

**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET  
AGENDA –JULY 11, 2024, 6:00 P.M.**

**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.

**All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.**

Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

**STAFF/BOARD REPORTS**

- 1.1 Finance Director, Laura Zella will provide feedback on any questions regarding:
  - Financial Reports for funds as of June 30, 2024
  - Cash & Investment by Fund as of June 30, 2024
- 1.2 City Manager, Tim Crow will update the City Council on the following:
  - Timeline on Capital Improvement and Departmental Projects
    - Recently Completed Projects
    - Projects Currently in Process
    - Upcoming Projects
- 1.3 Parks Director, Ralph Camarillo will provide a final report to the City Council on the Summer Youth Program

**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 13, 2024 Regular Meeting, June 25, 2024 Workshop and June 27, 2024 Workshop
- 2.2 Discuss, Consider & Possible Action on **Resolution #2024-60** Approving an Amendment to agreement by and between the Gonzales Economic Development Corporation and Butlerwood, Inc. a Texas Corporation regarding improvements to property generally located at 820 Oil Patch Lane
- 2.3 Discuss, Consider & Possible Action on **Resolution #2024-61** Approving an Amendment to agreement by and between the Gonzales Economic Development Corporation and Irons Properties, LLC., a Texas Limited Liability Company, regarding improvements to property generally located at 305 to 311 Saint George Street
- 2.4 Discuss, Consider & Possible Action on **Resolution #2024-62** Authorizing the Purchase of a 2024 John Deere Backhoe for the Water Department from RDO Equipment Company in the amount of \$131,146.75
- 2.5 Discuss, Consider & Possible Action on **Resolution #2024-63** Authorizing the City Manager to Execute a Purchase Agreement for the Purchase of a Ford F-150 Police Responder Truck for the Police Department in the amount of \$50,275.00
- 2.6 Discuss, Consider & Possible Action on **Resolution #2024-64** Amending the Library Director Job Description

#### **RESOLUTION**

- 3.1 Discuss, Consider & Possible Action on **Resolution #2024-65** Authorizing the City Manager to negotiate and enter into an agreement for Professional Auditing Services with BrooksWatson & Co.
- 3.2 Discuss, Consider & Possible Action on **Resolution #2024-66** Rescheduling the October 10, 2024 City Council meeting to another date

#### **ORDINANCE**

- 4.1 Discuss, Consider & Possible Action on **Ordinance #2024-23** Amending Article 9.500 Code of Ethics and Conduct for City Officials and Employees

#### **CLOSED SESSION**

- 5.1 (1) 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:

A) Unopened portion of City Street West of Water Street

- (2) Pursuant to Section 551.086 of the Texas Government Code, the City of Gonzales will meet in closed session to deliberate regarding certain public power utilities: competitive matters; and 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) Guadalupe Valley Electric Cooperative Operations and Maintenance Agreement

### **RETURN TO OPEN SESSION**

6.1 Discuss, Consider & Possible Action regarding matters discussed in closed session, and/or other actions necessary or recommended related to such discussions in closed session

### **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.

I certify that a copy of the July 11, 2024, agenda of items to be considered by the Gonzales City Council was posted on the City Municipal Building bulletin board on the 5<sup>th</sup> day of July, 2024 at 5:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting. I further certify that the above agenda was removed on \_\_\_\_\_ day of \_\_\_\_\_, 2024 at \_\_\_\_\_ am/pm. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.

---

Kristina Vega, City Secretary

The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please Contact the City Secretary's office at (830)672-2815 for further information.

FINANCIAL REPORTS FOR FUNDS AS OF 6/30/2024

CASH & INVESTMENT BY FUND AS OF 6/30/2024

GRANT REIMBURSEMENTS PENDING UPDATE:

\$55,494.47 on the Tinsley Creek CDBG Mitigation grant project

\$48,196.18 on the Lone Star Operation grant project

**\$103,690.65 TOTAL**

CITY OF GONZALES  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2024

100-GENERAL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
401-TAX REVENUE	3,136,922.00	197,610.68	2,491,242.92	79.42	0.00	645,679.08
402-FRANCHISE REVENUE	1,904,888.00	123,519.15	1,213,111.58	63.68	0.00	691,776.42
403-LICENSE/FEE/PERMITS	106,325.00	9,373.32	56,000.13	52.67	0.00	50,324.87
404-PARKS FEES REVENUE	362,565.00	39,921.76	307,797.35	84.89	0.00	54,767.65
405-MUNICIPAL COURT REVEN	51,531.00	3,633.97	35,763.94	69.40	0.00	15,767.06
406-MISCELLANEOUS REVENUE	726,196.00	68,889.79	777,276.77	107.03	0.00	( 51,080.77)
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	75,000.00	18,377.81	150,555.51	200.74	0.00	( 75,555.51)
409-OTHER FINANCING REVEN	115,298.00	0.00	394,784.22	342.40	0.00	( 279,486.22)
410-TRANSFERS	3,019,873.00	201,551.49	2,151,654.41	71.25	0.00	868,218.59
*** TOTAL REVENUES ***	9,498,598.00	662,877.97	7,578,186.83	79.78	0.00	1,920,411.17

EXPENDITURE SUMMARY

101-CITY COUNCIL DEPARTME	92,312.00	5,868.05	53,068.52	57.49	0.00	39,243.48
102-CITY MANAGER DEPART	199,681.00	14,933.37	147,089.35	73.66	0.00	52,591.65
103-COMMUNITY DEVELOPMENT	68,406.00	9,084.25	45,990.06	67.23	0.00	22,415.94
104-NON-DEPARTMENTAL	392,342.00	43,323.74	370,111.50	95.99	6,486.58	15,743.92
105-MAIN STREET DEPARTMEN	130,709.00	17,036.46	92,726.86	70.94	0.00	37,982.14
107-BUILDING MAINTENANCE	291,321.00	25,247.67	224,733.15	77.14	0.00	66,587.85
108-CITY SECRETARY DEP	264,407.00	13,722.02	198,811.29	75.19	0.00	65,595.71
109-FINANCE DEPARTMENT	605,583.00	33,419.95	380,883.10	62.90	0.00	224,699.90
110-CHAMBER OF COMMERCE	0.00	5,266.52	5,266.52	0.00	0.00	( 5,266.52)
201-PARKS DEPARTMENT	739,238.00	40,085.49	480,801.76	65.04	0.00	258,436.24
202-SWIMMING POOL DEPARTM	36,573.00	6,442.17	9,769.30	26.71	0.00	26,803.70
203-JB WELLS	0.00	0.00	0.00	0.00	0.00	0.00
204-RECREATION DEPARTMENT	21,270.00	6,683.98	10,724.99	50.42	0.00	10,545.01
205-MISCELLANEOUS	0.00	2.01	0.85	0.00	0.00	( 0.85)
206-INDEPENDENCE GOLF CO	322,316.00	31,109.72	235,377.22	73.03	0.00	86,938.78
301-FIRE DEPARTMENT	1,630,242.92	90,141.21	1,217,876.07	77.47	45,086.42	367,280.43
501-POLICE DEPARTMENT	2,980,106.72	188,576.99	2,105,594.29	71.65	29,613.89	844,898.54
504-ANIMAL CONTROL DEPART	200,733.00	14,174.34	147,952.88	73.71	0.00	52,780.12
550-MUNICIPAL COURT DEPT.	123,624.00	6,557.59	85,659.83	69.29	0.00	37,964.17
602-AIRPORT DEPARTMENT	121,054.00	135.56	41,708.37	34.45	0.00	79,345.63
603-STREETS DEPARTMENT	806,622.07	37,080.59	644,114.20	79.85	0.00	162,507.87
650-LIBRARY DEPARTMENT	325,951.00	22,709.36	230,979.82	70.86	0.00	94,971.18
660-MUSEUM DEPARTMENT	115,161.00	7,071.32	69,975.28	60.76	0.00	45,185.72
*** TOTAL EXPENDITURES ***	9,467,652.71	618,672.36	6,799,215.21	72.67	81,186.89	2,587,250.61
** REVENUES OVER (UNDER) EXPENDITURES **	30,945.29	44,205.61	778,971.62	254.90	( 81,186.89)	( 666,839.44)

C I T Y O F G O N Z A L E S  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2024

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	670,850.00	199,586.00	498,743.66	74.35	0.00	172,106.34
406-MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	670,850.00	199,586.00	498,743.66	74.35	0.00	172,106.34
EXPENDITURE SUMMARY						
203-JB WELLS PARK	932,121.00	66,362.22	511,692.19	54.90	0.00	420,428.81
*** TOTAL EXPENDITURES ***	932,121.00	66,362.22	511,692.19	54.90	0.00	420,428.81
** REVENUES OVER (UNDER) EXPENDITURES **	( 261,271.00)	133,223.78	( 12,948.53)	4.96	0.00	( 248,322.47)

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

210-ELECTRIC FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
710-ELECTRIC DEPARTMENT	10,932,943.00	862,951.14	7,220,828.69	66.05	0.00	3,712,114.31
750-REVENUE COLLECTION	279,302.00	1,757.39	203,881.76	73.00	0.00	75,420.24
809-HYDRO PLANT CONST.	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	<u>11,212,245.00</u>	<u>864,708.53</u>	<u>7,424,710.45</u>	<u>66.22</u>	<u>0.00</u>	<u>3,787,534.55</u>
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	11,281,938.77	618,956.39	7,674,205.54	69.94	216,049.35	3,391,683.88
750-REVENUE COLLECTIONS	321,669.00	18,219.38	220,343.12	68.50	0.00	101,325.88
809-HYDRO PLANT CONST.	147,700.00	0.00	127,500.00	86.32	0.00	20,200.00
*** TOTAL EXPENDITURES ***	<u>11,751,307.77</u>	<u>637,175.77</u>	<u>8,022,048.66</u>	<u>70.10</u>	<u>216,049.35</u>	<u>3,513,209.76</u>
** REVENUES OVER (UNDER) EXPENDITURES **	<u>( 539,062.77)</u>	<u>227,532.76</u>	<u>( 597,338.21)</u>	<u>150.89</u>	<u>( 216,049.35)</u>	<u>274,324.79</u>

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

220-WATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
720-WATER PRODUCTION DEPT	3,208,440.00	272,536.28	2,162,805.32	67.41	0.00	1,045,634.68
*** TOTAL REVENUES ***	3,208,440.00	272,536.28	2,162,805.32	67.41	0.00	1,045,634.68
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	3,493,020.03	121,964.71	1,806,261.50	52.36	22,759.00	1,663,999.53
*** TOTAL EXPENDITURES ***	3,493,020.03	121,964.71	1,806,261.50	52.36	22,759.00	1,663,999.53
** REVENUES OVER (UNDER) EXPENDITURES **	( 284,580.03)	150,571.57	356,543.82	117.29-	( 22,759.00)	( 618,364.85)



C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

230-WASTEWATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
730-WASTEWATER COLLECTION	1,741,600.00	157,037.53	1,303,680.20	74.86	0.00	437,919.80
731-W/W GRANT PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	1,741,600.00	157,037.53	1,303,680.20	74.86	0.00	437,919.80
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,541,943.00	51,990.97	805,503.60	70.47	281,141.00	455,298.40
731-W/W GRANT PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL EXPENDITURES ***	1,541,943.00	51,990.97	805,503.60	70.47	281,141.00	455,298.40
** REVENUES OVER (UNDER) EXPENDITURES **	199,657.00	105,046.56	498,176.60	108.70	( 281,141.00)	( 17,378.60)

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

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	876,750.00	72,075.36	640,223.01	73.02	0.00	236,526.99
*** TOTAL REVENUES ***	876,750.00	72,075.36	640,223.01	73.02	0.00	236,526.99
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	850,468.00	64,572.64	637,497.83	74.96	0.00	212,970.17
*** TOTAL EXPENDITURES ***	850,468.00	64,572.64	637,497.83	74.96	0.00	212,970.17
** REVENUES OVER (UNDER) EXPENDITURES **	26,282.00	7,502.72	2,725.18	10.37	0.00	23,556.82

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

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.	828,200.00	15,836.26	838,371.90	101.23	0.00	( 10,171.90)
*** TOTAL REVENUES ***	828,200.00	15,836.26	838,371.90	101.23	0.00	( 10,171.90)
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	815,200.00	0.00	655,800.00	80.45	0.00	159,400.00
*** TOTAL EXPENDITURES ***	815,200.00	0.00	655,800.00	80.45	0.00	159,400.00
** REVENUES OVER (UNDER) EXPENDITURES **	13,000.00	15,836.26	182,571.90	404.40	0.00	( 169,571.90)

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

500-HOTEL/MOTEL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
811-HOTEL/MOTEL	575,000.00	17,772.36	259,148.39	45.07	0.00	315,851.61
812-MEMORIAL MUSEUM	0.00	0.00	0.00	0.00	0.00	0.00
813-FORFEITURES	0.00	0.00	0.00	0.00	0.00	0.00
814-MUNICIPAL COURT	0.00	0.00	0.00	0.00	0.00	0.00
815-ROBERT L BROTHERS	0.00	0.00	0.00	0.00	0.00	0.00
816-PEG FRANCHISE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	575,000.00	17,772.36	259,148.39	45.07	0.00	315,851.61
EXPENDITURE SUMMARY						
811-HOTEL MOTEL	653,284.00	24,864.64	355,765.25	54.46	0.00	297,518.75
815-RLB	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL EXPENDITURES ***	653,284.00	24,864.64	355,765.25	54.46	0.00	297,518.75
** REVENUES OVER (UNDER) EXPENDITURES **	( 78,284.00)	( 7,092.28)	( 96,616.86)	123.42	0.00	18,332.86

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

501-MEMORIAL MUSEUM FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
812-MEMORIAL MUSEUM	2,500.00	53.85	2,473.35	98.93	0.00	26.65
*** TOTAL REVENUES ***	2,500.00	53.85	2,473.35	98.93	0.00	26.65
EXPENDITURE SUMMARY						
812-MEMORIAL MUSEUM	9,000.00	0.00	0.00	0.00	0.00	9,000.00
*** TOTAL EXPENDITURES ***	9,000.00	0.00	0.00	0.00	0.00	9,000.00
** REVENUES OVER (UNDER) EXPENDITURES **	( 6,500.00)	53.85	2,473.35	38.05-	0.00	( 8,973.35)

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

502-FORFEITURE FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
813-FORFEITURES	4,300.00	134.66	1,304.39	30.33	0.00	2,995.61
*** TOTAL REVENUES ***	4,300.00	134.66	1,304.39	30.33	0.00	2,995.61
EXPENDITURE SUMMARY						
813-FORFEITURES	20,500.00	0.00	5,971.30	29.13	0.00	14,528.70
*** TOTAL EXPENDITURES ***	20,500.00	0.00	5,971.30	29.13	0.00	14,528.70
** REVENUES OVER (UNDER) EXPENDITURES **	( 16,200.00)	134.66	( 4,666.91)	28.81	0.00	( 11,533.09)

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

503-MUNICIPAL COURT

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
814-MUNICIPAL COURT	2,350.00	234.93	2,034.77	86.59	0.00	315.23
*** TOTAL REVENUES ***	<u>2,350.00</u>	<u>234.93</u>	<u>2,034.77</u>	<u>86.59</u>	<u>0.00</u>	<u>315.23</u>
EXPENDITURE SUMMARY						
814-MUNICIPAL COURT	8,000.00	47.65	4,270.07	53.38	0.00	3,729.93
*** TOTAL EXPENDITURES ***	<u>8,000.00</u>	<u>47.65</u>	<u>4,270.07</u>	<u>53.38</u>	<u>0.00</u>	<u>3,729.93</u>
** REVENUES OVER (UNDER) EXPENDITURES **	<u>( 5,650.00)</u>	<u>187.28</u>	<u>( 2,235.30)</u>	<u>39.56</u>	<u>0.00</u>	<u>( 3,414.70)</u>

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

504-ROBERT LEE BROTHERS FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
815-ROBERT L BROTHERS	1,700.00	4,190.14	29,600.47	741.20	0.00	( 27,900.47)
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
*** TOTAL REVENUES ***	1,700.00	4,190.14	29,600.47	741.20	0.00	( 27,900.47)
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
EXPENDITURE SUMMARY						
815-ROBERT LEE BROTHERS	30,600.00	59.82	27,652.25	90.37	0.00	2,947.75
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
*** TOTAL EXPENDITURES ***	30,600.00	59.82	27,652.25	90.37	0.00	2,947.75
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
** REVENUES OVER (UNDER) EXPENDITURES **	( 28,900.00)	4,130.32	1,948.22	6.74-	0.00	( 30,848.22)
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>



C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

505-PEG FRANCHISE FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
816-PEG FRANCHISE	14,550.00	636.03	10,928.44	75.11	0.00	3,621.56
*** TOTAL REVENUES ***	14,550.00	636.03	10,928.44	75.11	0.00	3,621.56
EXPENDITURE SUMMARY						
816-PEG FRANCHISE	75,000.00	0.00	0.00	76.85	57,635.87	17,364.13
*** TOTAL EXPENDITURES ***	75,000.00	0.00	0.00	76.85	57,635.87	17,364.13
** REVENUES OVER (UNDER) EXPENDITURES **	( 60,450.00)	636.03	10,928.44	77.27	( 57,635.87)	( 13,742.57)

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2024

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	1,135,750.00	101,851.10	974,744.33	85.82	0.00	161,005.67
*** TOTAL REVENUES ***	1,135,750.00	101,851.10	974,744.33	85.82	0.00	161,005.67
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	3,258,053.58	26,494.19	629,067.36	19.85	17,575.00	2,611,411.22
*** TOTAL EXPENDITURES ***	3,258,053.58	26,494.19	629,067.36	19.85	17,575.00	2,611,411.22
** REVENUES OVER (UNDER) EXPENDITURES **	( 2,122,303.58)	75,356.91	345,676.97	15.46-	( 17,575.00)	( 2,450,405.55)

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>100-GENERAL FUND</u> =====			
<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	785,124.04	
100 1-001.501	CASH-GENERAL FUND RBFCU	0.00	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	164,607.98	
100 1-101.506	CASH- PEG FRANCHISE ACTIVITIES	0.00	
	TOTAL CASH	949,732.02	
<u>INVESTMENTS</u>			
100 1-103.409	RBFCU-SAVINGS ACCOUNT		0.00
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		0.00
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		83,724.36
	TOTAL INVESTMENTS		83,724.36
<u>POOLED INVESTMENTS</u>			
100 1-104.002	TEXPOOL- GENERAL FUND		3,499,973.96
100 1-104.003	TEXPOOL-CLFRF PART II - ARPA		0.00
	TOTAL POOLED INVESTMENTS		3,499,973.96
	TOTAL 100-GENERAL FUND	949,732.02	3,583,698.32

<u>203-JB WELLS FUND</u> =====			
<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	( 34,405.30)	
	TOTAL CASH	( 34,405.30)	
	TOTAL 203-JB WELLS PARK FUND	( 34,405.30)	0.00

<u>210-ELECTRIC FUND</u> =====			
<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	( 1,117,124.48)	
210 1-001.606	CASH CUSTOMER METER DEPOSIT	168,966.55	
	TOTAL CASH	( 948,157.93)	

JUNE 30TH, 2024

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>INVESTMENTS</u>			
210 1-103.410	CERT OF DEP - SOUTH STAR BANK		0.00
			-----
	TOTAL INVESTMENTS		0.00
<u>POOLED INVESTMENTS</u>			
210 1-104.002	TEXPOOL- ELECTRIC FUND		2,205,170.04
			-----
	TOTAL POOLED INVESTMENTS		2,205,170.04
		-----	-----
	TOTAL 210-ELECTRIC FUND	( 948,157.93)	2,205,170.04

---

220-WATER FUND  
=====

<u>CASH</u>			
220 1-001.000	CASH - WATER FUND	754,286.92	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	26,354.00	
		-----	
	TOTAL CASH	780,640.92	
<u>POOLED INVESTMENTS</u>			
220 1-104.002	TEXPOOL- WATER FUND		2,081,841.70
220 1-104.103	TEXPOOL - CO SERIES 2019		0.00
			-----
	TOTAL POOLED INVESTMENTS		2,081,841.70
		-----	-----
	TOTAL 220-WATER FUND	780,640.92	2,081,841.70

---

230-WASTEWATER FUND  
=====

<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	744,336.46	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	300.00	
		-----	
	TOTAL CASH	744,636.46	
<u>INVESTMENTS</u>			
230 1-103.411	CERT. OF DEP - SOUTH STAR BANK		0.00
			-----
	TOTAL INVESTMENTS		0.00
<u>POOLED INVESTMENTS</u>			
230 1-104.002	TEXPOOL- WASTEWATER FUND		1,290,169.17
230 1-104.003	TEXPOOL-CLFRF PART I -ARPA W/W		0.00
230 1-104.102	CASH - CO SERIES 2019		0.00
			-----
	TOTAL POOLED INVESTMENTS		1,290,169.17
		-----	-----
	TOTAL 230-WASTEWATER FUND	744,636.46	1,290,169.17

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<hr/>			
240-SOLID WASTE =====			
<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	160,585.81	
		-----	
TOTAL CASH		160,585.81	
		-----	-----
TOTAL 240-SOLID WASTE FUND		160,585.81	0.00
<hr/>			
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
<hr/>			
300-CAPITAL PROJECTS-BUS =====			
<u>CASH</u>			
300 1-001.000	CASH - CONTROL ACCOUNT	0.00	
300 1-101.301	BOND - CIP	0.00	
		-----	
TOTAL CASH		0.00	
		-----	-----
TOTAL 300-CAPITAL PROJECTS-BUSINESS		0.00	0.00
<hr/>			
400-DSF GOVERNMENTAL ACTI =====			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCOUNT	0.00	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	540,726.61	
		-----	
TOTAL CASH		540,726.61	
		-----	-----
TOTAL 400-DSF GOVERNMENT ACTIVITIES		540,726.61	0.00
<hr/>			

JUNE 30TH, 2024

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>500-HOTEL/MOTEL FUND</u>			
=====			
<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCOUNT	0.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	61,766.76	
500 1-001.503	CASH - MUSEUM FUNDS	0.00	
500 1-001.504	CASH - FORFEITURES	0.00	
500 1-001.505	CASH - MUN CRT CHILD SAFETY	0.00	
500 1-001.506	CASH - MUN CRT SECURITY	0.00	
500 1-001.507	CASH - MUN CRT TECH	0.00	
500 1-001.508	CASH - SPECIAL EXPENSE	0.00	
500 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	0.00	
		-----	
TOTAL CASH		61,766.76	
<u>POOLED INVESTMENTS</u>			
500 1-104.001	TEXPOOL - HOTEL MOTEL FUND		713,390.41
			-----
TOTAL POOLED INVESTMENTS			713,390.41
		-----	-----
TOTAL 500-HOTEL/MOTEL FUND		61,766.76	713,390.41

---

<u>501-MEMORIAL MUSEUM FUND</u>			
=====			
<u>CASH</u>			
501 1-001.000	CASH - CONTROL ACCOUNT	0.00	
501 1-001.503	CASH - MUSEUM FUNDS	12,931.45	
		-----	
TOTAL CASH		12,931.45	
		-----	-----
TOTAL 501-MEMORIAL MUSEUM FUND		12,931.45	0.00

---

<u>502-FORFEITURES</u>			
=====			
<u>CASH</u>			
502 1-001.000	CASH - CONTROL ACCOUNT	0.00	
502 1-001.504	CASH - FORFEITURES FEDERAL	27,577.23	
502 1-001.505	CASH - FORFEITURES STATE	5,655.93	
		-----	
TOTAL CASH		33,233.16	
		-----	-----
TOTAL 502-FORFEITURE FUND		33,233.16	0.00

---

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
503-MUNICIPAL COURT			
=====			
<u>CASH</u>			
503 1-001.000	CASH - CONTROL ACCOUNT	0.00	
503 1-001.505	CASH - MUN CRT CHILD SAFETY	2,222.36	
503 1-001.506	CASH - MUN CRT SECURITY	19,365.12	
503 1-001.507	CASH - MUN CRT TECH	1,217.19	
503 1-001.508	CASH - SPECIAL EXPENSE	3,989.35	
		-----	
TOTAL CASH		26,794.02	
		-----	
TOTAL 503-MUNICIPAL COURT		26,794.02	0.00

504-ROBERT L. BROTHERS			
=====			
<u>CASH</u>			
504 1-001.000	CASH - CONTROL ACCOUNT	0.00	
504 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	49,947.88	
		-----	
TOTAL CASH		49,947.88	
		-----	
TOTAL 504-ROBERT LEE BROTHERS FUND		49,947.88	0.00

505-PEG FRANCHISE FUND			
=====			
<u>CASH</u>			
505 1-001.000	CASH - CONTROL ACCOUNT	0.00	
505 1-101.506	CASH- PEG FRANCHISE ACTIVITIES	156,967.60	
		-----	
TOTAL CASH		156,967.60	
		-----	
TOTAL 505-PEG FRANCHISE FUND		156,967.60	0.00

575-CAPITAL PROJECTS-GOV			
=====			
<u>CASH</u>			
575 1-001.000	CASH - CONTROL ACCOUNT	0.00	
		-----	
TOTAL CASH		0.00	
		-----	
TOTAL 575-CAPITAL PROJECTS-GOV.		0.00	0.00

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
700-COMPONENT UNIT			
=====			
<u>CASH</u>			
700 1-001.000	CASH - CONTROL ACCOUNT	( 12,692.57)	
700 1-001.101	CASH - ECONOMIC DEV CORP	2,357,997.91	
		-----	
TOTAL CASH		2,345,305.34	
 <u>INVESTMENTS</u>			
700 1-103.413	CERT OF DEPOSIT -FNB GONZALES		1,019,042.88
			-----
TOTAL INVESTMENTS			1,019,042.88
 <u>POOLED INVESTMENTS</u>			
700 1-104.001	TEXPOOL - ECONOMIC DEVELOPMENT		669,066.88
			-----
TOTAL POOLED INVESTMENTS			669,066.88
TOTAL 700-GONZALES ECONOMIC DEV		2,345,305.34	1,688,109.76
		-----	-----
FUND TOTAL OTHER INVESTMENTS			1,102,767.24
FUND TOTAL POOLED INVESTMENTS			10,459,612.16
			-----
TOTAL CASH AND INVESTMENTS		4,880,704.80	11,562,379.40
		=====	=====

\*\*\* END OF REPORT \*\*\*



**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
MINUTES – JUNE 13, 2024**

The regular meeting of the City Council was held on **June 13, 2024**, at 6:00 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at the Gonzales Municipal Building, giving notice of time, date, place, and agenda thereof. The meeting notice, agenda and agenda packet were posted online at [www.gonzales.texas.gov](http://www.gonzales.texas.gov).

**CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE**

Mayor Sucher called the meeting to order at 6:00 p.m. and a quorum was certified.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Mariah Jordan	Council Member, District 2	Absent
Lorenzo Hernandez	Council Member, District 3	Present
Ronda Miller	Council Member, District 4	Present

**STAFF PARTICIPATING:**

Tim Crow-City Manager, Kristina Vega-City Secretary, Laura Zella-Finance Director, Erica Leopold-Administrative Assistant, Gayle Autry-Police Chief, Jason Montoya-Police Lt., Tiffany Hutchinson-Padilla-Main Street Director and Susan Sankey-Economic Development Director.

Rev. Dr. Kenneth Green of Union Lea Missionary Baptist Church provided invocation.

**CITY EVENTS AND ANNOUNCEMENTS**

- Announcements of upcoming City Event-None
- Announcements and recognitions by the City Manager-None
- Announcements and recognitions by the Mayor-None
- Recognition of actions by City employees-None
- Recognition of actions by community volunteers-None

**HEARING OF RESIDENTS**

Don Page spoke about the City of Gonzales’ policies and procedures regarding Boards & Commissions selection.

Daisy Scheske Freeman, Crissy Filla and Lawren Kridler spoke in support of a partnership between the GEDC and the Gonzales Chamber.

Christian Palacios, Congressional Intern for Congressman Michael Cloud, gave an overview of a newsletter that he provided to the Council Members.

Mayor Sucher requested that the names of all the people that submitted letters of support for the Chamber project be entered into the Council minutes for tonight. Letters of support were received regarding the Chamber project from John Lamprecht Jr., Wayne Baker, Rusty Brockman, Rebekah Morgan, Joey Evans, Daisy Scheske Freeman, Dr. Elmer Avellaneda, Gene Kridler, Barbara

Crozier, Sherri Schellenberg, Shirley Breitschopf, Patrick C. Davis, Justin Schwausch, Connie Dolezal, Jean Peterek Burns, Dr. Commie Hisey, Ryan Lee and Darren Schauer.

### **STAFF/BOARD REPORTS**

1.1 Finance Director, Laura Zella provided feedback on any questions regarding:

- Financial Reports for funds as of May 31, 2024
- Cash & Investment by Fund as of May 31, 2024

No questions were asked regarding the report.

1.2 City Manager, Tim Crow updated the City Council on the following:

- Timeline on Capital Improvement and Departmental Projects
  - Recently Completed Projects
  - Projects Currently in Process
  - Upcoming Projects

No questions were asked regarding the report.

1.3 Economic Development Director, Susan Sankey provided a progress report of the Economic Development Corporation

No questions were asked regarding the report.

1.4 Main Street Director, Tiffany Hutchinson-Padilla provided a report of the Main Street Advisory Board and Beautification Board

No questions were asked regarding the report.

### **ACTION ITEMS**

2.1 Discuss, Consider & Possible Action on **Resolution #2024-55** Acknowledging Receipt and Presentation of the Annual Comprehensive Financial Report for the Fiscal Year ending September 30, 2023

Mike Del Toro of ABIP CPA Advisors presented details to the City Council regarding the City's Annual Comprehensive Financial Report for the Fiscal Year ending September 30, 2023.

#### **ACTION: Item 2.1**

#### **APPROVED**

Council Member Kridler moved to approve **Resolution #2024-55** Acknowledging Receipt and Presentation of the Annual Comprehensive Financial Report for the Fiscal Year ending September 30, 2023. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

2.2 Discussion and direction regarding review of the City of Gonzales Code of Ordinances Article 3.100 Streets and Sidewalks

Council and staff engaged in discussion regarding review of the City of Gonzales Code of Ordinances Article 3.100 Streets and Sidewalks. Mayor Sucher stated that the City needs to clarify the liability and the cost of maintenance and have a report presented to the City Council at a future meeting on that information.

2.3 Discussion regarding the following job descriptions:

- Director of Administrative Services/City Secretary
- Administrative Assistant to the Administrative Services Director/City Secretary
- Economic Development Director
- Economic Development Coordinator

Council and staff engaged in discussion regarding the listed job descriptions. Mayor Sucher asked that Council member Miller engage in further discussions with City Manager Crow.

**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.

- 3.1 **Minutes** - Approval of the minutes for the May 14, 2024, Regular Meeting, June 4, 2024, Workshop and June 5, 2024, Workshop
- 3.2 Discuss, Consider & Possible Action on **Resolution #2024-56** Approving a Type B Economic Development Agreement between the Gonzales Economic Development Corporation and City of Gonzales authorized pursuant to Section 505.152 of the Texas Local Government Code for Improvements to Texas Heroes Square and for Sanitation Equipment
- 3.3 Discuss, Consider & Possible Action on **Resolution #2024-57** Suspending the July 8, 2024 Effective Date of Texas Gas Service Company's Requested Increase To Permit The City Time To Study The Request and to establish reasonable rates; approving cooperation with other cities in the Texas Gas Service Company's Central-Gulf Service Area; hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals; authorizing intervention in GUD No. 17471 at the Railroad Commission; Requiring Reimbursement of Cities' Rate Case Expenses
- 3.4 Discuss, Consider & Possible Action on **Resolution #2024-58** Authorizing the City Manager to execute an Encroachment Agreement with Wendy Allen for the property located at 2121 St. Joseph Street
- 3.5 Discuss, Consider & Possible Action on **Ordinance #2024-14** Appointing Crystal Cedillo, Gonzales County Tax Assessor-Collector, as the Individual to Calculate and Prepare the 2024 No-New Revenue and Voter-Approval Tax Rates for the City of Gonzales

- 3.6 Discuss, Consider & Possible Action on **Ordinance #2024-15** Closing and Abandoning to the abutting property owner a portion of a certain unimproved street and authorizing the City Manager to execute the Real Property Contract

**ACTION: Items 3.1 through 3.6**

**APPROVED**

Council Member Kridler moved to approve the consent agenda Items 3.1 through 3.6. Council Member Hernandez seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

**RESOLUTION**

- 4.1 Discuss, Consider & Possible Action on **Resolution #2024-59** Appointing a Mayor Pro Tem for the City of Gonzales

**ACTION: Item 4.1**

**APPROVED**

Council Member Hernandez moved to approve **Resolution #2024-59** Appointing Joseph Kridler Mayor Pro Tem for the City of Gonzales. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

**ORDINANCE**

- 5.1 Public Hearing, Discussion & Possible Action on **Ordinance #2024-16** Amending the City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Commercial" to "Single-Family Residential" on the property located at 1007 St. Andrew Street

Mayor Sucher opened the Public Hearing at 7:13 p.m.

Contract Planner, Bryce Cox gave a staff presentation stating that this is two parts. This is the amendment to the Land Use Map and the later item is the rezoning. This is the for the property at 1007 St. Andrew Street. The property records show that this has been used as a residence since around 1930 and a recent structure fire has placed the structure in a state of disrepair, leaving the house uninhabitable. The property owner would like to continue to use the property as residential, and place a new residential home on the property. However, with the current zoning of C-1 that would not be possible. Along with the rezoning they were required to submit an amendment to the City's Future Land Use of the City's Comprehensive Plan because the City Council is required to make zoning decisions in accordance with your comprehensive plan. This is a request to change the commercial designation to residential on that Future Land Use Map. Staff has analyzed this property and it is consistent with the other uses that are currently in area and staff recommends approval of this amendment. It was heard at P&Z, and they also recommended the approval.

Thomas Enriquez spoke regarding his family's history with this property and his plans to purchase and improve the property as a residential lot.

Mayor Sucher closed the Public Hearing at 7:17 p.m.

**ACTION: Item 5.1**

**APPROVED**

Council Member Kridler moved to approve **Ordinance #2024-16** Amending the City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Commercial" to "Single-Family Residential" on the property located at 1007 St. Andrew Street. Council Member Hernandez seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 5.3 Public Hearing, Discussion & Possible Action on **Ordinance #2024-18** Amending the Official Zoning Map by Zoning Property for the property commonly known as 1007 St. Andrew Street, said property being currently zoned as C-1, Light Commercial District and seeking to be rezoned SF-6, Single Family 6 District

Mayor Sucher opened the Public Hearing at 7:18 p.m.

Contract Planner, Bryce Cox gave a staff presentation stating this is for the rezoning from C-1 to SF-6. The city has sent mailed notice and as of this meeting, we have one no objection letter filed. There have not been any objections that have been submitted. This was heard at Planning & Zoning Commission and they recommended the approval of this item.

No comments were made.

Mayor Sucher closed the Public Hearing at 7:19 p.m.

**ACTION: Item 5.3**

**APPROVED**

Council Member Kridler moved to approve **Ordinance #2024-18** Amending the Official Zoning Map by Zoning Property for the property commonly known as 1007 St. Andrew Street, said property being currently zoned as C-1, Light Commercial District and seeking to be rezoned SF-6, Single Family 6 District. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 5.2 Public Hearing, Discussion & Possible Action on **Ordinance #2024-17** Amending City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Commercial" to "Single-Family Residential" on the property located at 1607 St. Joseph Street

Mayor Sucher opened the Public Hearing at 7:20 p.m.

Contract Planner, Bryce Cox gave a staff presentation stating very similar to the last item, we have a request for an amendment to the Future Land Use Plan from Commercial to Single Family. The property has been used as a residential property for many years. The property owner would like to continue to utilize the property as residential and remodel the existing accessory structure to become an accessory dwelling unit on the property. However, with the property zoned as C-1 Light Commercial this is not possible as per the City's Zoning Code. Therefore, the property owner is requesting an amendment to the City's Future Land Use Map in conjunction with the rezone from C-1 Light Commercial District to SF-6 Single Family 6 District.

Curt Pish stated that he is a builder in the area and work with the Caspers, who are owners of the property. They are investors that came into the area about two years ago and are rehabbing older homes for residences in the area. They are wanting to create a studio residence of the existing structure at the back. We just ask that you approve the zoning change and provide some more rental property in the area.

Mayor Sucher closed the Public Hearing at 7:23 p.m.

**ACTION: Item 5.2**

**APPROVED**

Council Member Miller moved to approve **Ordinance #2024-17** Amending City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Commercial" to "Single-Family Residential" on the property located at 1607 St. Joseph Street. Council Member Hernandez seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 5.4 Public Hearing, Discussion & Possible Action on **Ordinance #2024-19** Amending the Official Zoning Map by Zoning Property for the property commonly known as 1607 St. Joseph Street, said property being currently zoned as C-1, Light Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

Mayor Sucher opened the Public Hearing at 7:24 p.m.

Contract Planner, Bryce Cox gave a staff presentation stating this is the companion item to the Future Land Use Plan. The request is to rezone the property from C-1 to SF-6. This item was heard at Planning & Zoning Commission and they recommended approval. Additionally, we only received one response, and it was a letter of no objection.

No comments were made.

Mayor Sucher closed the Public Hearing at 7:25 p.m.

**ACTION: Item 5.4**

**APPROVED**

Council Member Hernandez moved to approve **Ordinance #2024-19** Amending the Official Zoning Map by Zoning Property for the property commonly known as 1607 St. Joseph Street, said property being currently zoned as C-1, Light Commercial District and seeking to be rezoned SF-6, Single Family 6 District. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 5.5 Public Hearing, Discussion & Possible Action on **Ordinance #2024-20** Amending the Official Zoning Map by Zoning Property for the property commonly known as 802 Seydler Street, said property being currently zoned as C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

Mayor Sucher opened the Public Hearing at 7:26 p.m.

Contract Planner, Bryce Cox gave a staff presentation stating this property was previously used as a residential property. When Mr. Pish acquired the property he

removed/demolished the existing uninhabitable structure. The property owner would like to again utilize the property as residential. However, with the current zoning on the property that is not permissible. Therefore, the property owner is requesting a rezone from C-2 Heavy Commercial District to SF-6 Single Family 6 District. The City's Future Land Use Plan does currently list this property as residential and this would be zoning in conformance with the City's Comprehensive Plan. This was heard at the Planning & Zoning Commission and was recommended for approval. We received three letter responses, two of which were no objections and one was an objection. The letter of objection did not provide any comments. Staff respectfully recommends approval of this rezone.

Curt Pish stated he purchased the property in 2018 for some developing a residential use in the future. At some point in 2021, you all reworked how the zoning was classified and you could no longer be zoned commercial and develop all the way down to residential. So I ask that you all approve the zoning change so I can move forward with the original plan to develop the property as residential.

Mayor Sucher closed the Public Hearing at 7:28 p.m.

**ACTION: Item 5.5**

**APPROVED**

Council Member Kridler moved to approve **Ordinance #2024-20** Amending the Official Zoning Map by Zoning Property for the property commonly known as 802 Seydler Street, said property being currently zoned as C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 5.6 Public Hearing, Discussion & Possible Action on **Ordinance #2024-21** Amending the Official Zoning Map by Zoning Property Parcel IDs: 682, 762, 782, 783, 823, 870, 889, 913, 914, 918, 950, 951, 1005, 1012, 1020, 1034, 1091, 1229, 12416, 17027, 17036, 20031, 21558, 21559, 21561, 21562, 21829, 21873, 24451, 24462, 24519, 26061, 26062, 26063, 26064, 26207, 26746, 26865, 27078, 27079, 17119, 17131, 22305, and 22306, said properties being currently zoned as LI-Light Industrial and proposed to be rezoned to HI, Heavy Industrial

Mayor Sucher opened the Public Hearing at 7:29 p.m.

Contract Planner, Bryce Cox gave a staff presentation stating that following properties within the area are zoned Light Industrial currently. Back in 2021 the City Council adopted a new zoning ordinance. Prior to that, there was only one Industrial District. When the new ordinance was adopted, they created a Light Industrial and Heavy Industrial District and an equivalency chart that moved everything that was previous Industrial to Light Industrial. That is not necessarily conducive to production or development within the industrial park area, and may limit some of the uses there. Therefore, staff went through to do a City initiated rezone to correct those to be Heavy Industrial in that area. The notice was published in the newspaper for three weeks beginning on May 23, 2024 and notices were mailed to property owners within 200' of the subject property on May 20, 2024. One-hundred seventy-six (176) property owners were notified of the zoning change. As of preparation of the staff report, there fourteen objection letters filed, and seven no objection

letters filed. This is to correct what should be corrected when the zoning ordinance was adopted. We do not want to limit the ability for the industrial park area to continue to operate or limit the development in those areas. There were a few objection letters that came in from within the industrial park area. Staff is requesting to strike parcel ID 21559 from the rezone at the request of the property owner. Most of these properties are already being used as Heavy Industrial, therefore it is not changing the uses actual use that is already existing on the properties. There were a few questions that were received regarding property taxes, and I did reach out to the Appraisal District on how it could affect their property taxes. I was told that the properties are taxed on the actual use, so if they are ag exempt, even if they are in the industrial park, then they are being taxed as ag exempt. However, if they developed their property then their taxes could change because they developed their property.

Mrs. Ploeger spoke requesting that the City deny or postpone due to environmental concerns with this change from Light Industrial or Heavy Industrial.

The City Council and staff engaged in discussions regarding the repercussions of postponing or denying the rezone and the future development of the Industrial Park area.

Mayor Sucher closed the Public Hearing at 7:45 p.m.

**ACTION: Item 5.6**

**APPROVED**

Council Member Kridler moved to approve **Ordinance #2024-21** Amending the Official Zoning Map by Zoning Property Parcel IDs: 682, 762, 782, 783, 823, 870, 889, 913, 914, 918, 950, 951, 1005, 1012, 1020, 1034, 1091, 1229, 12416, 17027, 17036, 20031, 21558, 21561, 21562, 21829, 21873, 24451, 24462, 24519, 26061, 26062, 26063, 26064, 26207, 26746, 26865, 27078, 27079, 17119, 17131, 22305, and 22306 said properties being currently zoned as LI-Light Industrial and proposed to be rezoned to HI, Heavy Industrial, and removing parcel ID 21559 from the listing. Council Member Hernandez seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 5.7 Public Hearing, Discussion & Possible Action on **Ordinance #2024-22** Amending the Official Zoning Map by Zoning Properties located at 2004 Church Street (property IDs 872 and 17048) from LI, Light Industrial District to Planned Development District (PDD)

Mayor Sucher opened the Public Hearing at 7:48 p.m.

Contract Planner, Bryce Cox gave a staff presentation stating the property owner has contacted the City to request a rezone from LI, Light Industrial to Planned Development District. The property being considered is 2.0 acres located at 2004 Church Street (property IDs 872 and 17048) and is the site of Guadalupe Valley Veterinary Clinic, which has been a general veterinary practice serving Gonzales since February 20, 1984. A Planned Development District request rezoning. Planned Development Districts are basically a broad discretionary district, and a write your own zoning districts and gives a lot of latitude in the code. This request is specific because it has some unique pieces that didn't fall into the regular code. This is an existing veterinary clinic that is out there which is a great



support to the community where they do small and large animals. What they are asking for this Planned Development District is to have an accessory dwelling unit there. So they have on-call and visiting physicians that come out for special surgeries or starting an internship program to replenish their ranks, so they want a place to be able to house folks overnight on location. The Planned Development District will maintain the base zoning district of Light Industrial and adds to it the ability to have a “Commercial Accessory Dwelling” shall mean a dwelling unit that is accessory to a principal commercial use, one Commercial Accessory Dwelling is allowed on the subject property as an accessory use to a veterinary clinic, the Commercial Accessory Dwelling may be a site-built structure, modular housing, or HUD-code manufactured home, the Commercial Accessory Dwelling may include household living space, as well as office uses such as meeting rooms, break rooms, and storage space, additional landscaping per the requirements of Section 14.601 shall not apply to the site solely due to the addition of a Commercial Accessory Dwelling if placed or constructed on the site prior to December 31, 2027, the Commercial Accessory Dwelling shall not be considered a single-family use as it relates to the screening requirements of Section 14.602 and Section 14.603, and additional parking per the requirements of Section 14.604 shall not be required for a Commercial Accessory Dwelling if it is placed or constructed on the site prior to December 31, 2027. As of preparation of the staff report, there were not any objection letters filed, and four no objection letters filed. This was heard at the Planning & Zoning Commission meeting where they recommended approval of this request.

Dr. Glass spoke stating that they are currently involved with Texas Tech Veterinarian School of Medicine, and we will have eight 4<sup>th</sup> year students that will come to the clinic and do four weeks at a time. The desire is to place a dwelling unit for veterinary students to stay near the clinic to be able to go to the clinic if there are any learning opportunities that come along. This will provide an opportunity to see real life veterinarian medicine and attract young veterinarians to rural areas.

Mayor Sucher closed the Public Hearing at 7:53 p.m.

**ACTION: Item 5.7**

**APPROVED**

Council Member Kridler moved to approve **Ordinance #2024-22** Amending the Official Zoning Map by Zoning Properties located at 2004 Church Street (property IDs 872 and 17048) from LI, Light Industrial District to Planned Development District (PDD). Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

**CONVENE INTO CLOSED SESSION:**

The Council convened into closed session at 7:57 p.m.

**CLOSED SESSION**

- 6.1 (1) Pursuant to Section 551.087 of the Texas Government Code, the City of Gonzales will consult in closed session (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the

governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) to include the following matters:

- A) Project A
- B) Johnson Road
- C) TXGN-2022-6
- D) St. George Street
- E) Water Street
- F) ICSC

(2) 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) Discussion regarding the Gonzales Chamber of Commerce Publicity and Tourism Agreement

#### **RETURN TO OPEN SESSION**

The Council convened into open session at 8:41 p.m.

7.1 Discuss, Consider & Possible Action regarding matters discussed in closed session, and/or other actions necessary or recommended related to such discussions in closed session

No action was taken resulting from closed session.

#### **CITY COUNCIL REQUESTS AND ANNOUNCEMENTS**

- Requests by Mayor and Councilmembers for items on a future City Council agenda.
- Announcements by Mayor and Councilmembers- Mayor Sucher reminded everyone to be sure to go out to the Slingshot Parade this weekend.
- City and community events attended and to be attended- none
- Continuing education events attended and to be attended- none

#### **ADJOURN**

On a motion by Council Member Kridler and second by Council Member Hernandez, the meeting was adjourned at 8:44 p.m.

Approved this 11<sup>th</sup> day of July 2024.

---

Mayor, S.H. Sucher

---

Kristina Vega, City Secretary

**CITY OF GONZALES, TEXAS  
CITY COUNCIL WORKSHOP  
MINUTES –JUNE 25, 2024**

The Workshop of the City Council was held on **June 25, 2024**, at 5:15 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at the Gonzales Municipal Building, giving notice of time, date, place, and agenda thereof. The meeting notice, agenda and agenda packet were posted online at [www.gonzales.texas.gov](http://www.gonzales.texas.gov).

**CALL TO ORDER**

Mayor Sucher called the meeting to order at 5:15 p.m. and a quorum was certified.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Mariah Jordan	Council Member, District 2	Absent
Lorenzo Hernandez	Council Member, District 3	Present
Ronda Miller	Council Member, District 4	Present

**STAFF PARTICIPATING:**

Tim Crow-City Manager, Kristina Vega-City Secretary, Erica Leopold-Administrative Assistant and Susan Sankey-Economic Development Director

Mr. David Tucz provided invocation.

**HEARING OF RESIDENTS**

Nancy O’Donoghue spoke regarding the renaming of Robertson Street to Dr. Martin Luther King Street and asked City Council to consider not removing the history of Mr. Robertson by renaming the street and suggest finding another way to honor Dr. MLK, possibly with the dedication of a playground in the area for the children or having the street have both names on the signs.

Barbara Crozier spoke regarding the renaming of Robertson Street to Dr. MLK and agreed with statements made by Mrs. O’Donoghue. Mrs. Crozier also spoke urging City Council to move forward with considering running background checks each person that is selected to serve on City of Gonzales Boards, Commissions & Committees. Mrs. Crozier gave a reminder that July 5<sup>th</sup> is the production of Robin Hood and will take place at 7:00 p.m. at the Crystal Theater.

**WORKSHOP**

- 1.1 Discussion regarding guidelines and procedures relating to the naming of new public and private streets and the renaming of existing public and private streets

The City Council and staff engaged in discussions pertaining to the guidelines and procedures relating to the naming of new public and private streets and the renaming of existing public and private streets. The Council welcomed comments from the public to address their concerns. Members of the public engaged in the discussion were David Tucz, George Harris, Ella Harris, Lois Wilson, Barbara Crozier, Lew Cohn and Nancy O’Donoghue. Mayor Sucher requested that Council review the draft document that was has been presented and report back to staff with any mark ups. City Manager Crow

suggested that City Council possibly meet again at a workshop to further discuss this topic before moving forward with placing this policy as an agenda item in July or August. Council was in agreement to move forward with this process.

1.2 Discussion regarding the requirements for qualifications and disqualifications to serve on City of Gonzales Boards, Commissions & Committees

The City Council and staff engaged in discussions pertaining to the requirements for qualifications and disqualifications to serve on City of Gonzales Boards, Commissions & Committees. City Council was in agreement to move forwards with placing an agenda item regarding amendments to Chapter 9 Personnel of the Code of Ordinances on the July City Council meeting.

**ADJOURN**

Mayor Sucher called adjournment at 6:30 p.m.

Approved this 11<sup>th</sup> day of July 2024.

---

Mayor, S.H. Sucher

---

Kristina Vega, City Secretary

**CITY OF GONZALES, TEXAS  
CITY COUNCIL WORKSHOP  
MINUTES –JUNE 27, 2024**

The Workshop of the City Council was held on **June 27, 2024**, at 5:15 p.m. at the Stockton Building, 509 St. Lawrence Street. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at the Gonzales Municipal Building, giving notice of time, date, place, and agenda thereof. The meeting notice, agenda and agenda packet were posted online at [www.gonzales.texas.gov](http://www.gonzales.texas.gov).

**CALL TO ORDER**

Mayor Sucher called the meeting to order at 5:20 p.m. and a quorum was certified.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Mariah Jordan	Council Member, District 2	Present
Lorenzo Hernandez	Council Member, District 3	Present
Ronda Miller	Council Member, District 4	Present

**STAFF PARTICIPATING:**

Tim Crow-City Manager, Kristina Vega-City Secretary, Erica Leopold-Administrative Assistant, Susan Sankey-Economic Development Director, Alexis Cerda-Economic Development Coordinator, Tiffany Hutchinson-Padilla-Main Street Director, Amanda Garza-JB Wells Park Arena Operations Manager, Ralph Camarillo-Parks Director, Ryan Bickham-Golf Superintendent, Caroline Helms-Library and Roilene Sullivan-Museum Director.

**WORKSHOP**

- 1.1 Lee Woodward, Texas Municipal Clerks Association President & City of La Porte City Secretary/Public Information Officer will conduct a training/workshop on the fundamentals of parliamentary procedure

The City Council, staff and members from the City of Gonzales Boards, Commissions & Committees engaged in discussion regarding the fundamentals of parliamentary procedure with presenter, TMCA President & City of La Porta City Secretary/Public Information Officer, Lee Woodward. City of Gonzales Boards, Commissions & Committees members present were Tom Tiller, Del De Los Santos, Karen Iacuone, Ryan Lee, Amy Peeler and Amy Thibodeaux. Memebr of the public engaged in discussion, Isaac Anzaldua.

**ADJOURN**

On a motion by Council Member Hernandez and a second by Council Member Jordan, the meeting was adjourned at 6:50 p.m.

Approved this 11<sup>th</sup> day of July 2024.

---

Mayor, S.H. Sucher

---

Kristina Vega, City Secretary

**COUNCIL AGENDA  
ITEM BRIEFING DATA**



**AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2024-60 Approving an Amendment to Agreement by and Between the GEDC and ButlerWood, Inc. a Texas Corporation, Regarding Improvements to property generally located at 820 Oil Patch Lane

**DATE: July 11, 2024**

**TYPE AGENDA ITEM:**

Resolution

**BACKGROUND:**

On Thursday June 13, 2024, the GEDC received a request for extension from ButlerWood, Inc. for their project located at 820 Oilpatch Ln. ButlerWood, Inc. has requested to extend the original timeline by nine (9) months, making the anticipated completion date for the project March 31, 2025.

At its June 24, 2024 meeting, the GEDC Board of Directors unanimously approved the amendment to agreement by and between the GEDC and ButlerWood, Inc.

**POLICY CONSIDERATIONS:**

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

**FISCAL IMPACT:**

The GEDC has not received any documentation for reimbursement from the developer as of 6/17/2024. The GEDC will need to ensure there are funds earmarked in line item 7-700.718 Business Incentive Grant Program for the 2024-25 FY.

**ATTACHMENTS:**

First Amendment to Agreement

**STAFF RECOMMENDATIONS:**

Staff recommends the Council take action as deemed necessary.

**RESOLUTION NO. 2024-60**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING AN AMENDMENT TO AGREEMENT BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION AND BUTLERWOOD, INC., A TEXAS CORPORATION, REGARDING IMPROVEMENTS TO PROPERTY GENERALLY LOCATED AT 820 OILPATCH LANE, CITY OF GONZALES, TEXAS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

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

**WHEREAS**, Sections 505.158 (b) of the Texas Local Government Code, 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**, the City Council of the City of Gonzales, Texas, desires to approve an Amendment to Agreement by and between the Gonzales Economic Development Corporation and ButlerWood, Inc., a Texas corporation, concerning improvements to property generally located at 820 Oilpatch Lane, City of Gonzales, Texas, a copy of which is attached hereto as *Exhibit A* and is incorporated herein for all purposes (hereinafter referred to as the “Agreement”).

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

Section 1. The City Council of the City of Gonzales, Texas, does hereby authorize and approve the Amendment to Agreement attached hereto as *Exhibit A*, and authorizes the Mayor to execute this Resolution.

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 judgement of 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 11th day of July, 2024.**

---

Mayor, S.H. Sucher

**ATTEST:**

---

Kristina Vega, City Secretary



*Exhibit A*

[Amendment to Agreement]

**FIRST AMENDMENT  
TO  
PERFORMANCE AGREEMENT**

This **FIRST AMENDMENT TO PERFORMANCE AGREEMENT** (hereinafter referred to as the “First Amendment”) is made and entered into by and between the **GONZALES ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as the “GEDC”), and **BUTLERWOOD, INC.**, a Texas corporation (hereinafter referred to as the “Developer”):

**RECITALS:**

**WHEREAS**, on or about October 30, 2023, the GEDC and Developer entered into the original Performance Agreement (hereinafter referred to as the “Original Agreement”) regarding financial assistance to operate a firewood supply business generally located at 820 Oilpatch Lane, in the City of Gonzales, Texas; and

**WHEREAS**, the GEDC and Developer now desire to amend the Original Agreement to provide an extension to the obligations of the Original Agreement through March 31, 2025.

**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 First Amendment and shall be considered part of the mutual covenants, consideration and promises that bind the parties.

**SECTION 2. AMENDMENT TO ORIGINAL AGREEMENT.**

- (a) **Amendment to Original Agreement.** That Section 2 of the Original Agreement is hereby amended to read as follows:

**“SECTION 2. TERM.**

This Agreement shall be effective as of the Effective Date, as defined herein, and shall continue thereafter until **September 30, 2030**, unless terminated sooner under the provisions hereof.”

- (b) **Amendment to Original Agreement.** That Sections 4(a) to 4(d) of the Original Agreement is hereby amended to read as follows:

“(a) **Qualified Expenditures.** Developer covenants and agrees to submit to GEDC invoices, receipts, or other documentation in a form acceptable to GEDC for the Qualified Expenditures made to the Property in a minimum amount of **Five**

**Hundred Forty-Three Thousand Two Hundred Sixty-Eight and No/100 Dollars (\$543,268.00) by March 31, 2025.**

- (b) **Certificate of Occupancy.** Developer covenants and agrees to obtain or cause to be obtained by **March 31, 2025**, a certificate of occupancy from the City of Gonzales, Texas, for a minimum of 257,875 square feet of commercial business space located on the Property.
  - (c) **Operate Firewood Supply Business.** Developer covenants and agrees by **March 31, 2025**, and during the Term of this Agreement to keep open during normal operating hours the firewood supply business located on the Property.
  - (d) **Job Creation and Retention.** Developer covenants and agrees by **March 31, 2025**, and during the Term of this Agreement to employ and maintain a minimum of **four (4)** Full-Time Equivalent Employment Positions working at the Property. Developer covenants and agrees beginning on **June 1, 2025**, and during the Term of this Agreement, Developer shall deliver to GEDC an annual compliance verification signed by a duly authorized representative of Developer that shall certify the number of Full-Time Equivalent Employment Positions, and shall disclose and certify the average wage for all Full-Time Equivalent Employment Positions (the “Annual Compliance Verification”). The Developer covenants and agrees beginning on **June 1, 2025**, and annually thereafter during the Term of this Agreement, there will be a total of **six (6)** Annual Compliance Verifications due and submitted to GEDC covering the Full-Time Equivalent Employment Positions created and maintained during the Term of this Agreement. All Annual Compliance Verifications shall include quarterly IRS 941 returns, or Texas Workforce Commission Employer Quarterly Reports.”
- (c) **Amendment to Original Agreement.** That Section 8 of the Original Agreement is hereby amended to read as follows:

**“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 GEDC to Developer pursuant to Section 5(a) of this Agreement shall become immediately due and payable by Developer to GEDC as follows:

- (a) if the Event of Default occurs between the Effective Date and **September 30, 2025**, Developer shall immediately repay to the GEDC the sum of **Two Hundred Seventy Thousand and No/100 Dollars (\$270,000.00)**;
- (b) if the Event of Default occurs between **October 1, 2025** and **September 30, 2026**, Developer shall immediately repay to the GEDC the sum of **Two Hundred Twenty-Five Thousand and No/100 Dollars (\$225,000.00)**;
- (c) if the Event of Default occurs between **October 1, 2026** and **September 30, 2027**, Developer shall immediately repay to the GEDC the sum of **One Hundred Eighty Thousand and No/100 Dollars (\$180,000.00)**;
- (d) if the Event of Default occurs between **October 1, 2027** and **September 30, 2028**, Developer shall immediately repay to the GEDC the sum of **One Hundred Thirty-Five Thousand and No/100 Dollars (\$135,000.00)**;
- (e) if the Event of Default occurs between **October 1, 2028** and **September 30, 2029**, Developer shall immediately repay to the GEDC the sum of **Ninety Thousand and No/100 Dollars (\$90,000.00)**; and
- (f) if the Event of Default occurs between **October 1, 2029** and **September 30, 2030**, Developer shall immediately repay to the GEDC the sum of **Forty-Five Thousand and No/100 Dollars (\$45,000.00)**.”

### **SECTION 3. MISCELLANEOUS PROVISIONS.**

The following miscellaneous provisions are a part of this First Amendment:

- (a) **Amendments.** This First Amendment constitutes the entire understanding and agreement of the parties as to the matters set forth in this First Amendment. No alteration of or amendment to this First Amendment 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 First Amendment 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 First Amendment shall lie in the state district courts of Gonzales County, Texas.
- (c) **Assignment.** Neither Party shall have the right to assign its rights and/or obligations under this First Amendment, or any interest herein, without the prior written consent of the other Party.
- (d) **Binding Obligation.** This First Amendment shall become a binding obligation on the signatories upon execution by all signatories hereto. GEDC warrants and represents that the individual executing this First Amendment on behalf of the GEDC has full authority to execute this First Amendment and bind the GEDC to the same. Developer warrants and

represents that the individual executing this First Amendment on Developer's behalf has full authority to execute this First Amendment and bind it to the same.

- (e) **Caption Headings.** Caption headings in this First Amendment are for convenience purposes only and are not to be used to interpret or define the provisions of the First Amendment.
- (f) **Counterparts.** This First Amendment 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.
- (g) **Effective Date.** The effective date (the "Effective Date") of this First Amendment shall be the date of the latter to execute this First Amendment by and between the GEDC and Developer.
- (h) **Original Agreement and any Amendments.** All of the terms, conditions, and obligations of the Original Agreement, and any amendments remain in full force and effect except where specifically modified by this First Amendment.
- (i) **Severability.** The provisions of this First Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this First Amendment is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation have the force and effect of the law, the remaining portions of the First Amendment shall be enforced as if the invalid provision had never been included.
- (j) **Time is of the Essence.** Time is of the essence in the performance of this First Amendment.

**[The Remainder of this Page Intentionally Left Blank]**

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed.

**GEDC:**

**GONZALES ECONOMIC DEVELOPMENT CORPORATION,**  
a Texas non-profit corporation

By: \_\_\_\_\_  
Ryan Lee, President  
Date Signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Dr. Elmer Avellaneda, Secretary-Treasurer

**DEVELOPER:**

**BUTLERWOOD, INC.,**  
a Texas corporation

By: \_\_\_\_\_  
Bonnie Castle, CFO  
Date Signed: \_\_\_\_\_

**COUNCIL AGENDA  
ITEM BRIEFING DATA**



**AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2024-61 Approving an Amendment to Agreement by and Between the GEDC and Irons Properties, LLC. a Texas Limited Liability Company, Regarding improvements to property generally located at 305 to 311 Saint George Street

**DATE: July 11, 2024**

**TYPE AGENDA ITEM:**

Resolution

**BACKGROUND:**

On Tuesday May 28, 2024, the GEDC received a request for extension from Irons Properties LLC for their project located at 305 to 311 Saint George Street. Irons Properties LLC has requested to extend the original timeline by six (6) months, making the anticipated completion date for one of four, 1,000 square foot spaces, January 1, 2025, and the remaining three be completed by January 1, 2026.

At its June 24, 2024 meeting, the GEDC Board of Directors unanimously approved the amendment to agreement by and between the GEDC and Irons Properties, LLC.

**POLICY CONSIDERATIONS:**

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

**FISCAL IMPACT:**

The GEDC has reimbursed the developer for qualified expenditures through submitted documentation on four (4) incentive draw requests, as per the performance agreement signed May 22, 2023.

**ATTACHMENTS:**

First Amendment to Agreement

**STAFF RECOMMENDATIONS:**

Staff recommends Council take action as deemed necessary.

**RESOLUTION NO. 2024-61**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING AN AMENDMENT TO AGREEMENT BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION AND IRONS PROPERTIES, LLC, A TEXAS LIMITED LIABILITY COMPANY, REGARDING IMPROVEMENTS TO PROPERTY GENERALLY LOCATED AT 305 TO 311 SAINT GEORGE STREET, CITY OF GONZALES, TEXAS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

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

**WHEREAS**, Sections 505.158 (b) of the Texas Local Government Code, 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**, the City Council of the City of Gonzales, Texas, desires to approve an Amendment to Agreement by and between the Gonzales Economic Development Corporation and Irons Properties, LLC, a Texas limited liability company, concerning improvements to property generally located at 305 to 311 Saint George Street, City of Gonzales, Texas, a copy of which is attached hereto as *Exhibit A* and is incorporated herein for all purposes (hereinafter referred to as the “Agreement”).

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

Section 1. The City Council of the City of Gonzales, Texas, does hereby authorize and approve the Amendment to Agreement attached hereto as *Exhibit A*, and authorizes the Mayor to execute this Resolution.

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 judgement of 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 11th day of July, 2024.**

---

Mayor, S.H. Sucher

**ATTEST:**

---

Kristina Vega, City Secretary

*Exhibit A*

[Amendment to Agreement]

**FIRST AMENDMENT  
TO  
PERFORMANCE AGREEMENT**

This **FIRST AMENDMENT TO PERFORMANCE AGREEMENT** (hereinafter referred to as the “First Amendment”) is made and entered into by and between the **GONZALES ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as the “GEDC”), and **IRONS PROPERTIES, LLC**, a Texas limited liability company (hereinafter referred to as the “Developer”):

**RECITALS:**

**WHEREAS**, on or about May 22, 2023, the GEDC and Developer entered into the original Performance Agreement (hereinafter referred to as the “Original Agreement”) regarding financial assistance necessary to operate a retail development generally located at 305 to 311 St. George Street, Gonzales, Texas (hereinafter referred to as the “Property”); and

**WHEREAS**, the Developer requested a six (6) month extension to the Original Agreement;

**WHEREAS**, the GEDC and Developer now desire to amend Sections 4(a) and 4(b) of the Original Agreement to provide a six (6) month extension.

**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 First Amendment and shall be considered part of the mutual covenants, consideration and promises that bind the parties.

**SECTION 2. AMENDMENT TO ORIGINAL AGREEMENT.**

(a) **Amendment to Original Agreement.** That Section 4(a) of the Original Agreement is hereby amended to read as follows:

“(a) **Reimbursement for Qualified Expenditures.** Developer covenants and agrees to commence construction of the Qualified Expenditures by **July 1, 2023**. Developer covenants and agrees to complete shell of the building located on the Property, and one of the four minimum 1,000 square feet of space by **January 1, 2025**. Further, Developer covenants and agrees to complete the construction of the Qualified Expenditures by **January 1, 2026**. Developer covenants and agrees to submit to the GEDC paid invoices, paid receipts, or other paid documentation of the Qualified Expenditures made to the Property 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 in the minimum amount of **Three**

**Hundred Fifty Thousand and No/100 Dollars (\$350,000.00) by January 1, 2026.”**

- (b) **Amendment to Original Agreement.** That Section 4(b) of the Original Agreement is hereby amended to read as follows:

“(b) **Operate Retail Facility.** Developer covenants and agrees by **January 1, 2025**, and during the Term of this Agreement to maintain and operate or cause to maintain and operated a minimum of 1,000 square feet retail facility located on the Property. In addition, Developer covenants and agrees by **January 1, 2026**, and during the Term of this Agreement to maintain and operate or cause to maintain and operated a minimum of 4,000 square feet retail facility located on the Property.”

### **SECTION 3. MISCELLANEOUS PROVISIONS.**

The following miscellaneous provisions are a part of this First Amendment:

- (a) **Amendments.** This First Amendment constitutes the entire understanding and agreement of the parties as to the matters set forth in this First Amendment. No alteration of or amendment to this First Amendment 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 First Amendment 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 First Amendment shall lie in the state district courts of Gonzales County, Texas.
- (c) **Assignment.** Neither Party shall have the right to assign its rights and/or obligations under this First Amendment, or any interest herein, without the prior written consent of the other Party.
- (d) **Binding Obligation.** This First Amendment shall become a binding obligation on the signatories upon execution by all signatories hereto. GEDC warrants and represents that the individual executing this First Amendment on behalf of the GEDC has full authority to execute this First Amendment and bind the GEDC to the same. Developer warrants and represents that the individual executing this First Amendment on Developer’s behalf has full authority to execute this First Amendment and bind it to the same.
- (e) **Caption Headings.** Caption headings in this First Amendment are for convenience purposes only and are not to be used to interpret or define the provisions of the First Amendment.
- (f) **Counterparts.** This First Amendment 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.

- (g) **Effective Date.** The effective date (the “Effective Date”) of this First Amendment shall be the date of the latter to execute this First Amendment by and between the GEDC and Developer.
- (h) **Original Agreement and any Amendments.** All of the terms, conditions, and obligations of the Original Agreement, and any amendments remain in full force and effect except where specifically modified by this First Amendment.
- (i) **Severability.** The provisions of this First Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this First Amendment is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation have the force and effect of the law, the remaining portions of the First Amendment shall be enforced as if the invalid provision had never been included.
- (j) **Time is of the Essence.** Time is of the essence in the performance of this First Amendment.

**[The Remainder of this Page Intentionally Left Blank]**

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed.

**GEDC:**

**GONZALES ECONOMIC DEVELOPMENT CORPORATION,**  
a Texas non-profit corporation

By: \_\_\_\_\_  
Ryan Lee, President  
Date Signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Dr. Elmer Avellaneda, Secretary-Treasurer

**DEVELOPER:**

**IRONS PROPERTIES, LLC,**  
a Texas limited liability company

By: \_\_\_\_\_  
Roy Irons  
Title: \_\_\_\_\_  
Date Signed: \_\_\_\_\_

By: \_\_\_\_\_  
Brie Irons  
Title: \_\_\_\_\_  
Date Signed: \_\_\_\_\_

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2024-62 Authorizing the Purchase of a 2024 John Deere Backhoe for the Water Department from RDO Equipment Company in the amount of \$131,146.75

**DATE: July 11, 2024**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The Water Department requested approval to purchase a backhoe/loader in the 2023-2024 Fiscal Year Budget, which Council approved. The amount requested was \$140,000.00 within the line item for vehicles & equipment. At this time the Water Department has two backhoes that are being utilized. The older piece of equipment is still usable, but is beginning to need additional repairs and maintenance due to the age of the equipment. Additionally, the equipment can still be utilized within the Street Department to assist them in their necessary day-to-day tasks. To satisfy the requirements within the Local Government Code regarding the procurement process City staff requested the proposal via Source Well specifications. The decision is based on City Staff's experience and satisfaction with John Deere equipment as well as the overall longevity and low maintenances expenses for said equipment. It is also based on the familiarity of equipment. Staff feels that the 2024 John Deere 310P in the amount of \$131,146.75 from RDO Equipment Co. will best suit the department's daily needs and give the City a dependable piece of equipment.

### **POLICY CONSIDERATIONS:**

As set forth in the City's Fiscal and Budgetary Policy Statements; 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. The pricing was obtained through Source Well Purchasing Program which assists local governments in reducing costs through this government-to-government procurement service available nationwide.

### **FISCAL IMPACT:**

This Agenda Item was budgeted in the 2023-2024 Fiscal Year and will expend \$131,146.75. It has been verified with the Finance Department the availability of these funds in Account #220-7-720.608 Vehicles/Equipment.

### **ATTACHMENTS:**

Proposal from: RDO Equipment Co.

**STAFF RECOMMENDATION:**

Staff respectfully recommends the purchase of the 2024 John Deere Backhoe from RDO Equipment in the amount of \$131,146.75 for the water department.



**RESOLUTION NO. 2024-62**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE PURCHASE OF A 2024 JOHN DEERE BACKHOE FOR THE WATER DEPARTMENT FROM RDO EQUIPMENT COMPANY IN THE AMOUNT OF \$131,146.75; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Water Department is in need of a new backhoe to provide a means to move, dirt and other materials on a day to day basis for repairs made to the water and wastewater lines throughout the City; and,

**WHEREAS**, city staff budgeted \$140,000.00 in account #220-7-720.608 Vehicles/Equipment line for Fiscal Year 2023-2024 to purchase a backhoe to be utilized by the Water Department; and,

**WHEREAS**, city staff requested proposal via Source Well specifications to satisfy the procurement process as authorized by the Texas Local Government Code; and,

**WHEREAS**, the proposal was received from the following: RDO Equipment Co. in the amount of \$131,146.75; and,

**WHEREAS**, staff recommends the purchase of a 2024 John Deere 310P in the amount of \$131,146.75 from RDO Equipment Co. in the amount of \$131,146.75; and,

**WHEREAS**, the City Council hereby finds that the purchase of the identified equipment serves the best interest of the City of Gonzales.

**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 the purchase of a 2024 John Deere 310P from RDO Equipment Co. in the amount of \$131,146.75.

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 11<sup>th</sup> day of July, 2024.**

---

Mayor, S. H. Sucher

ATTEST:

---

City Secretary



# Investment Proposal (Quote)

RDO Equipment Co.  
 17301 IH-35 Ste 200  
 Buda TX, 78610  
 Phone: (737) 770-5100 - Fax:

**Proposal for:**  
 CITY OF GONZALES  
 PO BOX 547  
 GONZALES, TX, 786290547  
 GONZALES

**Investment Proposal Date:** 6/27/2024  
**Pricing Valid Until:** 7/31/2024  
**Deal Number:** 1778316  
**Customer Account#:** 2815011  
**Sales Professional:** Tim Schuelke  
**Phone:** (512) 272-4141  
**Fax:**  
**Email:** TSchuelke@rdoequipment.com

## Comments

Sourcewell pricing  
 Availability as of 5/17/2024 is mid August - apx 3 months

## Equipment Information

Quantity	Serial Number Stock Number	Hours (approx.)	Status / Year / Make / Model Additional Items	Cash Price
1	TBD TBD	0	New 2024 JOHN DEERE 310P	\$209,723.00
			Freight in FACTORY FREIGHT IN	\$3,300.00
			Prep / Reconditioning PRE DELIVERY INSPECTION	\$2,250.00
			Freight Out DELIVERY	\$450.00
			Other 43% SOURCEWELL DISCOUNT	(\$89,600.00)
			Warranty -John Deere Power Train & Hyd.-36 Months, 3000 Hours,Deductible: 0	\$1,250.00
1	TBD TBD	0	New 2024 TAG MANUFACTURING 4825RD 48" Ditching bucket with bolt on edgeC	\$2,455.00
1	TBD TBD	0	New 2024 TAG MANUFACTURING 12" digging bucket without teeth	\$1,318.75
<b>Equipment Subtotal:</b>				<b>\$131,146.75</b>

## Purchase Order Totals

<b>Balance:</b>	\$131,146.75
<b>Total Taxable Amount:</b>	\$0.00
<b>TX STATE TAX:</b>	\$0.00
<b>TX COUNTY TAX:</b>	\$0.00
<b>TX SPECIAL TAX:</b>	\$0.00
<b>Sales Tax Total:</b>	\$0.00
<b>Sub Total:</b>	\$131,146.75
<b>Cash with Order:</b>	\$0.00
<b>Balance Due:</b>	<b>\$131,146.75</b>

## Equipment Options

Qty	Serial Number	Year / Make / Model	Description
1	TBD	2024 JOHN DEERE 310P	17B0T 310 P-tier Backhoe Loader 0202 United States 0351 Translated Text Labels 0259 English 1003 Cab 8159 Machine Security 8209 Seat, Vinyl Air-Suspension 183E JDLINK™ 3006 Powershift Transmission - Mechanical Front Wheel Drive (MFWD) with Open Differential 4006 John Deere 4.5L - FT4/Stage IV 5247 Galaxy 19.5L-24 12PR Rear & 12-16.5 R4 12PR Front 6152 Single Battery with Disconnect and Jump Post 6752 Extendible Dipperstick 6573 450 lb. (204 kg.) Front Counterweight 7001 Auxiliary Hydraulics with One Way Flow (Hammer) 7026 Mechanical Controls, Two Lever, ISO (Deere) 7040 Three-Function Loader Hydraulics, Single Lever 8202 Manual Ride Control 7806 24 in. (611 mm.) Heavy-Duty Bucket, 6.9 cu. ft. (0.20 cu. m.) 7702 Deere Standard Quick Coupler - Less Thumb 7856 86 in. (2.18 m.) Multi-Purpose Bucket, 1.22 cu. yd. (0.93 cu. m.) 8115 MFWD Driveshaft Guard 8126 Heavy-Duty Grille Frame 8096 PREMIUM MIRROR OPTION - EXTERIOR REAR VIEW MIRRORS 8183 RADIO, BOSCH PREMIUM PACKAGE 8226 STROBE LIGHT WITH MAGNETIC MOUNT
1	TBD	2024 TAG MANUFACTURING 4825RD 48" Ditching bucket with bolt on edgeC	4825RD 4825RD 48" Ditching bucket with bolt on edge and dead pin
1	TBD	2024 TAG MANUFACTURING 12" digging bucket without teeth	1249RP 12" digging bucket without teeth with dead pin

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2024-63 Authorizing the City Manager to Execute a Purchase Agreement for the Purchase of a Ford F-150 Police Responder Truck from Rockdale County Ford in the amount of \$50,275.00 for the Police Department

**DATE: July 11, 2024**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City of Gonzales was informed on October 26, 2023, that they were awarded the 2023-2024 Operation Lone Star Grant which included \$47,998.00 for the purchase of a Chevrolet Tahoe Police Pursuit Vehicle (PPV). The Police Department located and purchased a 2023 Chevrolet Tahoe Police Pursuit Vehicle (PPV) in the amount of \$46,983.00. On April 21, 2024 this vehicle was involved in a vehicular accident resulting in a total loss of the vehicle. The City of Gonzales insurance claim for the total loss has been processed in the amount of \$45,635.50. The Police Department needs to replace the total loss vehicle to maintain operational effectiveness and ensure the safety of our community. After evaluating the current needs and considering the latest available options, it has been determined that the 2023 Ford F-150 Police Responder Truck is the most suitable replacement. The pricing was obtained from Buyboard Cooperative Purchasing Program, Buyboard number 724-23, which assists local governments in reducing costs through this government-to-government procurement service available nationwide.

### **FISCAL IMPACT:**

This was an unexpected loss for the City of Gonzales Police Department. The total cost for the 2023 Ford F-150 Police Responder Truck is \$50,275.00. The insurance settlement for the total vehicle is \$45,635.50, which will partially offset the cost. The remaining funds required for the purchase will be covered through the police department's vehicle/ Equipment line item.

### **POLICY CONSIDERATIONS**

As set forth in the City's Fiscal and Budgetary Policy Statements; 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. The pricing was obtained through Buyboard Cooperative Purchasing Program which assists local governments in reducing costs through this government-to-government procurement service available nationwide.

### **STAFF RECOMMENDATION:**

Staff respectfully recommend approval for a purchase order on the purchase of a Ford F-150 Police Responder Truck.

**RESOLUTION NO. 2024-63**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT FOR THE PURCHASE OF A FORD F-150 POLICE RESPONDER TRUCK FROM ROCKDALE COUNTY FORD IN THE AMOUNT OF \$50,275.00 FOR THE POLICE DEPARTMENT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, a vehicle in the police department’s fleet was involved in an accident resulting in a total loss on April 21, 2024; and,

**WHEREAS**, Police Chief is proposing to purchase a 2023 Ford F-150 Police Responder Truck to replace the totaled 2023 Chevrolet Tahoe PPV; and,

**WHEREAS**, after thorough evaluation, staff recommends the replacement purchase of a 2023 Ford F-150 Police Responder Truck due to its enhanced performance, durability, and advanced safety features tailored for police duties; and

**WHEREAS**, the pricing was obtained through Buyboard Cooperative Purchasing Program which assists local governments in reducing costs through this government-to-government procurement service available nationwide, and

**WHEREAS**, the proposal for the 2023 Ford F-150 Police Responder Truck in the amount of \$50,275.00 was received from Rockdale County Ford; and,

**WHEREAS**, the City Council hereby finds that the purchase of a Ford F-150 Police Responder Truck for the Police Department serves the best interest of the City of Gonzales.

**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 the City Manager to execute a Purchase Agreement for the Purchase of a Ford F-150 Police Responder in the amount of \$50,275.00 from Rockdale County Ford.

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 11<sup>th</sup> day of July, 2024.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

**ROCKDALE COUNTRY FORD**

PO BOX 72, ROCKDALE, TX 76567

BUYBOARD 724-23

End User: Gonzales Police Department Caldwell Rep: JAKE SCHOBINGER QT# JS62624-1

Contact: Lt. West Phone: 979.429.8847

Phone/email: 830.672.8686/Twest@gonzales.texas.gov Date: Wednesday, June 26, 2024

Product Description: 2023 Ford F150 Police Responder email: jake@usaautomotivepartners.com

A. Bid Series: \_\_\_\_\_ A. Base Price: \$ **49,875.00**

**B. Published Options [Itemize each below]**

Code	Options	Bid Price	Code	Options	Bid Price
YZ	Oxford White	INCL		Power Windows	INCL
PB	Black Cloth Seats 40/0/40 Seat	INCL		Power Locks	INCL
998	Engine, 3.5L V6 EcoBoost	INCL		Light Tinted Glass	INCL
44G	Transmission, 10 Speed Automatic	INCL		Full Size Spare Tire/Wheel	INCL
153	Front License Plate Bracket	INCL		Cruise Control	INCL
18B	Black Platform Running Boards	INCL		Air Conditioning	INCL
53A	Trailer Tow Package	INCL		Skid Plates	INCL
67P	Remote Keyless Entry Package	INCL		Off Road Suspension	INCL
96W	Spray in Bed Liner	INCL		Black Vinyl/Rubber Flooring	INCL
				12v DC Power Outlets (x2)	INCL
				HD Rear Vision Camera	INCL
<b>Total of B. Published Options:</b>					

**C. Unpublished Options [Itemize each below, not to exceed 25%]**

Disclaimer	Unpublished Options	Bid Price
PRICES AND AVAILABILITY CAN CHANGE AT ANY TIME WITHOUT FURTHER NOTICE DUE TO SUPPLY CHAIN CHALLENGES. REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. FINAL PRICE IS NOT CONFIRMED UNTIL VEHICLE ORDER IS ACCEPTED BY THE MANUFACTURER. ACKNOWLEDGE BY EMAIL RECEIPT THAT THE PURCHASE ORDER WAS RECEIVED BY USA AUTOMOTIVE PARTNERS, LLC. (CALDWELL COUNTRY CHEVROLET, ROCKDALE COUNTRY FORD dba CALDWELL COUNTRY FORD, CAMERON COUNTRY CDJR)		COLOR / DELIVERY
	<b>Total of C. Unpublished Options:</b>	

D. Registration, Inspection, Paperwork, Postage cost, Courthouse time, & Runner time: \$ -

E. UPFITTERS: \_\_\_\_\_

F. Manufacturer Destination/Delivery: \_\_\_\_\_

G. Floor Plan Interest (for in-stock and/or equipped vehicles): \$ -

H. Lot Insurance (for in-stock and/or equipped vehicles): \$ -

I. Contract Price Adjustment: \_\_\_\_\_ \$ -

J. Additional Delivery Charge: 0 miles \$ -

K. Subtotal: \$ **49,875.00**

L. Quantity Ordered 1 x K = \$ **49,875.00**

M. Trade in: \_\_\_\_\_

N. BUYBOARD FEE PER PURCHASE ORDER \$ **400.00**

O. **TOTAL PURCHASE PRICE WITH BUYBOARD FEE (PRICES AND AVAILABILITY ARE SUBJECT TO CHANGE WITHOUT NOTICE)** \$ **50,275.00**



## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2024-64 Amending the Library Director Job Description

**DATE: July 11, 2024**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

In review of the job functions and oversight of the Library Department by City Manager, it has been determined that the library department reporting to the Finance Director instead of the Parks Director was more appropriate resulting in an amendment to the Library Director job description to reflect the necessary change.

### **POLICY CONSIDERATIONS:**

This resolution will amend the Library Director job description.

### **FISCAL IMPACT:**

There will not be a fiscal impact to the budget for this change.

### **ATTACHMENTS:**

Job description

### **STAFF RECOMMENDATIONS:**

City staff respectfully recommends the approval of this resolution.

**RESOLUTION NO. 2024-64**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AMENDING THE LIBRARY DIRECTOR JOB DESCRIPTION; 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**, it is the desire of staff to present the amended position classification to City Council for review and final approval; and

**WHEREAS**, the City Council and City Manager find there is a need to ensure that the job classifications are up to date with the most current departmental practices; and

**WHEREAS**, the City Council finds that approving the City of Gonzales job classifications 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 City Council of the City of Gonzales, Texas the amendments to the Library Director job description as set forth in the attached 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 11<sup>th</sup> day of July, 2024.**

---

Mayor, S.H.Sucher

ATTEST:

---

Kristina Vega, City Secretary

**CITY OF GONZALES  
POSITION DESCRIPTION**

**TITLE:** Library Director  
**DEPARTMENT:** Library

**JOB CODE:** Full-Time  
**FLSA:** Exempt

---

**SUMMARY:** Under general direction of the ~~Parks and Recreation~~Finance Director and as established by City Council, holds responsibility for the overall management of the Gonzales Public Library including: developing and implementing strategic plans, policies, procedures, and practices to accomplish objectives and maintain existing programs. This position assures the efficient and economic use of department funds and resources which include library budgets, fund raising and grants. Facilities, patron confidentiality, information system and other technology are among the others to accomplish short term goals and long range objectives. This position directly reports to the ~~Parks and Recreation~~Finance Director for supervision.

*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:**

- Leads and directs the Library staff while working closely with the Library Board and ~~Parks and Recreation~~Finance Director on objectives, plans, schedules, and budgets.
- Develops, implements, and guides strategic planning to include, but not be limited to, community services, capital improvements, service levels, and staff development/training.
- Researches and recommends programs for the Library such as adult services, young adult and children's services, building improvements, grant opportunities, outreach programs and displays, exhibits and lectures, and special events.
- Attends Board meetings and provides staff support as necessary.
- Works closely with the Friends of the Library and other groups and associations.
- Directs and supervises the Library staff and provides overall leadership and supervision to meet project and program requirements.
- Monitors the development and circulation of the library's print and non-print collections.
- Responds to public inquiries and resolves complaints or refers these to the appropriate individual or department for resolution.
- Develops and maintains constructive relationships with City officials, other departments, community agencies and groups, and the general public regarding programs and activities.
- Participates in the City's management team functions and assists other Departments with special projects as needed.
- Is responsible for (with assistance from appropriate Departments) Library Information Systems, protection of patron confidentiality, finance and cash management, legal matters, building security, safety, maintenance of facilities and equipment, Dewey Decimal cataloging, and state standards for maintaining the Library's collection.
- Communicates with the general public and with the community and professional groups to promote and discuss Library services and to gain input for improvements in Library programs and services.
- Prepares circulation and financial statistics for various governing bodies monthly and the Texas State Library yearly.
- Attends library workshops and continuing education classes when available.
- Attend Library Board Meetings.

**CITY OF GONZALES**  
**POSITION DESCRIPTION**

- Insure all department equipment, vehicles and tools are properly and adequately maintained to the level of the manufacturer's recommendations or higher.
- 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 management principles and practices including program planning, evaluation, budgeting, and supervision.
- Knowledge of computers and related equipment, hardware and software.
- Knowledge of library resources, programs, and services in a public library.
- Ability to provide quality services in a cost effective manner.
- Must have thorough knowledge of library collection classification and selection techniques.
- Skill in communicating effectively, verbally and in writing.
- Ability to establish and maintain effective working relationships with employees, supervisors, City Council, other agencies, and the public.
- Knowledge of the Library Bill of Rights and the Freedom to Read Statement.

**Required Education, Experience and Certificates:**

- High School Diploma or equivalent.
- Bachelor's degree in Library or Information Science preferred.
- Five (5) years of previous related experience.

**Environmental Factors and Conditions/Physical Requirements:**

- Work is performed in an office setting.
- Ability to stand, bend, stoop, and lift or move twenty-five (25) pounds.
- May be subject to repetitive motion such as typing and vision to monitor.

**Equipment and Tools Utilized:**

- Equipment utilized may include personal computer, copier, hand-held scanner, microfilm reader/printer, calculator, and standard office equipment.

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution 2024-65 Authorizing the City Manager to Negotiate and Enter into an Agreement for Professional Auditing Services to Brooks Watson & CO.

**DATE: July 11, 2024**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

Texas Local Government Code Section 103.001(a) states that a municipality shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. Section 3.14 of the Charter states that Council shall not select the same auditor for more than six (6) consecutive years and the auditor selected shall not be or have been within the immediately preceding three (3) years, a business associate of the certified public accountant or firm that performed the audit prior to such selection. The City of Gonzales currently uses ABIP, PC. for professional audit services.

On May 22, 2024 City staff was directed to seek requests for qualifications and proposals from qualified and experienced firms of certified public accountants to audit the City's financial statements in the manner most advantageous for the City of Gonzales.

The RFQ was posted on May 22, 2024, and advertised in the newspaper for two weeks with proposals to be due by June 25, 2024. The City of Gonzales received four responses to the RFQ and were from Brooks Watson & Co., ABIP, P.C., Cascos & Associates, PC. and Armstrong, Vaughan & Associates.

On June 25, 2024, City Staff met and evaluated the proposals based on the criteria set forth in the RFQ and ranked the proposals with a possible score of 100 points. The average for each of them was: Brooks Watson & Co. (97), ABIP, P.C. (93), Cascos & Associates, PC. (86), and Armstrong, Vaughan & Associates (67).

### **POLICY CONSIDERATIONS:**

City Staff was unaware of the fiscal impact for this item, therefore these professional services were competitively bid as set forth in Chapter 252 of the Local Government Code of Texas.

### **FISCAL IMPACT:**

The fiscal impact will be \$35,000 for the 1<sup>st</sup> year, \$36,500 for 2<sup>nd</sup> year, \$38,000 for 3<sup>rd</sup> year and then an option to extend for an additional two years. If a Single Audit is required, there will be a charge of \$6,500 for the first program, and additional \$3,250 for any additional programs. This Agenda Item will be budgeted in the 2024-2025 fiscal year in GL Account 100-7-109.406.

**ATTACHMENTS:**

Bid/Proposals from BrooksWatson & Co., ABIP, P.C., Cascos & Associates, PC. and Armstrong, Vaughan & Associates

**STAFF RECOMMENDATION:**

Staff respectfully recommends Council award the bid to BrooksWatson & Co.

**RESOLUTION NO. 2024-65**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT FOR PROFESSIONAL AUDITING SERVICES TO BROOKSWATSON & CO.; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, on May 22, 2024 City staff was directed to seek requests for qualifications and proposals from qualified and experienced firms of certified public accountants to audit the City's financial statements in the manner most advantageous for the City of Gonzales; and,

**WHEREAS**, City Staff posted the RFQ on May 22, 2024 and advertised in the newspaper for two weeks; and

**WHEREAS**, the bids/proposals were due to be received by the City of Gonzales on June 25, 2024 at 3:00 p.m.; and

**WHEREAS**, four proposals were received from BrooksWatson & Co., ABIP, P.C., Cascos & Associates, PC. and Armstrong, Vaughan & Associates by the due date; and

**WHEREAS**, on June 25, 2024, City Staff met and evaluated the proposals based on the criteria set forth in the RFQ and ranked the proposals with a possible score of 100 points. The average for each of them was: BrooksWatson & Co. (97), ABIP, P.C. (93), Cascos & Associates, PC. (86), and Armstrong, Vaughan & Associates (67); and

**WHEREAS**, the fiscal impact will be \$35,000 for the 1<sup>st</sup> year, \$36,500 for 2<sup>nd</sup> year, \$38,000 for 3<sup>rd</sup> year and then an option to extend for an additional two years. If a Single Audit is required, there will be a charge of \$6,500 for the first program, and additional \$3,250 for any additional programs. This Agenda Item will be budgeted in the 2024-2025 fiscal year in GL Account 100-7-109.406; and

**WHEREAS**, the City finds that negotiating and entering into an agreement with BrooksWatson & Co. for professional auditing services would be 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, Texas hereby authorizes the City Manager to negotiate and enter into an Agreement for professional auditing services to BrooksWatson & Co.

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 11<sup>th</sup> day of July, 2024.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2024-66 Rescheduling the October 10, 2024, Regular City Council Meeting

**DATE: July 11, 2024**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City Council's regular meetings are scheduled for the second Thursday of each month. However, there is a potential scheduling conflict on October 10, 2024, due to the Annual TML Conference. Therefore, staff is seeking to change the October regular meeting date from October 10th to another date that Council is available.

### **POLICY CONSIDERATIONS:**

Adopting this resolution will change the October regular city council meeting for the month.

### **FISCAL IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully recommend the approval of this resolution.

**RESOLUTION NO. 2024-66**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS RESCHEDULING THE OCTOBER 10, 2024, REGULAR CITY COUNCIL MEETING TO ANOTHER DATE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gonzales Charter states in Section 3.09 Meeting of the City Council that the City Council shall hold at least one regular meeting in each month at a time to be fixed by it for such regular meetings; and

**WHEREAS**, the City Council would like to reschedule the October 10, 2024, City Council meeting to another date that Council is available.

**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 reschedules the October 10, 2024, Regular City Council Meeting to October \_\_\_\_\_, 2024.

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 11<sup>th</sup> day of July, 2024.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Ordinance #2024-23 Amending Article 9.500 Code of Ethics and Conduct for City Officials and Employees

**DATE: July 11, 2024**

### **TYPE AGENDA ITEM:**

Ordinance

### **BACKGROUND:**

In 2019, the City Council adopted Articles 9.300-9.500 which pertained to Boards, Commissions and Committees, Rules of Procedure Decorum and Ethics, and Code of Ethics and Conduct for City Officials and Employees. There was not any guidance regarding qualifications or disqualifications to serve incorporated into the Ordinances established at that time. The City Council met in a workshop on June 25, 2024 to discuss how they would like to implement any changes for board qualifications/disqualifications, such as any qualifications or disqualifications and felony background checks.

### **POLICY CONSIDERATIONS:**

The ordinance will establish guidelines for all boards, commissions and committees appointments.

### **FISCAL IMPACT:**

N/A

### **ATTACHMENTS:**

Amendment to Article 9.500 of the City of Gonzales Code of Ordinances.

### **STAFF RECOMMENDATION:**

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

**ORDINANCE NO. 2024-23**

**AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, AMENDING ARTICLE 9.500 CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS AND EMPLOYEES; ESTABLISHING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council strives to increase public confidence in our municipal government; and,

**WHEREAS**, the City Council finds that it is in the best interest of the City that all boards, commissions and committees shall conduct themselves in a manner that is consistent and fair; and

**WHEREAS**, the City Council wants to enhance public confidence in our municipal government, by providing that each city official must strive not only to maintain technical compliance with the principles of conduct set forth in this Chapter, but aspire daily to carry out their duties objectively, fairly, and lawfully; and

**WHEREAS**, the City Council has determined that it is in the best interest and welfare of the City to preserve the integrity and nonpartisan nature of City government by amending Article 9.500 Code of Ethics and Conduct for City Officials and Employees of the Code of Ordinances for all boards, commissions and committees to follow.

**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, Texas hereby amends the City of Gonzales Code of Ordinances Article 9.500 Code of Ethics and Conduct for City Officials and Employees as set forth in the Attached "Exhibit A".

Section 2. That this Ordinance shall be cumulative of all provisions of the City of Gonzales, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the more restrictive shall apply.

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 Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 4. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance 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 Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. 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, Texas Government Code, as amended.

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

**PASSED AND APPROVED this 11<sup>th</sup> day of July, 2024.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

**EXHIBIT “A”**

**ARTICLE 9.500**

**CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS AND EMPLOYEES**

**Division 3**

**Minimum Appointment Requirements**

**9.540 Qualification Considerations in Appointments to Boards**

- (a) In addition to the qualifications for service on a board that are mandated by statute, the City Charter, ordinance, resolution, or minute entry, an appointee to any board, commission, or committee for the City of Gonzales must:
- (1) be a resident of the City unless:
    - (A) the resolution, ordinance, or other law creating the board does not require residency.
  - (2) have not been convicted of a felony within the last five (5) years for which he/she has not been pardoned; and
  - (3) have not been convicted of a misdemeanor crime of moral turpitude within the last three (3) years for which he/she has not been pardoned; and
  - (4) have not been removed from a board or commission because of failure to attend meetings within the last three (3) years.
  - (5) Must not be in arrears in the payment of any taxes or other liability due to the City
  - (6) May not apply to serve on a board with their immediate family members.
  - (7) City employees are not eligible unless required by State statute.
- (b) In order to continue as a board member, a person appointed to a board, commission or committee must meet the qualifications required by this section for appointment during the entire time of service on a board.

**9.541 Felony Background**

As a representative of the City of Gonzales and due to the nature of the business and associations performed by each Board and Commission member, a felony background verification will be conducted on all new applicants effective with the adoption of this policy. (July 11, 2024)



As of the adoption of this policy, all current members are grandfathered, and a felony background verification will not be conducted for any sitting board or commission member. A felony background verification will be conducted upon any current member's request for re-appointment for an additional two-year term.

Any current member who is currently serving a two-year term after the adoption of the policy will be required to notify the City Secretary within ten (10) days of any charge for a felony or crime of moral turpitude during their term. A member failing to notify the City of such charges will be automatically removed from the board, commission or committee. A member who is charged and makes the required notification will be presented to the City Council for review, and at such time, the City Council will determine whether it is in the City's best interest to suspend or remove the member from the board, commission, or committee.