

CITY OF GONZALES, TEXAS
SPECIAL CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
VIA TELEPHONE CONFERENCE
LIMITED IN PERSON ATTENDANCE AVAILABLE
AGENDA –OCTOBER 1, 2020 12:00 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 a special called meeting on Thursday, October 1, 2020 at 12:00 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

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.

ACTION ITEMS

- 1.1 Discuss, Consider & Possible Action on **Resolution #2020-92** Authorizing the City Manager to award an RFQ for Engineering Services and an RFP for Grant Administration Services in Order to Submit, and Accept if Awarded, an Application to the General Land Office for \$3,000,000 in CDBG-MIT Grant Funds to Provide Flood Mitigation.
- 1.2 Discuss, Consider & Possible Action on **Resolution #2020-94** Authorizing the Designation of Mayor Connie Lynn Kacir, City Manager Timothy Wayne Patek, Finance Director Laura Leah Zella and City Secretary Kristin Aleice Gilbert as Authorized Signatories and Removing All Others For All Accounts in the City of Gonzales' Name With Randolph Brooks Federal Credit Union (RBFCU).
- 1.3 Discuss, Consider & Possible Action on **Resolution #2020-95** Authorizing the Use of Texas Heroes Square for the 60th Annual Gonzales Day Memorial Service, hosted by the Daughters of the Republic of Texas.

CLOSED SESSION

- 2.1 (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:
 - a. In Re Estate of J. B. Wells litigation
 - b. Patricia Bennett and Gloria Knight v. City of Gonzales, Texas Cause No. 27,500
 - c. A Guerra Enterprise LLC D/B/A Holiday Inn Express & Suites Cause No. 27,591

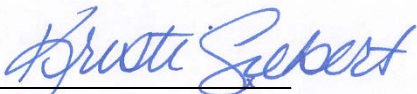
RETURN TO OPEN SESSION

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

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 2:30 p.m. on September 25, 2020. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.



Kristi Gilbert, Administrative Services Director/City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Conduct a Public Hearing to Discuss, Consider & Possible Action on Resolution #2020-92 Authorizing the City Manager to award an RFQ for Engineering Services and an RFP for Grant Administration Services in Order to Submit, and Accept if Awarded, an Application to the General Land Office for \$3,000,000 in CDBG-MIT Grant Funds to Provide Flood Mitigation

DATE: October 1, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

In August of 2017, the City of Gonzales suffered damage from flooding as a result of Hurricane Harvey. The State of Texas Government Land Office (GLO) is offering CDBG Mitigation Grant funding to communities impacted by Hurricane Harvey for projects to mitigate the impact of future flooding events. If approved, Public Comment will be taken on the application and it will come back before City Council in October for a Public Hearing. The grant application is due to the General Land Office by October 28, 2020.

The City has advertised for Request for Qualifications per Council's action at their September 10, 2020 meeting with proposals due by 9:00 a.m. on Monday, September 28th. The proposals will be reviewed and a recommendation will be made to Council at the meeting.

POLICY CONSIDERATIONS:

This is consistent with current policy.

FISCAL IMPACT:

There is no required match for the grant. Engineering and Grant Administrator expenses related to the development of the grant application are not covered by the grant. These expenses are expected to be \$6,000 or less and may be covered under current budgeted contracts.

ATTACHMENTS:

CDBG-MIT Grant application Guidelines

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this Resolution and associated documents.

RESOLUTION NO. 2020-92

A RESOLUTION OF THE CITY OF GONZALES, TEXAS, APPROVING AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR GRANT ADMINISTRATOR AND ENGINEERING SERVICES FOR THE TEXAS GENERAL LAND OFFICE COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION GRANT; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

WHEREAS, the City of Gonzales is applying for a Community Development Block Grant Mitigation Grant (CDBG-MIT) award through the Texas General Land Office (GLO) for project to mitigate the impact of future flooding events; and

WHEREAS, it is necessary for the City to award contracts for grant administration and engineering services prior to applying for the CDBG-MIT grants; and

WHEREAS, the City of Gonzales finds that entering int an agreement for grant administration services with _____ 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; and

WHEREAS, the City of Gonzales finds that entering int an agreement for engineering services with _____ 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; and

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

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 authorizes the City Manager to execute an agreement for grant administration services with _____ with the proposal attached as Exhibit “A”.

Section 3. The City Council of the City of Gonzales hereby authorizes the City Manager to execute an agreement for engineering services with _____ with the proposal attached as Exhibit “B”.

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 therein.

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. 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 8. This Resolution shall be effective upon its approval.

Section 9. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 1st day of October, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

EXHIBIT "A"

EXHIBIT "B"

COUNCIL AGENDA ITEM BRIEFING DATA



DATE: October 1, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Council is required to pass a resolution designating authorized signatories for financial institutions (per City of Gonzales Investment Policy). The resolution will designate the following individuals as authorized signatories and removing all others for all accounts in the City of Gonzales' name with Randolph Brooks Federal Credit Union (RBFCU). A resolution was passed on August 13, 2020 designating the authorized signatories and removing all others for all accounts in the City of Gonzales' name at all Financial Institutions. Upon discussions with RBFCU, they require the full legal names of the authorized signatories to be listed on the Minutes. This resolution has their full legal names, so that it matches their Driver's License.

Mayor Connie Lynn Kacir
City Manager Timothy Wayne Patek
Finance Director Laura Leah Zella
City Secretary Kristin Aleice Gilbert

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

As per City of Gonzales Investment Policy; no changes to current policy.

AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-94 Authorizing the Designation of Mayor Connie Lynn Kacir, City Manager Timothy Wayne Patek, Finance Director Laura Leah Zella and City Secretary Kristin Aleice Gilbert as Authorized Signatories and Removing All Others For All Accounts in the City of Gonzales' Name With Randolph Brooks Federal Credit Union (RBFCU)

RESOLUTION 2020-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE DESIGNATION OF MAYOR CONNIE LYNN KACIR, CITY MANAGER TIMOTHY WAYNE PATEK, FINANCE DIRECTOR LAURA LEAH ZELLA AND CITY SECRETARY KRISTIN ALEICE GILBERT AS AUTHORIZED SIGNATORIES AND REMOVING ALL OTHERS FOR ALL ACCOUNTS IN THE CITY OF GONZALES' NAME AT RANDOLPH BROOKS FEDERAL CREDIT UNION (RBFCU); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Council is required to pass a resolution designating the authorized signatories for financial institutions (per City of Gonzales Investment Policy). This resolution will designate the Mayor Connie Lynn Kacir, City Manager Timothy Wayne Patek, Finance Director Laura Leah Zella and City Secretary Kristin Aleice Gilbert as authorized signatories and removing all others for all accounts in the City of Gonzales' name at Randolph Brooks Federal Credit Union (RBFCU); and

WHEREAS, Council passed a resolution on August 13, 2020 designating the authorized signatories and removing all others for all accounts in the City of Gonzales' name at all Financial Institutions.

WHEREAS, Upon discussions with RBFCU, they require the full legal names of the authorized signatories to be listed on the Minutes. This resolution has their full legal names, so that it matches their Driver's License.

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 authorizes the designation Mayor Connie Lynn Kacir, City Manager Timothy Wayne Patek, Finance Director Laura Leah Zella and City Secretary Kristin Aleice Gilbert as authorized signatories and removing all others for all accounts in the City of Gonzales' name at Randolph Brooks Federal Credit Union.

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 therein.

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 1st day of October, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristin Aleice Gilbert, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on **Resolution #2020-95** Authorizing the Use of Texas Heroes Square for the 60th Annual Gonzales Day Memorial Service, hosted by the Daughters of the Republic of Texas.

DATE: October 8, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The Gonzales Chapter of the Daughters of the Republic of Texas will be hosting the 60th Annual Gonzales Day Memorial Service on Friday, October 2, 2020 to commemorate the Battle of Gonzales; the first battle in Texas' fight for independence. Originally held at Texas Heroes Square then relocated years ago due to the Come and Take It Celebration, the organization would like to hold the service at Texas Heroes Square again in 2020. The service will begin at 10am and end at approximately 11am.

POLICY CONSIDERATIONS:

N/A

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2020-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE DAUGHTERS OF THE REPUBLIC OF TEXAS-GONZALES CHAPTER TO USE TEXAS HEROES SQUARE FOR THE 60TH ANNUAL GONZALES DAY MEMORIAL SERVICE ON OCTOBER 2, 2020; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Daughters of the Republic of Texas uses Texas Heroes Square and its parking lot for the 60th Annual Gonzales Day Memorial Service commemorating the Battle of Gonzales; and

WHEREAS, the event will be held from 10:00 a.m. until 11:00 a.m. on October 2, 2020; and

WHEREAS, the City Council hereby finds that said events increase the community spirit of the City of Gonzales and serve a public purpose.

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 authorizes the Daughters of the Republic of Texas-Gonzales Chapter to use Texas Heroes Square on Friday, October 2, 2020 for the 60th Annual Gonzales Day Memorial Service, commemorating the Battle of Gonzales.

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 1st day of October, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

→ Has always been a co-sponsored event with City of Gonzales. 60 years!

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 60th Annual "Gonzales Day-Oct. 2" Memorial
HOST ORGANIZATION GONZALES CHAPTER DAUGHTER OF REPUBLIC OF SERVICE
CONTACT NAME SAPORA MAULDIN, PRESIDENT TEXAS
CONTACT CELL PHONE 830-263-1488
EVENT DATE FRIDAY, OCT. 2, 2020
EVENT START TIME 10 AM **EVENT END TIME** 11 AM
EVENT LOCATION TEXAS HEROS SQUARE
HOLIDAY CELEBRATED Y **HOLIDAY:** GONZALES DAY Oct 2
CITY COUNCIL APPROVAL REQUIRED Y **MEETING DATE:** OFFICIAL ORT

POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE 60
MUSIC Y **LIVE** N **DJ** N
FOOD Y **ALCOHOL** N
MOTORIZED VEHICLES Y **RESPONSIBLE PARTY** N
PUBLIC OR PRIVATE EVENT public
SECURITY Y **# OFFICERS NEEDED** N
 (Call 672-8686 for costs)

ELECTRIC DEPARTMENT

ADDITIONAL LIGHTING Y **N**
NUMBER OF OUTLETS NEEDED _____
AMPS/WATTS NEEDED _____
TENT Y **N**
TENT SIZE: _____
SET UP DAY/TIME _____
TAKE DOWN DAY/TIME _____

STREETS DEPARTMENT

STREETS AFFECTED Y **N** ARRIVING/DEPARTING TRAFFIC
BARRICADES NEEDED (max 12) Y **N**
CONES NEEDED (max 48) Y **N**
STREETS TO BE CLOSED Y **N**
SET UP TIME _____
TAKE DOWN TIME _____

COMMUNITY SERVICES DEPARTMENT

(Contingent upon availability)

NUMBER OF CHAIRS @ \$0.50 each 60 (max 500)
NO. OF ROUND TABLES @ \$2.00 each 2 (max 15)
NO. OF 8 FOOT TABLES @ \$2.00 each 2 (max 50)
NUMBER OF TRASH CANS 0 (max 25)
SET UP TIME _____
TAKE DOWN TIME BASE + FLAGS

FOR INFORMATION CONTACT
 (830) 672-2815- City Hall
 (830) 672-2813- Fax

CITY SECRETARY'S OFFICE
citysecretary@gonzales.texas.gov

Flowers

Insurance

Licensee agrees to maintain the type and amounts of insurance required by this agreement. Licensee is solely responsible for providing the required certificates of insurance. The City may terminate the event approval if the licensee fails to timely comply with the insurance requirements.

The required insurance must be issued by a company or companies of sound and adequate financial responsibility and authorized to do business in the State of Texas. All policies are subject to examination and approval by the City Manager or their designee for their adequacy as to content, form of protection, and providing company.

The required insurance naming the City as additional insured must be primary insurance and not contributing with any other insurance available to the City, under any third party liability policy.

Before the City Council approves this event, the licensee must provide either an original certificate of insurance or a certified copy of the insurance policy evidencing the required insurance.

The following types and amount of insurance are required:

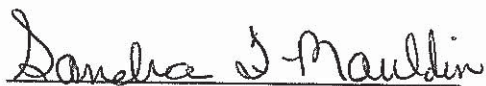
<u>Type</u>	<u>Amount</u>
Comprehensive General Liability including, but not limited to:	\$250,000 per person
• Premises/Operations	\$500,000 per occurrence for bodily injury; and
• Contractual Liability (Insuring above indemnity)	\$100,000 per occurrence for property damage

Indemnity

The undersigned does indemnify and hold harmless the City of Gonzales from and against any and all loss, cost (including statutory liability and liability under workers compensation laws) in connection with claims for damages as a result of injury or death to any person or damage to any property sustained by the individual(s) participating in or attending the permitted event, or any and all other persons, which arise from, or in any manner grow out of, any act or neglect on, about or during the event by the individual(s) or entity obtaining the permit to host the event, participants in the event, guests or attendees.

Notification

The undersigned further agrees to notify all property owners affected by any street closures for the event set-up or during the event.



AUTHORIZED SIGNATURE