerk (2)	Administrative Support-01	Non-exempt
100-603 Street Department		
Street Director	Officials/Administrative-02	Exempt
Crew Leader/ Equipment Operator II	Skilled Craft-02	Non-exempt
Equipment Operator II (2)	Skilled Craft-02	Non-exempt
Equipment Operator I (3)	Skilled Craft-02	Non-exempt
100-650 Library		
Library Director	Officials/Administrative-15	Exempt
Librarian I (3)	Professionals-15	Non-exempt
Part-Time Librarian Assistant (1)	Professionals-15	Non-exempt
100-660 Museum		
Museum Director	Administrative Support-15	Non-exempt
Museum Worker (Part-time 1)	Administrative Support-15	Non-exempt
203-203 J.B. Wells Park		
Arena Operations Manager	Officials/Administrative-15	Exempt (frozen)
Revenue Collections Clerk	Administrative Support-01	Non-exempt
Crew Leader	Service/Maintenance-15	Non-exempt
Equipment Operator I (4)	Service/Maintenance-15	Non-exempt
Equipment Operator (Part-time)	Service/Maintenance-15	Non-exempt
210-710 Electric Department		
Electric Director/Liaison	Officials/Administrative-12	Exempt
Lineman I/Meter Reader	Skilled Craft-12	Non-Exempt
Hydro Plant Station Technician (Part-time 1)	Skilled Craft-12	Non-Exempt

POSITION CLASSIFICATION

DEPARTMENT	EEO CLASS	FLSA
210-750 Revenue Collections		
Revenue Collections Supervisor	Administrative Support-01	Exempt
Revenue Collections Clerk (3)	Administrative Support-01	Non-exempt
220-720 Water Department		
Water Department Director	Officials/Administrative-13	Exempt
Crew Leader	Skilled Craft-13	Non-exempt
Water Operator I (2)	Skilled Craft-13	Non-exempt
Water Operator II	Skilled Craft-13	Non-exempt
230-730 Wastewater Department		
Wastewater Superintendent	Officials/Administrative-13	Exempt
Crew Leader	Skilled Craft-13	Non-exempt
Operator I (3)	Skilled Craft-13	Non-exempt
Operator II (2)	Skilled Craft-13	Non-exempt
240-740 Solid Waste		
Equipment Operator I (2)	Skilled Craft-02	Non-exempt

COUNCIL AGENDA ITEM BRIEFING DATA



DATE: July 9, 2020

TYPE AGENDA ITEM:

Council Action

BACKGROUND:

There have been several potential capital improvement projects identified that Staff would like direction from Council on that will help place the City of Gonzales in a more advantageous position for future economic development opportunities. This item will allow for Council deliberation on priorities and the ability to provide direction to the Gonzales Economic Development Corporation of funding opportunities to assist with the soft costs in planning for future development and job creation. Projects identified at this time include the following:

- Funding the professional service costs for a feasibility study for an elevated water storage tank to create a new pressure plain which would provide for increased water pressure for the industrial park and future expansion of industrial areas in the vicinity.
- Identification and possible acquisition of land for future industrial area expansion.
- A master plan for the airport to include runway expansion, a GPS system and hangar expansion.

Once these plans are established and locations identified, the City will be in a better position to seek funding through grants or other alternative financing methods to achieve these goals.

POLICY CONSIDERATIONS:

This is consistent with current policy.

FISCAL IMPACT:

The fiscal impact of these projects is currently unknown.

ATTACHMENTS:

None

STAFF RECOMMENDATION:

Staff is seeking direction from Council on this item.

AGENDA ITEM

Discussion and Council Direction on priorities of future capital improvement projects for the Gonzales Economic Development Corporation's consideration, to the extent allowed by law, to include the following:

- Feasibility and cost estimation of an elevated storage tank in the vicinity of the Industrial Park to create a new pressure plain
- Acquisition of additional land for industrial development
- A master plan for the airport

CITY OF GONZALES FINANCIALS

July 9, 2020

FINANCIAL REPORTS FOR FUNDS

CASH & INVESTMENT BY FUND

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JUNE 30TH, 2020

100-GENERAL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
401-TAX REVENUE	2,731,386.00	153,633.05	2,249,321.91	82.35	0.00	482,064.09
402-FRANCHISE REVENUE	1,948,150.00	140.46	1,130,648.92	58.04	0.00	817,501.08
403-LICENSE/FEE/PERMITS	59,500.00	6,199.15	46,468.44	78.10	0.00	13,031.56
404-PARKS FEES REVENUE	193,850.00	25,509.93	133,694.11	68.97	0.00	60,155.89
405-MUNICIPAL COURT REVEN	116,932.00	3,048.05	35,620.93	30.46	0.00	81,311.07
406-MISCELLANEOUS REVENUE	763,852.00	26,160.75	529,989.39	69.38	0.00	233,862.61
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	45,000.00	0.00	19,126.75	42.50	0.00	25,873.25
409-OTHER FINANCING REVEN	518,273.00	11,667.56	575,398.01	111.02	0.00	(57,125.01)
410-TRANSFERS	2,436,066.00	1,300.00	1,652,788.50	67.85	0.00	783,277.50
*** TOTAL REVENUES ***	8,813,009.00	227,658.95	6,373,056.96	72.31	0.00	2,439,952.04
EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTME	88,359.00	3,589.77	55,823.59	63.18	0.00	32,535.41
102-CITY MANAGER DEPART	242,406.24	17,522.72	169,968.99	70.12	0.00	72,437.25
103-COMMUNITY DEVELOPMENT	236,666.36	8,494.47	134,033.42	56.63	0.00	102,632.94
104-NON-DEPARTMENTAL	776,632.00	21,644.76	307,041.07	39.70	1,290.75	468,300.18
105-MAIN STREET DEPARTMEN	155,476.12	20,744.23	97,316.62	62.59	0.00	58,159.50
106-ECONOMIC DEVELOPMENT	0.00	0.00	9.90	0.00	0.00	(9.90)
107-BUILDING MAINTENANCE	227,722.36	12,254.15	141,697.01	62.22	0.00	86,025.35
108-CITY SECRETARY DEP	135,304.12	3,687.58	84,979.01	62.81	0.00	50,325.11
109-FINANCE DEPARTMENT	259,025.36	16,700.62	200,393.83	77.36	0.00	58,631.53
110-HOTEL/MOTEL	0.00	0.00	116.12	0.00	0.00	(116.12)
201-PARKS DEPARTMENT	718,492.08	37,965.59	435,724.26	64.05	24,500.01	258,267.81
202-SWIMMING POOL DEPARTM	37,249.00	0.00	581.40	1.56	0.00	36,667.60
204-RECREATION DEPARTMENT	12,194.00	0.00	163.66	1.34	0.00	12,030.34
206-INDEPENDENCE GOLF CO	271,250.24	14,745.36	177,567.83	65.46	0.00	93,682.41
301-FIRE DEPARTMENT	1,535,368.20	60,578.61	1,050,029.29	68.43	552.29	484,786.62
501-POLICE DEPARTMENT	2,498,981.24	154,458.35	1,735,095.96	69.43	0.00	763,885.28
504-ANIMAL CONTROL DEPART	157,030.12	9,637.63	101,107.78	64.39	0.00	55,922.34
550-MUNICIPAL COURT DEPT.	188,836.24	5,657.50	82,875.66	43.89	0.00	105,960.58
602-AIRPORT DEPARTMENT	92,100.00	724.94	66,009.05	71.67	0.00	26,090.95
603-STREETS DEPARTMENT	929,778.86	30,980.98	763,713.15	82.37	2,147.83	163,917.88
650-LIBRARY DEPARTMENT	276,791.48	14,810.77	185,228.66	66.92	0.00	91,562.82
660-MUSEUM DEPARTMENT	162,945.12	3,870.04	61,689.75	37.86	0.00	101,255.37
*** TOTAL EXPENDITURES ***	9,002,608.14	438,068.07	5,851,166.01	65.31	28,490.88	3,122,951.25
** REVENUES OVER(UNDER) EXPENDITURES **	(189,599.14)	(210,409.12)	521,890.95	260.23-	(28,490.88)	(682,999.21)

CITY OF GONZALES
 FINANCIAL STATEMENT
 AS OF: JUNE 30TH, 2020

203-JB WELLS PARK FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
404-PARKS FEES REVENUE	643,143.00	54,760.00	276,987.60	43.07	0.00	366,155.40
406-MISCELLANEOUS REVENUE	7,968.00	0.00	0.00	0.00	0.00	7,968.00
*** TOTAL REVENUES ***	651,111.00	54,760.00	276,987.60	42.54	0.00	374,123.40
EXPENDITURE SUMMARY						
203-JB WELLS PARK	705,673.72	51,703.85	368,534.40	52.22	0.00	337,139.32
*** TOTAL EXPENDITURES ***	705,673.72	51,703.85	368,534.40	52.22	0.00	337,139.32
** REVENUES OVER(UNDER) EXPENDITURES **	(54,562.72)	3,056.15	(91,546.80)	167.78	0.00	36,984.08

CITY OF GONZALES
 FINANCIAL STATEMENT
 AS OF: JUNE 30TH, 2020

210-ELECTRIC FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
400-DSF GOVERNMENT ACT.	0.00	0.00	0.00	0.00	0.00	0.00
710-ELECTRIC DEPARTMENT	10,939,850.00	722,738.79	6,917,371.12	63.23	0.00	4,022,478.88
750-REVENUE COLLECTION	221,727.00	1,966.44	170,636.32	76.96	0.00	51,090.68
809-HYDRO PLANT CONST.	100.00	0.00	85.84	85.84	0.00	14.16
*** TOTAL REVENUES ***	11,161,677.00	724,705.23	7,088,093.28	63.50	0.00	4,073,583.72
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	10,753,843.73	55,021.34	5,743,999.18	54.23	88,310.00	4,921,534.55
750-REVENUE COLLECTIONS	257,769.48	17,207.47	186,026.03	72.17	0.00	71,743.45
809-HYDRO PLANT CONST.	328,400.00	5,480.04	330,616.37	100.67	0.00	(2,216.37)
*** TOTAL EXPENDITURES ***	11,340,013.21	77,708.85	6,260,641.58	55.99	88,310.00	4,991,061.63
** REVENUES OVER(UNDER) EXPENDITURES **	(178,336.21)	646,996.38	827,451.70	414.47-	(88,310.00)	(917,477.91)

CITY OF GONZALES
 FINANCIAL STATEMENT
 AS OF: JUNE 30TH, 2020

220-WATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
300-CAPITAL PROJECTS-BUS	0.00	0.00	0.00	0.00	0.00	0.00
720-WATER PRODUCTION DEPT	2,166,600.00	166,982.05	1,445,091.70	66.70	0.00	721,508.30
*** TOTAL REVENUES ***	2,166,600.00	166,982.05	1,445,091.70	66.70	0.00	721,508.30
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	2,151,712.60	35,619.86	1,204,205.73	55.97	132.96	947,373.91
722-SERIES 2011 DEBT SERV	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL EXPENDITURES ***	2,151,712.60	35,619.86	1,204,205.73	55.97	132.96	947,373.91
** REVENUES OVER (UNDER) EXPENDITURES **	14,887.40	131,362.19	240,885.97	617.16	(132.96)	(225,865.61)

CITY OF GONZALES
 FINANCIAL STATEMENT
 AS OF: JUNE 30TH, 2020

230-WASTEWATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
730-WASTEWATER COLLECTION	1,454,000.00	109,565.40	922,856.85	63.47	0.00	531,143.15
*** TOTAL REVENUES ***	1,454,000.00	109,565.40	922,856.85	63.47	0.00	531,143.15
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,523,927.56	36,062.16	851,401.58	55.87	0.00	672,525.98
*** TOTAL EXPENDITURES ***	1,523,927.56	36,062.16	851,401.58	55.87	0.00	672,525.98
** REVENUES OVER (UNDER) EXPENDITURES **	(69,927.56)	73,503.24	71,455.27	102.18-	0.00	(141,382.83)

CITY OF GONZALES
 FINANCIAL STATEMENT
 AS OF: JUNE 30TH, 2020

240-SOLID WASTE FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
740-SOLID WASTE DEPARTMEN	908,850.00	63,551.15	646,367.88	71.12	0.00	262,482.12
*** TOTAL REVENUES ***	908,850.00	63,551.15	646,367.88	71.12	0.00	262,482.12
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	864,354.24	8,323.20	542,885.51	62.81	0.00	321,468.73
*** TOTAL EXPENDITURES ***	864,354.24	8,323.20	542,885.51	62.81	0.00	321,468.73
** REVENUES OVER(UNDER) EXPENDITURES **	44,495.76	55,227.95	103,482.37	232.57	0.00	(58,986.61)

CITY OF GONZALES
 FINANCIAL STATEMENT
 AS OF: JUNE 30TH, 2020

300-CAPITAL PROJECTS-BUSINESS

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
300-CAPITAL PROJECTS-BUS	125,000.00	0.00	48,088.95	38.47	0.00	76,911.05
*** TOTAL REVENUES ***	125,000.00	0.00	48,088.95	38.47	0.00	76,911.05
EXPENDITURE SUMMARY						
301-STREETS	2,194,800.00	0.00	200,020.76	9.11	0.00	1,994,779.24
302-WASTEWATER	1,134,000.00	0.00	63,777.50	5.62	0.00	1,070,222.50
303-ELECTRIC	0.00	0.00	0.00	0.00	0.00	0.00
304-WATER	2,367,629.00	0.00	573,251.29	24.21	0.00	1,794,377.71
*** TOTAL EXPENDITURES ***	5,696,429.00	0.00	837,049.55	14.69	0.00	4,859,379.45
** REVENUES OVER(UNDER) EXPENDITURES **	(5,571,429.00)	0.00	(788,960.60)	14.16	0.00	(4,782,468.40)

CITY OF GONZALES
 FINANCIAL STATEMENT
 AS OF: JUNE 30TH, 2020

400-DSF GOVERNMENT ACTIVITIES

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
400-DSF GOVERNMENT ACT.	1,047,510.00	0.00	932,494.72	89.02	0.00	115,015.28
*** TOTAL REVENUES ***	1,047,510.00	0.00	932,494.72	89.02	0.00	115,015.28
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	1,046,860.00	0.00	780,785.00	74.58	0.00	266,075.00
*** TOTAL EXPENDITURES ***	1,046,860.00	0.00	780,785.00	74.58	0.00	266,075.00
** REVENUES OVER (UNDER) EXPENDITURES **	650.00	0.00	151,709.72	339.96	0.00	(151,059.72)

CITY OF GONZALES
 FINANCIAL STATEMENT
 AS OF: JUNE 30TH, 2020

500-RESTRICTED USE FUNDS

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
410-TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL/MOTEL	360,000.00	30,107.55	257,971.50	71.66	0.00	102,028.50
812-MEMORIAL MUSEUM	12,440.00	0.00	25,221.50	202.75	0.00	(12,781.50)
813-FORFEITURES	10,650.00	0.00	2,057.68	19.32	0.00	8,592.32
814-MUNICIPAL COURT	6,600.00	35.13	2,253.93	34.15	0.00	4,346.07
815-ROBERT L BROTHERS	93,745.00	0.00	9,648.56	10.29	0.00	84,096.44
*** TOTAL REVENUES ***	483,435.00	30,142.68	297,153.17	61.47	0.00	186,281.83
EXPENDITURE SUMMARY						
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL MOTEL	480,195.12	24,487.04	250,829.41	52.23	0.00	229,365.71
812-MEMORIAL MUSEUM	25,000.00	0.00	3,399.89	13.60	0.00	21,600.11
813-FORFEITURES	17,000.00	2,000.00	5,000.00	29.41	0.00	12,000.00
814-MUNICIPAL COURT	19,000.00	0.00	0.00	0.00	0.00	19,000.00
815-ROBERT L BROTHERS	43,700.00	1,139.95	18,887.61	43.22	0.00	24,812.39
*** TOTAL EXPENDITURES ***	584,895.12	27,626.99	278,116.91	47.55	0.00	306,778.21
** REVENUES OVER(UNDER) EXPENDITURES **	(101,460.12)	2,515.69	19,036.26	18.76-	0.00	(120,496.38)

CITY OF GONZALES
 FINANCIAL STATEMENT
 AS OF: JUNE 30TH, 2020

700-GONZALES ECONOMIC DEV

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,033,000.00	74,466.41	741,662.55	71.80	0.00	291,337.45
*** TOTAL REVENUES ***	1,033,000.00	74,466.41	741,662.55	71.80	0.00	291,337.45
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,323,216.12	391,402.08	823,156.36	62.21	0.00	500,059.76
*** TOTAL EXPENDITURES ***	1,323,216.12	391,402.08	823,156.36	62.21	0.00	500,059.76
** REVENUES OVER (UNDER) EXPENDITURES **	(290,216.12)	(316,935.67)	(81,493.81)	28.08	0.00	(208,722.31)

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>100-GENERAL FUND</u>			

<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	822,378.59	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	57,002.72	
100 1-101.702	CASH - IND PARK IMPT OIL	0.00	
	TOTAL CASH	879,381.31	
<u>INVESTMENTS</u>			
100 1-103.409	RBFCU-SAVINGS ACCOUNT		0.00
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		277,725.89
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		14,676.57
100 1-103.419	LIBRARY RESTRICTED USE-DONATIO		0.00
100 1-103.702	IND PARK IMPROVE OIL - INVEST.		0.00
	TOTAL INVESTMENTS		292,402.46
<u>POOLED INVESTMENTS</u>			
100 1-104.000	TEXPOOL - GENERAL FUND		0.00
100 1-104.002	TEXPOOL- GENERAL FUND		1,271,115.96
100 1-104.604	TEXPOOL - ARMORY LEASE		0.00
100 1-104.702	TEXPOOL - IND PARK IMPT OIL		0.00
100 1-104.703	TEXPOOL - LEWIS PROPERTY		0.00
	TOTAL POOLED INVESTMENTS		1,271,115.96
	TOTAL 100-GENERAL FUND	879,381.31	1,563,518.42

203-JB WELLS FUND

<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	(232,728.92)	
	TOTAL CASH	(232,728.92)	
	TOTAL 203-JB WELLS PARK FUND	(232,728.92)	0.00

210-ELECTRIC FUND

<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	1,398,834.44	
210 1-001.499	CASH -HYDRO CO'S	0.00	
210 1-001.500	CASH - HYDRO BOND I & S	0.00	
210 1-001.600	CONFIDENTIALITY FEE	0.00	

CASH & INVESTMENTS BY FUND

AS OF: JUNE 30TH, 2020

JUNE 30TH, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
210 1-001.606	CASH CUSTOMER METER DEPOSIT	175,484.00	
	TOTAL CASH	1,574,318.44	
<u>INVESTMENTS</u>			
210 1-103.000	AGENCY SECURITIES - ELECTRIC		0.00
210 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
210 1-103.410	CERT OF DEP - SOUTH STAR BANK		272,355.52
210 1-103.411	CERT OF DEPOSIT - RBFCU		0.00
210 1-103.606	CUSTOMER METER DEPOSITS - INVT		0.00
210 1-103.706	ELEC CAPITAL IMPROVEMENT-INST.		0.00
	TOTAL INVESTMENTS		272,355.52
<u>POOLED INVESTMENTS</u>			
210 1-104.000	TEXPOOL- UNDESIGNATED		0.00
210 1-104.001	TEXPOOL-HYDRO CO'S		0.00
210 1-104.002	TEXPOOL- ELECTRIC FUND		1,780,288.50
210 1-104.606	TEXPOOL - CUSTOMER METER DEP		0.00
210 1-104.706	TEXPOOL - JOHNSON ST PROP		0.00
	TOTAL POOLED INVESTMENTS		1,780,288.50
	TOTAL 210-ELECTRIC FUND	1,574,318.44	2,052,644.02

220-WATER FUNDCASH

220 1-001.000	CASH - WATER FUND	656,250.21	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	16,904.00	
	TOTAL CASH	673,154.21	

INVESTMENTS

220 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
220 1-103.411	CERTIFICATE OF DEPOSIT-SAGE		0.00
220 1-103.606	CUSTOMER METER DEPOSITS - INVT		0.00
	TOTAL INVESTMENTS		0.00

POOLED INVESTMENTS

220 1-104.000	TEXPOOL - WATER FUND		0.00
220 1-104.001	TEXPOOL CONSTRUCTION		0.00
220 1-104.002	TEXPOOL- WATER FUND		101,730.80
220 1-104.606	CUSTOMER METER DEPOSIT - TXPOL		0.00
	TOTAL POOLED INVESTMENTS		101,730.80
	TOTAL 220-WATER FUND	673,154.21	101,730.80

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>230-WASTEWATER FUND</u>			
<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	353,581.49	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	0.00	
TOTAL CASH		353,581.49	
<u>INVESTMENTS</u>			
230 1-103.000	INVESTMENTS AGENCY SECURITIES		0.00
230 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
230 1-103.411	CERT. OF DEP - SOUTH STAR BANK		274,166.37
TOTAL INVESTMENTS			274,166.37
<u>POOLED INVESTMENTS</u>			
230 1-104.000	TEXPOOL - WASTEWATER		0.00
230 1-104.002	TEXPOOL- WASTEWATER FUND		508,653.92
TOTAL POOLED INVESTMENTS			508,653.92
TOTAL 230-WASTEWATER FUND		353,581.49	782,820.29

240-SOLID WASTE

<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	111,195.04	
240 1-001.606	CASH CUSTOMER GARBAGE DEP	0.00	
TOTAL CASH		111,195.04	
<u>INVESTMENTS</u>			
240 1-103.000	INVESTMENTS AGENCY SECURITIES		0.00
240 1-103.402	INVESTMENTS - I & S REVENUE BD		0.00
240 1-103.403	INVESTMENTS - I & S BOND RES		0.00
TOTAL INVESTMENTS			0.00
<u>POOLED INVESTMENTS</u>			
240 1-104.000	TEXPOOL - SOLID WASTE FUND		0.00
240 1-104.100	TEXASTERM		0.00
240 1-104.402	TEXPOOL - I & S REVENUE BOND		0.00
240 1-104.403	TEXPOOL - I & S BOND RESERVE		0.00
TOTAL POOLED INVESTMENTS			0.00
TOTAL 240-SOLID WASTE FUND		111,195.04	0.00

JUNE 30TH, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
250-DSF PROPRIETARY			
<u>CASH</u>			
250 1-001.000	CASH-DSF PROPRIETARY	0.00	
	TOTAL CASH	0.00	
	TOTAL 250-DSF PROPRIETARY	0.00	0.00
300-CAPITAL PROJECTS-BUS			
<u>CASH</u>			
300 1-001.000	CASH CONTROL - CAPITAL PROJ	0.00	
300 1-101.301	BOND - CIP	0.00	
	TOTAL CASH	0.00	
<u>POOLED INVESTMENTS</u>			
300 1-104.101	CASH-CO SERIES 2019 CIP STREET		2,018,439.34
300 1-104.102	CASH-CO SERIES 2019 CIP W/W		1,082,407.32
300 1-104.103	CASH-CO SERIES 2019 CIP WATER		1,833,767.86
300 1-104.104	CASH-CO SERIES 2019 CIP GEN.		84,484.76
	TOTAL POOLED INVESTMENTS		5,019,099.28
	TOTAL 300-CAPITAL PROJECTS-BUSINESS	0.00	5,019,099.28
400-DSF GOVERNMENTAL ACTI			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCT	0.00	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	210,884.94	
	TOTAL CASH	210,884.94	
	TOTAL 400-DSF GOVERNMENT ACTIVITIES	210,884.94	0.00
500-RESTRICTED USE FUNDS			
<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCT	(2,132.22)	
500 1-001.501	CASH - TEXAS CAPITAL	0.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	791,849.33	
500 1-001.503	CASH - MUSEUM FUNDS	39,791.45	

CASH & INVESTMENTS BY FUND
 AS OF: JUNE 30TH, 2020 JUNE 30TH, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
500 1-001.504	CASH - FORFEITURES	23,907.26	
500 1-001.505	CASH - MUN CRT CHILD SAFETY	16,863.92	
500 1-001.506	CASH - MUN CRT SECURITY	26,863.63	
500 1-001.507	CASH - MUN CRT TECH	4,669.45	
500 1-001.508	CASH - SPECIAL EXPENSE	6,642.76	
500 1-001.509	CASH - AIRPORT IMPT	0.00	
500 1-001.510	PEG FRANCHISE (RESTRICTED USE)	0.00	
500 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	107,017.85	
TOTAL CASH		1,015,473.43	
TOTAL 500-RESTRICTED USE FUNDS		1,015,473.43	0.00
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700-COMPONENT UNIT			

<u>CASH</u>			
700 1-001.000	CASH -CONTROL ACCOUNT	0.00	
700 1-001.101	CASH - ECONOMIC DEV CORP	2,728,902.87	
TOTAL CASH		2,728,902.87	
<u>INVESTMENTS</u>			
700 1-103.412	CERT OF DEPOSIT-SAGE CAPITAL		0.00
700 1-103.419	RBFCU- BASIC BUSINESS CHECKING		0.00
700 1-103.420	RBFCU - MONEY MARKET ACCT		0.00
700 1-103.430	SAVINGS ACCT - RBFCU		0.00
TOTAL INVESTMENTS			0.00
<u>POOLED INVESTMENTS</u>			
700 1-104.000	TEXPOOL - ECONOMIC DEV		0.00
TOTAL POOLED INVESTMENTS			0.00
TOTAL 700-GONZALES ECONOMIC DEV		2,728,902.87	0.00
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FUND TOTAL OTHER INVESTMENTS			838,924.35
FUND TOTAL POOLED INVESTMENTS			8,680,888.46
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TOTAL CASH AND INVESTMENTS		7,314,162.81	9,519,812.81
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*** END OF REPORT ***