CITY OF GONZALES, TEXAS
SPECIAL CITY COUNCIL MEETING
MINUTES –SEPTEMBER 21, 2020

A Special Meeting of the City Council was held on **September 21, 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.

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 by 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.

CALL TO ORDER, INVOCATION AND PLEDGE
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	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, City Attorney Dan Santee, Administrative Services Director/City Secretary Kristi Gilbert, Finance Director Laura Zella, and Parks Director Anne Dollery.

HEARING OF RESIDENTS
The following individuals were present in person and spoke:

No one was signed in to speak.

CONSENT AGENDA ITEMS
1.1   Discuss, Consider & Possible Action on **Resolution #2020-87** Authorizing First United Methodist Church's Use of the Historic Downtown Square for church services on October 4, 2020.

1.2   Discuss, Consider & Possible Action on **Resolution #2020-89** Authorizing Gonzales ISD Use of the Gonzales City Park/Lion's Park on September 23, 2020 for a Cross Country Meet.

1.3   Discuss, Consider & Possible Action on **Resolution #2020-90** Authorizing Gonzales ISD Use of the Gonzales City Park/Lion's Park on October 17, 2020 for a Cross Country Meet.

1.4   Discuss, Consider & Possible Action on **Resolution #2020-91** in Support of Improving and Updating the Airport Layout Plan for the Roger M. Dreyer Memorial Airport.

1.5   Discuss, Consider & Possible Action on **Resolution #2020-92** a Resolution Authorizing the City Manager to Solicit Requests for Proposals for the JB Wells Park Concession Stand.

ACTION: Items 1.1 through 1.4   **APPROVED**
The Mayor indicated Ms. Dollery and Mr. Patek asked that Item 1.5 be moved to the next regular meeting.

Council Member O'Neal moved to approve the consent agenda items 1.1 through 1.4 as presented. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ACTION ITEMS
2.1   Discuss, Consider & Possible Action on **Resolution #2020-93** Authorizing and Adopting the Financial Policy for the City of Gonzales

Mayor Kacir stated that she requested the item to be added to require Council approval on the removal of all budgeted expenditures of $25,000 or more in the current budget.

ACTION: Item 2.1   **APPROVED**
Mayor Pro Tem Blakemore moved to approve **Resolution #2020-93** with amended verbiage as presented by Ms. Zella authorizing and adopting the Financial Policy for the City of Gonzales. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

2.2   Discuss, Consider & Possible Action on **Resolution #2020-84** Authorizing and Adopting the Investment Policy for the City of Gonzales

     ACTION: Item 2.2   **APPROVED**
     Council Member O'Neal moved to approve **Resolution #2020-84** Authorizing and Adopting the Investment Policy for the City of Gonzales. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

2.3   Discuss, Consider and Possible Action on **Ordinance #2020-20** Authorizing Budget Amendments for the 2020-2021 Fiscal Year

     ACTION: Item 2.3   **APPROVED**
     Council Member Schurig moved to approve **Ordinance #2020-20** Authorizing Budget Amendments for the 2020-2021 Fiscal Year. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

CONVENE INTO CLOSED SESSION:
The Council convened into executive session at 12:12 p.m.

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

3.1(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 551.072 of the Texas Government Code, the City of Gonzales will consult in closed session to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person:
     1. Unopened City Street

RETURN TO OPEN SESSION
Reconvene into Open Meeting at 12:46 p.m.

4.1   Discuss and Consider any Action Resulting from Closed Session as Necessary

ACTION: Item 4.1   **NO ACTION**
No action was taken with the exception of Item Number 4.2.

4.2   Discuss, Consider & Possible Action Approving **Ordinance #2020-21** Closing and Abandoning to the abutting property owner, Benny Boyd Gonzales RE, LLC Portions of an unopened city street generally located south of County Road 244 and Authorizing the City Manager to Execute the Real Property Contract.

ACTION: Items 4.2   **APPROVED**
Council Member O'Neal moved to approve **Ordinance #2020-21** Closing and Abandoning to the abutting property owner, Benny Boyd Gonzales RE, LLC Portions of an unopened city street generally located south of County Road 244 and Authorizing the City Manager to Execute the Real Property Contract accepting an offer with an exception for an amount not to exceed $10,000 for platting. Council Member Schroeder 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 O'Neal and a second by Mayor Pro Tem Blakemore, the meeting was adjourned at 12:49 p.m.

Approved this 8th day of October 2020.

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Connie Kacir, Mayor

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Kristi Gilbert, City Secretary