

CITY OF GONZALES, TEXAS
SPECIAL CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
VIA TELEPHONE CONFERENCE
LIMITED IN PERSON ATTENDANCE AVAILABLE
AMENDED AGENDA –AUGUST 11, 2020 1:00 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 Tuesday, August 11, 2020 at 1:00 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.

WORKSHOP

- 1.1 Presentation, discussion and deliberation on the Proposed Budget for the Fiscal Year Beginning October 1, 2020 and Ending on September 30, 2021, including the 2021 proposed Ad Valorem Tax Rate and Amendments to the Fiscal Year 2019-2020 Budget.

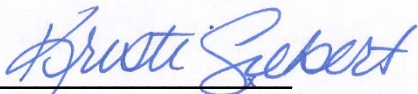
ACTION ITEMS

- 2.1 Discuss, Consider and Possible Action Approving Resolution #2020-69 Authorizing the Finance Director of the City of Gonzales to Direct Crystal Cedillo, Gonzales County Tax Assessor-Collector to calculate the 2020 Voter Approval Tax Rate of the City of Gonzales in the Manner Provided for a Special Taxing Unit Due to the Governor's State Wide Declaration of Disaster in Response to the COVID-19 Pandemic; and Declaring An Effective Date

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 ~~9:30 a.m~~12:30 p.m. on August ~~8~~5, 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



DATE: August 11, 2020

AGENDA ITEM

Discuss, Consider and Possible Action Approving Resolution #2020-69 Authorizing the Finance Director of the City of Gonzales to Direct Crystal Cedillo, Gonzales County Tax Assessor-Collector to calculate the 2020 Voter Approval Tax Rate of the City of Gonzales in the Manner Provided for a Special Taxing Unit Due to the Governor's State Wide Declaration of Disaster in Response to the COVID-19 Pandemic; and Declaring An Effective Date

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Annually, the City of Gonzales appoints Crystal Cedillo, 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. Section 26.04(c-1) of the Texas Tax Code provides that the governing body of a taxing unit located in an area declared to be a disaster area by the Governor or by the President of the United States may direct the designated officer of the City to calculate the voter-approval tax rate in the manner provided for a special taxing unit (8%). On March 13, 2020, the President of the United States issued a proclamation declaring that the COVID-19 pandemic in the United States constitutes a national emergency. On March 13, 2020, the Governor of the State of Texas declared a disaster in every Texas County due to the COVID-19 pandemic. The COVID-19 pandemic has impacted the City of Gonzales and the City Council has seen a decrease in many of the revenue line items and foresees that continuing. For that reason, Staff feels that it is in the best interest of the City of Gonzales to have the voter-approval tax rate calculated using the manner provided for a special taxing unit (8%).

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2020-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE FINANCE DIRECTOR OF THE CITY OF GONZALES TO DIRECT CRYSTAL CEDILLO, GONZALES COUNTY TAX ASSESSOR-COLLECTOR TO CALCULATE THE 2020 VOTER-APPROVAL TAX RATE OF THE CITY OF GONZALES IN THE MANNER PROVIDED FOR A SPECIAL TAXING UNIT BY DUE TO THE GOVERNOR'S STATE-WIDE DECLARATION OF DISASTER IN RESPONSE TO THE COVID-19 PANDEMIC; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on March 13, 2020, the President of the United States issued a proclamation declaring that the COVID-19 pandemic in the United States constitutes a national emergency.

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a disaster in every Texas County due to the COVID-19 pandemic.

WHEREAS, the COVID-19 pandemic has impacted the City of Gonzales and the City Council has seen a decrease in many of the revenue line items and foresees that continuing.

WHEREAS, as a result of the declaration of disaster, an election is not required under Section 26.07 of the Texas Tax Code to approve the tax rate adopted by the Gonzales City Council for the year following the year in which the disaster occurred.

WHEREAS, as a result of the foregoing, Section 26.04 (c-1) of the Texas Tax Code authorizes the City Council of the City of Gonzales to direct the designated officer or employee to calculate the voter-approval tax rate of the City of Gonzales in the manner provided for a special taxing unit.

WHEREAS, Section 26.04(c-1) of the Texas Tax Code provides that the officer or employee continue calculating the voter approval tax rate in the same manner until the earlier of (1) the second tax year in which the total taxable value of property taxable by the City of Gonzales as shown on the appraisal roll for the City of Gonzales submitted by the tax assessor for the City of Gonzales to the Gonzales City Council exceeds the total taxable value of property taxable by the City of Gonzales on January 1 of the tax year in which the disaster occurred, or (2) the third tax year after the tax year in which the disaster occurred.

WHEREAS, the Finance Director and the City Manager find it prudent to raise the mandated 3.5% cap to the special district rate of 8% as a precautionary measure due to the declarations of disaster.

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

Section 1.

The City Council finds that the recitals above are true and they are hereby adopted as a matter of public record. The recitals shall become a part of the legislative history pertaining to the adoption of this resolution and shall serve to document the extraordinary circumstances existing at the time of its approval.

Section 2.

The City Council, as the governing body of Gonzales, hereby authorizes and directs the Finance Director or her successor of the City of Gonzales to notify Crystal Cedillo Gonzales County Tax Assessor-Collector to calculate the voter-approval tax rate of the City of Gonzales using the special taxing unit cap rate of 8% pursuant to Texas Tax Code §26.04(c-1) as a result of the Declaration of Disaster issued by the President of the United States and the Texas Governor.

Section 3.

As set forth in Texas Tax Code Section 26.04(c)(2)(A), the voter-approval rate for a special taxing unit is the city's maintenance and operations rate times 1.08 plus the current debt rate.

Section 4.

The Gonzales County Tax Assessor-Collector shall continue calculating the voter-approval tax rate in the manner provided by this resolution until the earlier of:

- (1) the second tax year in which the total taxable value of property taxable by the City of Gonzales as shown on the appraisal roll for the City of Gonzales submitted by the tax assessor for the City of Gonzales to the Gonzales City Council exceeds the total taxable value of property taxable by the City of Gonzales on January 1 of the current tax year; or
- (2) the third tax year after the current tax year.

Section 5.

This Resolution shall be in full force and effect from and after its passage and adoption.

APPROVED AND ADOPTED on this _____ day of _____ 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary