

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
AGENDA –DECEMBER 12, 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 November 30, 2024
 - Cash & Investment by Fund as of November 30, 2024
- 1.2 City Manager, Tim Crow will update the City Council on the following:
 - Timeline on Capital Improvement and Departmental Projects
 - JB Wells Park Financials
 - Recently Completed Projects
 - Projects Currently in Process
 - Upcoming Projects

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 Regular Meeting, November 14, 2024, Special Called Meeting November 21, 2024 and Special Called Meeting November 25, 2024

- 2.2 Discuss, Consider & Possible Action on **Resolution #2024-122** Declaring certain City property surplus and authorizing the sale of said property in the manner most advantageous to the City of Gonzales
- 2.3 Discuss, Consider & Possible Action on **Resolution #2024-123** Joining with the State of Texas and Political Subdivisions of the State as a party in the Texas Opioid Settlement Agreements secured by the Office of the Attorney General, and authorizing the City Manager to execute settlement participation forms
- 2.4 Discuss, Consider & Possible Action on **Resolution #2024-124** Authorizing the Edwards Association the use of Independence Square including the parking lot, and designated street closures for the Annual Martin Luther King March on January 20, 2025
- 2.5 Discuss, Consider & Possible Action on **Resolution #2024-125** Authorizing the City Manager to Execute a License Agreement with the Gonzales United Soccer Club
- 2.6 Discuss, Consider & Possible Action on **Resolution #2024-126** Rejecting the proposals received for the 2024-2025 Bridge Replacement Project

RESOLUTIONS

- 3.1 Discuss, Consider & Possible Action on **Resolution #2024-127** Authorizing the City Manager to negotiate and execute a ground lease agreement with Gonzales Dog Adoptions

ORDINANCES

- 4.1 Public Hearing, Discussion & Possible Action on **Ordinance #2024-31** Amending the City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Commercial District" to "Single-Family District" on the property located 1132 Seydler Street
- 4.2 Public Hearing, Discussion & Possible Action on **Ordinance #2024-32** Amending the Official Zoning Map by Zoning Property for the property commonly known as 1132 Seydler Street, said property being currently zoned as C-2 Heavy Commercial District and seeking to be rezoned to SF-6, Single Family 6 District
- 4.3 Public Hearing, Discussion & Possible Action on **Ordinance #2024-33** Amending the City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Single-Family Residential" to "Commercial District" on the property located at 418 St. Michael Street
- 4.4 Public Hearing, Discussion & Possible Action on **Ordinance #2024-34** Amending the Official Zoning Map by Zoning Property for the property commonly known as 418 St. Michael Street, said property being currently zoned as Sf-6 Single Family 6 District and seeking to be rezoned to C-1 Light Commercial District

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 portions of Mesquite and Hackberry Street

(2) Pursuant to Section 551.074 of the Texas Government Code, the City of Gonzales will consult in closed session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

A) City Manager Evaluation

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

6.2 Discuss, Consider & Possible Action on **Ordinance #2024-35** 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

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 December 12, 2024, agenda of items to be considered by the Gonzales City Council was posted on the City Municipal Building bulletin board on the 6th day of December 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 11/30/2024

CASH & INVESTMENT BY FUND AS OF 11/30/2024

100-GENERAL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
401-TAX REVENUE	3,133,422.00	268,900.08	460,065.42	14.68	0.00	2,673,356.58
402-FRANCHISE REVENUE	1,889,060.00	16,299.16	189,279.51	10.02	0.00	1,699,780.49
403-LICENSE/FEE/PERMITS	108,875.00	6,382.50	38,985.29	35.81	0.00	69,889.71
404-PARKS FEES REVENUE	410,072.00	29,304.85	70,841.40	17.28	0.00	339,230.60
405-MUNICIPAL COURT REVEN	46,156.00	2,892.26	8,629.58	18.70	0.00	37,526.42
406-MISCELLANEOUS REVENUE	1,309,821.00	18,877.53	62,106.42	4.74	0.00	1,247,714.58
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	155,000.00	938.08	17,616.38	11.37	0.00	137,383.62
409-OTHER FINANCING REVEN	109,410.00	0.00	1,500.00	1.37	0.00	107,910.00
410-TRANSFERS	3,158,861.00	200,328.40	464,014.80	14.69	0.00	2,694,846.20
*** TOTAL REVENUES ***	10,320,677.00	543,922.86	1,313,038.80	12.72	0.00	9,007,638.20
EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTME	113,614.00	7,541.37	12,681.39	11.16	0.00	100,932.61
102-CITY MANAGER DEPART	207,087.00	17,070.65	34,551.53	16.68	0.00	172,535.47
103-COMMUNITY DEVELOPMENT	181,992.00	10,184.29	20,875.65	11.47	0.00	161,116.35
104-NON-DEPARTMENTAL	482,029.00	56,255.44	147,201.45	30.54	0.00	334,827.55
105-MAIN STREET DEPARTMEN	134,867.00	7,570.63	16,091.34	11.93	0.00	118,775.66
107-BUILDING MAINTENANCE	428,488.00	25,332.48	50,583.31	17.18	23,038.37	354,866.32
108-CITY SECRETARY DEP	291,512.00	14,567.68	34,782.15	11.93	0.00	256,729.85
109-FINANCE DEPARTMENT	682,930.00	22,346.22	83,420.65	12.40	1,257.66	598,251.69
110-CHAMBER OF COMMERCE	229,971.00	16,709.83	32,286.44	14.04	0.00	197,684.56
201-PARKS DEPARTMENT	835,417.00	49,033.89	126,884.35	15.19	0.00	708,532.65
202-SWIMMING POOL DEPARTM	37,093.00	0.00	444.24	1.20	0.00	36,648.76
204-RECREATION DEPARTMENT	21,602.00	0.00	323.47	1.50	0.00	21,278.53
205-MISCELLANEOUS	0.00	(0.23)	(0.53)	0.00	0.00	0.53
206-INDEPENDENCE GOLF CO	384,847.00	21,179.43	57,401.96	15.54	2,393.30	325,051.74
301-FIRE DEPARTMENT	1,682,407.00	247,633.64	404,263.21	24.03	0.00	1,278,143.79
501-POLICE DEPARTMENT	2,928,278.00	190,097.75	485,290.37	17.67	32,200.00	2,410,787.63
504-ANIMAL CONTROL DEPART	214,933.00	15,323.73	32,071.52	14.92	0.00	182,861.48
550-MUNICIPAL COURT DEPT.	125,682.00	7,275.13	21,659.29	17.23	0.00	104,022.71
602-AIRPORT DEPARTMENT	116,154.00	16,249.42	28,654.18	24.67	0.00	87,499.82
603-STREETS DEPARTMENT	730,457.00	42,476.15	161,051.20	22.39	2,490.39	566,915.41
650-LIBRARY DEPARTMENT	348,885.00	26,564.39	54,548.05	15.63	0.00	294,336.95
660-MUSEUM DEPARTMENT	122,231.00	5,976.94	15,252.51	12.48	0.00	106,978.49
*** TOTAL EXPENDITURES ***	10,300,476.00	799,388.83	1,820,317.73	18.27	61,379.72	8,418,778.55
** REVENUES OVER(UNDER) EXPENDITURES **	20,201.00	(255,465.97)	(507,278.93)	815.00-	(61,379.72)	588,859.65

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	856,150.00	40,974.00	91,485.78	10.69	0.00	764,664.22
406-MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
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*** TOTAL REVENUES ***	856,150.00	40,974.00	91,485.78	10.69	0.00	764,664.22
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EXPENDITURE SUMMARY						
203-JB WELLS GENERAL	499,468.00	32,508.25	70,053.84	14.03	0.00	429,414.16
213-JB WELLS RV PARK	101,242.00	2,380.10	5,327.36	5.26	0.00	95,914.64
313-JB WELLS ARENA	185,575.00	5,163.28	13,361.93	7.20	0.00	172,213.07
413-JB WELLS EXPO	61,325.00	2,422.51	5,431.77	8.86	0.00	55,893.23
513-JB WELLS SHOW BARN	28,742.00	264.75	1,563.71	5.44	0.00	27,178.29
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*** TOTAL EXPENDITURES ***	876,352.00	42,738.89	95,738.61	10.92	0.00	780,613.39
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** REVENUES OVER (UNDER) EXPENDITURES **	(20,202.00)	(1,764.89)	(4,252.83)	21.05	0.00	(15,949.17)
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210-ELECTRIC FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
710-ELECTRIC DEPARTMENT	11,103,443.00	851,992.06	1,766,982.68	15.91	0.00	9,336,460.32
750-REVENUE COLLECTION	325,844.00	1,755.41	42,902.13	13.17	0.00	282,941.87
809-HYDRO PLANT CONST.	0.00	0.00	0.00	0.00	0.00	0.00
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*** TOTAL REVENUES ***	11,429,287.00	853,747.47	1,809,884.81	15.84	0.00	9,619,402.19
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EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	11,644,875.00	204,299.46	1,164,011.55	14.18	487,760.22	9,993,103.23
750-REVENUE COLLECTIONS	340,352.00	25,194.54	66,341.20	19.49	0.00	274,010.80
809-HYDRO PLANT CONST.	148,400.00	0.00	0.00	0.00	0.00	148,400.00
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*** TOTAL EXPENDITURES ***	12,133,627.00	229,494.00	1,230,352.75	14.16	487,760.22	10,415,514.03
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** REVENUES OVER (UNDER) EXPENDITURES **	(704,340.00)	624,253.47	579,532.06	13.03-	(487,760.22)	(796,111.84)
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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	3,277,140.00	335,432.06	609,446.68	18.60	0.00	2,667,693.32
*** TOTAL REVENUES ***	3,277,140.00	335,432.06	609,446.68	18.60	0.00	2,667,693.32
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EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	3,678,453.00	108,349.31	315,975.42	9.12	19,651.06	3,342,826.52
*** TOTAL EXPENDITURES ***	3,678,453.00	108,349.31	315,975.42	9.12	19,651.06	3,342,826.52
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** REVENUES OVER (UNDER) EXPENDITURES **	(401,313.00)	227,082.75	293,471.26	68.23-	(19,651.06)	(675,133.20)
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230-WASTEWATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
730-WASTEWATER COLLECTION	1,826,500.00	163,446.53	309,416.37	16.94	0.00	1,517,083.63
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*** TOTAL REVENUES ***	1,826,500.00	163,446.53	309,416.37	16.94	0.00	1,517,083.63
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EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	2,280,529.00	59,599.49	205,411.63	9.26	5,842.48	2,069,274.89
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*** TOTAL EXPENDITURES ***	2,280,529.00	59,599.49	205,411.63	9.26	5,842.48	2,069,274.89
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** REVENUES OVER (UNDER) EXPENDITURES **	(454,029.00)	103,847.04	104,004.74	21.62-	(5,842.48)	(552,191.26)
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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	870,700.00	72,095.79	145,477.80	16.71	0.00	725,222.20
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*** TOTAL REVENUES ***	870,700.00	72,095.79	145,477.80	16.71	0.00	725,222.20
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EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	877,280.00	11,547.10	96,068.30	10.95	0.00	781,211.70
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*** TOTAL EXPENDITURES ***	877,280.00	11,547.10	96,068.30	10.95	0.00	781,211.70
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** REVENUES OVER(UNDER) EXPENDITURES **	(6,580.00)	60,548.69	49,409.50	750.90-	0.00	(55,989.50)
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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.	836,550.00	66,373.05	71,085.62	8.50	0.00	765,464.38
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*** TOTAL REVENUES ***	836,550.00	66,373.05	71,085.62	8.50	0.00	765,464.38
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EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	816,550.00	0.00	500.00	0.06	0.00	816,050.00
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*** TOTAL EXPENDITURES ***	816,550.00	0.00	500.00	0.06	0.00	816,050.00
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** REVENUES OVER (UNDER) EXPENDITURES **	20,000.00	66,373.05	70,585.62	352.93	0.00	(50,585.62)
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500-HOTEL/MOTEL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
810-JB WELLS EXPO CENTER	0.00	0.00	(12,891.00)	0.00	0.00	12,891.00
811-HOTEL/MOTEL	615,000.00	18,674.16	87,896.91	14.29	0.00	527,103.09
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
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*** TOTAL REVENUES ***	615,000.00	18,674.16	75,005.91	12.20	0.00	539,994.09
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EXPENDITURE SUMMARY						
811-HOTEL MOTEL	733,321.00	15,250.00	31,500.00	4.30	0.00	701,821.00
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*** TOTAL EXPENDITURES ***	733,321.00	15,250.00	31,500.00	4.30	0.00	701,821.00
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** REVENUES OVER(UNDER) EXPENDITURES **	(118,321.00)	3,424.16	43,505.91	36.77-	0.00	(161,826.91)
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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	2,600.00	49.32	686.01	26.39	0.00	1,913.99
*** TOTAL REVENUES ***	2,600.00	49.32	686.01	26.39	0.00	1,913.99
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EXPENDITURE SUMMARY						
812-MEMORIAL MUSEUM	2,600.00	0.00	500.00	19.23	0.00	2,100.00
*** TOTAL EXPENDITURES ***	2,600.00	0.00	500.00	19.23	0.00	2,100.00
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** REVENUES OVER (UNDER) EXPENDITURES **	0.00	49.32	186.01	0.00	0.00	(186.01)
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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	221.80	4,841.72	112.60	0.00	(541.72)
*** TOTAL REVENUES ***	4,300.00	221.80	4,841.72	112.60	0.00	(541.72)
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EXPENDITURE SUMMARY						
813-FORFEITURES	20,500.00	0.00	0.00	0.00	0.00	20,500.00
*** TOTAL EXPENDITURES ***	20,500.00	0.00	0.00	0.00	0.00	20,500.00
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** REVENUES OVER(UNDER) EXPENDITURES **	(16,200.00)	221.80	4,841.72	29.89-	0.00	(21,041.72)
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503-MUNICIPAL COURT

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
814-MUNICIPAL COURT	2,600.00	159.90	487.12	18.74	0.00	2,112.88
*** TOTAL REVENUES ***	2,600.00	159.90	487.12	18.74	0.00	2,112.88
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EXPENDITURE SUMMARY						
814-MUNICIPAL COURT	8,500.00	31.95	352.53	4.15	0.00	8,147.47
*** TOTAL EXPENDITURES ***	8,500.00	31.95	352.53	4.15	0.00	8,147.47
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** REVENUES OVER (UNDER) EXPENDITURES ** (5,900.00)	127.95	134.59	2.28-	0.00	(6,034.59)
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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	56,400.00	719.67	10,998.96	19.50	0.00	45,401.04
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*** TOTAL REVENUES ***	56,400.00	719.67	10,998.96	19.50	0.00	45,401.04
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EXPENDITURE SUMMARY						
815-ROBERT LEE BROTHERS	23,100.00	59.82	4,000.69	17.32	0.00	19,099.31
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*** TOTAL EXPENDITURES ***	23,100.00	59.82	4,000.69	17.32	0.00	19,099.31
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** REVENUES OVER(UNDER) EXPENDITURES **	33,300.00	659.85	6,998.27	21.02	0.00	26,301.73
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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	16,100.00	2,840.73	3,218.71	19.99	0.00	12,881.29
*** TOTAL REVENUES ***	16,100.00	2,840.73	3,218.71	19.99	0.00	12,881.29
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EXPENDITURE SUMMARY						
816-PEG FRANCHISE	10,000.00	0.00	0.00	0.00	0.00	10,000.00
*** TOTAL EXPENDITURES ***	10,000.00	0.00	0.00	0.00	0.00	10,000.00
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** REVENUES OVER(UNDER) EXPENDITURES **	6,100.00	2,840.73	3,218.71	52.77	0.00	2,881.29
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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	1,190,750.00	102,670.62	210,723.73	17.70	0.00	980,026.27
*** TOTAL REVENUES ***	1,190,750.00	102,670.62	210,723.73	17.70	0.00	980,026.27
=====						
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	4,360,559.00	15,032.42	57,065.68	1.31	93.16	4,303,400.16
*** TOTAL EXPENDITURES ***	4,360,559.00	15,032.42	57,065.68	1.31	93.16	4,303,400.16
=====						
** REVENUES OVER (UNDER) EXPENDITURES **	(3,169,809.00)	87,638.20	153,658.05	4.84-	(93.16)	(3,323,373.89)
=====						

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>100-GENERAL FUND</u> =====			
<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	11,825.26	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	174,770.22	
100 1-101.506	CASH- PEG FRANCHISE ACTIVITIES	0.00	
	TOTAL CASH	186,595.48	
<u>INVESTMENTS</u>			
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		95,779.53
	TOTAL INVESTMENTS		95,779.53
<u>POOLED INVESTMENTS</u>			
100 1-104.002	TEXPOOL- GENERAL FUND		3,561,386.54
100 1-104.003	TEXPOOL-CLFRF PART II - ARPA		0.00
	TOTAL POOLED INVESTMENTS		3,561,386.54
	TOTAL 100-GENERAL FUND	186,595.48	3,657,166.07

<u>203-JB WELLS FUND</u> =====			
<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	(45,959.18)	
	TOTAL CASH	(45,959.18)	
	TOTAL 203-JB WELLS PARK FUND	(45,959.18)	0.00

<u>210-ELECTRIC FUND</u> =====			
<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	353,899.09	
210 1-001.606	CASH CUSTOMER METER DEPOSIT	170,419.81	
	TOTAL CASH	524,318.90	
<u>POOLED INVESTMENTS</u>			
210 1-104.002	TEXPOOL- ELECTRIC FUND		1,342,055.00
	TOTAL POOLED INVESTMENTS		1,342,055.00
	TOTAL 210-ELECTRIC FUND	524,318.90	1,342,055.00

CASH & INVESTMENTS BY FUND

AS OF: NOVEMBER 30TH, 2024 NOVEMBER 30TH, 2024

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<hr/>			
220-WATER FUND			
=====			
<u>CASH</u>			
220 1-001.000	CASH - WATER FUND	384,306.32	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	28,256.00	
	TOTAL CASH	412,562.32	
<u>POOLED INVESTMENTS</u>			
220 1-104.002	TEXPOOL- WATER FUND		2,371,687.75
	TOTAL POOLED INVESTMENTS		2,371,687.75
	TOTAL 220-WATER FUND	412,562.32	2,371,687.75
<hr/>			
230-WASTEWATER FUND			
=====			
<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	233,337.45	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	0.00	
	TOTAL CASH	233,337.45	
<u>POOLED INVESTMENTS</u>			
230 1-104.002	TEXPOOL- WASTEWATER FUND		1,819,440.97
	TOTAL POOLED INVESTMENTS		1,819,440.97
	TOTAL 230-WASTEWATER FUND	233,337.45	1,819,440.97
<hr/>			
240-SOLID WASTE			
=====			
<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	167,077.34	
	TOTAL CASH	167,077.34	
	TOTAL 240-SOLID WASTE FUND	167,077.34	0.00
<hr/>			

CASH & INVESTMENTS BY FUND

AS OF: NOVEMBER 30TH, 2024 NOVEMBER 30TH, 2024

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
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

400-DSF GOVERNMENTAL ACTI			
=====			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCOUNT	0.00	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	483,150.17	

TOTAL CASH		483,150.17	
		-----	-----
TOTAL 400-DSF GOVERNMENT ACTIVITIES		483,150.17	0.00

500-HOTEL/MOTEL FUND			
=====			
<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCOUNT	1,000.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	68,840.31	

TOTAL CASH		69,840.31	
		-----	-----
<u>POOLED INVESTMENTS</u>			
500 1-104.001	TEXPOOL - HOTEL MOTEL FUND		725,907.95

TOTAL POOLED INVESTMENTS			725,907.95
		-----	-----
TOTAL 500-HOTEL/MOTEL FUND		69,840.31	725,907.95

501-MEMORIAL MUSEUM FUND			
=====			
<u>CASH</u>			
501 1-001.000	CASH - CONTROL ACCOUNT	0.00	
501 1-001.503	CASH - MUSEUM FUNDS	13,856.71	

TOTAL CASH		13,856.71	
		-----	-----
TOTAL 501-MEMORIAL MUSEUM FUND		13,856.71	0.00

CASH & INVESTMENTS BY FUND

AS OF: NOVEMBER 30TH, 2024 NOVEMBER 30TH, 2024

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>502-FORFEITURES</u>			
=====			
<u>CASH</u>			
502 1-001.000	CASH - CONTROL ACCOUNT	0.00	
502 1-001.504	CASH - FORFEITURES FEDERAL	47,591.57	
502 1-001.505	CASH - FORFEITURES STATE	16,837.00	

TOTAL CASH		64,428.57	

TOTAL 502-FORFEITURE FUND		64,428.57	0.00

<u>503-MUNICIPAL COURT</u>			
=====			
<u>CASH</u>			
503 1-001.000	CASH - CONTROL ACCOUNT	0.00	
503 1-001.505	CASH - MUN CRT CHILD SAFETY	2,800.43	
503 1-001.506	CASH - MUN CRT SECURITY	19,264.16	
503 1-001.507	CASH - MUN CRT TECH	1,006.95	
503 1-001.508	CASH - SPECIAL EXPENSE	4,424.12	

TOTAL CASH		27,495.66	

TOTAL 503-MUNICIPAL COURT		27,495.66	0.00

<u>504-ROBERT L. BROTHERS</u>			
=====			
<u>CASH</u>			
504 1-001.000	CASH - CONTROL ACCOUNT	0.00	
504 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	63,535.62	

TOTAL CASH		63,535.62	

TOTAL 504-ROBERT LEE BROTHERS FUND		63,535.62	0.00

<u>505-PEG FRANCHISE FUND</u>			
=====			
<u>CASH</u>			
505 1-001.000	CASH - CONTROL ACCOUNT	0.00	
505 1-101.506	CASH- PEG FRANCHISE ACTIVITIES	106,920.22	

TOTAL CASH		106,920.22	

TOTAL 505-PEG FRANCHISE FUND		106,920.22	0.00

CASH & INVESTMENTS BY FUND

AS OF: NOVEMBER 30TH, 2024 NOVEMBER 30TH, 2024

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>700-COMPONENT UNIT</u>			
=====			
<u>CASH</u>			
700 1-001.000	CASH - CONTROL ACCOUNT	(13,303.91)	
700 1-001.101	CASH - ECONOMIC DEV CORP	2,542,038.96	

TOTAL CASH		2,528,735.05	
<u>INVESTMENTS</u>			
700 1-103.413	CERT OF DEPOSIT -FNB GONZALES		200,000.00

TOTAL INVESTMENTS			200,000.00
<u>POOLED INVESTMENTS</u>			
700 1-104.001	TEXPOOL - ECONOMIC DEVELOPMENT		1,555,205.07

TOTAL POOLED INVESTMENTS			1,555,205.07
		-----	-----
TOTAL 700-GONZALES ECONOMIC DEV		2,528,735.05	1,755,205.07
		-----	-----
FUND TOTAL OTHER INVESTMENTS			295,779.53
FUND TOTAL POOLED INVESTMENTS			11,375,683.28
		-----	-----
TOTAL CASH AND INVESTMENTS		4,835,894.62	11,671,462.81
		=====	=====

*** END OF REPORT ***

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES – NOVEMBER 14, 2024**

The regular meeting of the City Council was held on **November 14, 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.

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.

Attendee Name	Title	Status
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Absent
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, Laura Zella-Finance Director, Gayle Autry-Police Chief, Tammy West-Police Lt., Tiffany Hutchinson-Padilla-Main Street Director, Susan Sankey-Economic Development Director, Madelynn Hendershot-Economic Development Coordinator, Misti King-Chamber Operations Coordinator, Molly Manning-Tourism Coordinator and Amanda Garza-JB Wells Park Arena Operations Manager

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Event-Mayor noted the upcoming Winterfest
- Announcements and recognitions by the City Manager-Recognized all hard work being done by the Lions Club and their enhancements to the Lions Park playground.
- Announcements and recognitions by the Mayor-Acknowledged attending the following events: the ribbon cutting for Superior Metal Recycling, and an open house on hazard mitigation. Mayor complimented several department’s staff on the many events that were hosted during he Halloween season, along with the Women Owned Businesses in the down town.
- Recognition of actions by City employees-None
- Recognition of actions by community volunteers-None

HEARING OF RESIDENTS

Glenda Gordon spoke regarding DeWitt Colony Association gift to the City.

Maggie Wills, Misti King, Kerry Hellums, Hannah Rinehart and Barbara Crozier each spoke in favor of Resolution #2024-119.

Thomas Enriquez, Ari Arias and Paul McGloin each spoke in regards to the recall petition.

STAFF/BOARD REPORTS

- 1.1 Finance Director, Laura Zella provided feedback on any questions regarding:
 - Financial Reports for funds as of October 31, 2024
 - Cash & Investment by Fund as of October 31, 2024
 - Quarterly Investment Report as of September 30, 2024
- 1.2 City Manager, Tim Crow updated the City Council on the following:
 - Timeline on Capital Improvement and Departmental Projects
 - JB Wells Park Financials
 - Recently Completed Projects
 - Projects Currently in Process
 - Upcoming Projects

No questions were asked regarding the report

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 Regular Meeting, October 17, 2024
- 2.2 Discuss, Consider & Possible Action on **Resolution #2024-113** Approving the 2024 Final Tax Roll for the City of Gonzales
- 2.3 Discuss, Consider & Possible Action on **Resolution #2024-114** Authorizing the payment of Longevity pay for Fiscal Year 2024-2025
- 2.4 Discuss, Consider & Possible Action on **Resolution #2024-115** Authorizing the City Manager to execute an amended agreement between the City of Gonzales and Preservation Gonzales, Inc.
- 2.5 Discuss, Consider & Possible Action on **Resolution #2024-116** Authorizing the adoption of updates to the City of Gonzales Personnel Policy Manual that bans TikTok and associated applications from being downloaded or used by officers and employees on any government-issued devices, including cell phones, laptops, tablets, desktop computers, and other devices capable of Internet connectivity as well as prohibitions related to City business on personal devices with TikTok and affiliated applications

ACTION: Items 2.1 through 2.5

APPROVED

Council Member Hernandez moved to approve the consent agenda Items 2.1 through 2.5. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

RESOLUTION

- 3.1 Discuss, Consider & Possible Action on **Resolution #2024-117** Approving the Lease Agreement with Enterprise Fleet Management, LLC. for the Lease of two budgeted vehicles and authorizing the City Manager to execute said agreements

ACTION: Item 3.1

APPROVED

Council Member Miller moved to approve **Resolution #2024-117** Approving the Lease Agreement with Enterprise Fleet Management, LLC. for the Lease of two budgeted vehicles and authorizing the City Manager to execute said agreements. Council Member Jordan seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 3.2 Discuss, Consider & Possible Action on **Resolution #2024-118** Approving the 2025 Insurance Provider for Health, Dental, Vision and Life

ACTION: Item 3.2

APPROVED

Council Member Miller moved to approve **Resolution #2024-118** Approving the 2025 Insurance Provider for Health, Dental, Vision and Life. Council Member Jordan seconded the motion. Mayor Sucher called for a roll call vote For: Unanimous. The motion passed 4 to 0.

- 3.3 Discuss, Consider & Possible Action on **Resolution #2024-119** Approving the recommendation from the Gonzales Convention and Visitor's Bureau to use local Hotel Occupancy Tax Funds in an amount not to exceed \$303,146.00 for digital mapping of the Gonzales Memorial Museum as Authorized by Chapter 351 of the Texas Tax Code and authorizing the City Manager to negotiate and execute an agreement with Austin Film Crew, LLC.

ACTION: Item 3.3

APPROVED

Council Member Miller moved to approve **Resolution #2024-119** Approving the recommendation from the Gonzales Convention and Visitor's Bureau to use local Hotel Occupancy Tax Funds in an amount not to exceed \$303,146.00 for digital mapping of the Gonzales Memorial Museum as Authorized by Chapter 351 of the Texas Tax Code and authorizing the City Manager to negotiate and execute an agreement with Austin Film Crew, LLC. Council Member Jordan seconded the motion. Mayor Sucher called for a roll call vote For: Unanimous. The motion passed 4 to 0.

OTHER BUSINESS

- 4.1 The City Council will engage in discussions regarding Article 12.900 Stopping, Standing and Parking of the City of Gonzales Code of Ordinances

City Council and staff engaged in discussions regarding Article 12.900 Stopping, Standing and Parking of the City of Gonzales Code of Ordinances.

- 4.2 Discussion and presentation of a Recall Petition Submitted by Registered Voters of the City of Gonzales According to Article VI of the City of Gonzales Charter

City Secretary, Kristina Vega, presented a Recall Petition Submitted by Registered Voters of the City of Gonzales According to Article VI of the City of Gonzales Charter. City Council engaged in discussion.

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 7:50 p.m.

CLOSED SESSION

5.1 (1) 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

And

B) Agenda Item 4.2 Recall Petition Submitted by Registered Voters of the City of Gonzales According to Article VI of the City of Gonzales Charter

RETURN TO OPEN SESSION

The Council convened into open session at 8:29 p.m.

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

No action was taken.

CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

- Requests by Mayor and Councilmembers for items on a future City Council agenda- none
- Announcements by Mayor and Councilmembers- none
- 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 Hernandez and second by Council Member Miller, the meeting was adjourned at 8:29 p.m.

Approved this 12th day of December 2024.

Mayor, S.H. Sucher

Kristina Vega, City Secretary

**CITY OF GONZALES, TEXAS
CITY COUNCIL WORKSHOP
MINUTES –November 21, 2024**

The Workshop of the City Council was held on **November 21, 2024** at 5:00 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.

CALL TO ORDER, INVOCATION AND PLEDGE

Mayor Sucher called the meeting to order at 5:03 p.m. and a quorum was certified.

Attendee Name	Title	Status
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Sherri Koepp	Council Member, District 2	Present
Lorenzo Hernandez	Council Member, District 3	Present
Ronda Miller	Council Member, District 4	Absent

STAFF PARTICIPATING:

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

CALL TO ORDER

HEARING OF RESIDENTS

none

WORKSHOP

- 1.1 Discuss, Consider & Possible Action on **Resolution #2024-120** Authorizing the GCYFL the Use of Independence Square including the parking lot for a GCYFL 6U & 8U State Champion Celebration on November 22, 2024

ACTION: Items 1.1

APPROVED

Council Member Kridler moved to approve **Resolution #2024-120** Authorizing the GCYFL the Use of Independence Square including the parking lot for a GCYFL 6U & 8U State Champion Celebration on November 22, 2024. Council Member Hernandez seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

ADJOURN

On a motion by Council Member Hernandez and a second by Council Member Kridler, the meeting was adjourned at 5:04 p.m.

Approved this 12th day of December, 2024.

Mayor, S.H. Sucher

Kristina Vega, City Secretary

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

The Workshop of the City Council was held on **November 25, 2024** at 12:00 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.

CALL TO ORDER, INVOCATION AND PLEDGE

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

Attendee Name	Title	Status
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Sherri Koepf	Council Member, District 2	Present
Lorenzo Hernandez	Council Member, District 3	Present
Ronda Miller	Council Member, District 4	Present

STAFF PARTICIPATING:

Kristina Vega-City Secretary, Erica Leopold-Administrative Assistant

CALL TO ORDER

HEARING OF RESIDENTS

none

WORKSHOP

1.1 Discuss, Consider & Possible Action on **Resolution #2024-121** Authorizing the Submission of a Texas Community Development Block Grant for the 2025-2026 TxCDBG Application

ACTION: Items 1.1

APPROVED

1.2 Council Member Kridler moved to approve **Resolution #2024-121** Authorizing the Submission of a Texas Community Development Block Grant for the 2025-2026 TxCDBG Application. Council Member Jordan seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ADJOURN

On a motion by Council Member Kridler and a second by Council Member Hernandez, the meeting was adjourned at 12:01 p.m.

Approved this 12th day of December, 2024.

Mayor, S.H. Sucher

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-122 Declaring Certain City Property Surplus and Authorizing the Sale of Said Property in the manner most advantageous to the City of Gonzales

DATE: December 12, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

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

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

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

The sale of the surplus property for will increase the general fund revenues.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2024-122

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

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

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

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

WHEREAS, the attached surplus property will be posted on any governmental auction site such as GovDeals or a local auction company Texas Remarketing Service or any other manner in which to be the most advantageous to 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 declares the attached Exhibit A as surplus and authorizes the sale of said property in accordance with the forgoing legislative findings.

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 12th day of December, 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT "A"

Other

Property Description	Brand	Model Number	Serial Number
1995-Dump Truck	Ford	F800	[REDACTED]
2001-Patch Machine	03-04 Durapatcher	125-DJT	[REDACTED]
Misc. tires and wheels	Assorted brands	Size: 36 18x8.5-8 1 16x6.5-8	N/A
Telephones X 50	Mitel	5330e	N/A
Telephones X 1	Mitel	5448 Programmable Key Module	N/A

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-123 Joining with the State of Texas and Political Subdivisions of the State as a Party in the Texas Opioid Settlement Agreements Secured by the Office of the Attorney General; Authorizing the City Manager to Execute Settlement Participation Forms

DATE: December 12, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

In September 2021 and March 2023 the City of Gonzales authorized the City Manager to execute Opioid Settlement Participation forms to engage in a settlement due to the national and statewide epidemic caused by the sale, use and distribution of opioids within the state of Texas.

The City was recently contacted a third time regarding an additional opioid settlement that they could participate in with Kroger.

POLICY CONSIDERATIONS:

This is consistent with what has been done in the past. Participation in this settlement would require the Council to take action to allow the City Manager to execute all necessary documents.

FISCAL IMPACT:

There is no fiscal impact to the City at this time to participate in the settlements.

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2024-123

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS (“CITY”) JOINING WITH THE STATE OF TEXAS AND POLITICAL SUBDIVISIONS OF THE STATE AS A PARTY IN THE TEXAS OPIOID SETTLEMENT AGREEMENTS SECURED BY THE OFFICE OF THE ATTORNEY GENERAL; AUTHORIZING THE CITY MANAGER TO EXECUTE SETTLEMENT PARTICIPATION FORMS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gonzales, Texas is a Home-Rule municipal corporation formed and organized pursuant to the constitution and laws of the State of Texas; and

WHEREAS, the people of the State of Texas and its communities, including Gonzales, have been harmed through the national and statewide epidemic caused by the sale, use and distribution of opioids within the State of Texas; and

WHEREAS, the City has been provided information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, “Defendants”) have engaged in fraudulent and reckless marketing as well as fraudulent distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, these actions, conduct and misconduct have resulted in the death of many Texans and has resulted in the devastation of families and communities across the State; and

WHEREAS, local governments have been on the front lines of the opioid crisis, which has resulted in significant financial costs to them related to the expenditures and continuing costs for healthcare services, social services, law enforcement and the criminal justice systems; and

WHEREAS, the State of Texas, through the Office of the Attorney General, entered an opioid settlement with Kroger; and

WHEREAS, participating in the settlements increases the State of Texas’ opportunity to maximize its share of opioid settlement funds and will provide a method to ensure that needed resources reach communities once all negotiations are finalized; and

WHEREAS, the City Council finds and determines that it is in the best interest of the health, safety, and welfare of the City to participate in the settlements through the Office of the Attorney General for the State of Texas.

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

Section 1. The City Council hereby authorizes the City Manager to execute the Subdivision Participation Forms, attached hereto as Exhibit “A”, and incorporated herein for all purposes and further authorizes the City Manager to take any additional actions necessary to implement the intent of 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 part of the judgment and finding 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 12th day of December, 2024.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT A
SUBDIVISION PARTICIPATION FORMS

Exhibit A

TEXAS SETTLEMENT SUBDIVISION PARTICIPATION AND RELEASE FORM

Political Subdivision:	Texas
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“Texas Political Subdivision”), in order to obtain and in consideration for the benefits provided to the Texas Political Subdivision pursuant to the Kroger Texas Settlement Agreement and Full Release of All Claims dated October 30, 2024 (“Kroger Texas Settlement”), and acting through the undersigned authorized official, hereby elects to participate in the Kroger Texas Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Texas Political Subdivision above is aware of and has reviewed the Kroger Settlement Agreement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Texas Political Subdivision elects to participate in the Kroger Texas Settlement and become a Participating Texas Political Subdivision as provided therein.
2. The Texas Political Subdivision shall immediately cease any and all litigation activities as to the Released Entities and Released Claims and, within 14 days of executing this Participation and Release Form, its counsel shall work with Kroger’s counsel to dismiss with prejudice any Released Claims that it has filed.
3. The Texas Political Subdivision agrees to the terms of the Kroger Texas Settlement pertaining to Texas Political Subdivisions as provided therein.
4. By agreeing to the terms of the Kroger Texas Settlement and becoming a Releasor, the Texas Political Subdivision is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date of the Release.
5. The Texas Political Subdivision agrees to use any monies it received through the Kroger Texas Settlement solely for the purposes provided therein.

6. The Texas Political Subdivision submits to the exclusive jurisdiction and authority of the Texas Consolidated Litigation Court as defined in the Kroger Texas Settlement. For the avoidance of doubt, nothing contained in this Participation and Release Form, or the Kroger Texas Settlement, constitutes consent to jurisdiction, express or implied, over the Texas Political Subdivision or its selected counsel to the jurisdiction of any other court (including without limitation MDL 2804, the MDL 2804 Fee Panel, the MDL 2804 Enforcement Committee, or the Court in which any Texas Consent Judgment is filed) for any purpose whatsoever.
7. The Texas Political Subdivision, as a Participating Texas Subdivision, has the right to enforce the Kroger Texas Settlement in the Texas Consolidated Litigation Court as provided therein.
8. The Texas Political Subdivision, as a Participating Texas Subdivision, hereby becomes a Releasor for all purposes in the Kroger Texas Settlement, including but not limited to all provisions of Section V (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Texas Political Subdivision hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entities in any forum whatsoever. The releases provided for in the Kroger Texas Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entity the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Texas Political Subdivision to release claims. The Kroger Texas Settlement shall be a complete bar to any Released Claim.
9. The Texas Political Subdivision hereby takes on all rights and obligations of a Participating Texas Subdivision as set forth in the Kroger Texas Settlement.
10. In connection with the releases provided for in the Kroger Texas Settlement, each Texas Political Subdivision expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Texas Political Subdivision hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Kroger Texas Settlement.

11. The Texas Political Subdivision acknowledges, agrees, and understands that the Maximum Texas Settlement Amount to be paid under the Kroger Texas Settlement for the benefit of the Participating Texas Political Subdivision, is less than or equal to the amount, in the aggregate, of the Alleged Harms allegedly suffered by the governmental entity, constitutes restitution and remediation for damage or harm allegedly caused by Kroger in order to restore, in whole or part, the governmental entity to the same position or condition that it would be in had it not suffered the Alleged Harms; and constitutes restitution and remediation for damage or harm allegedly caused by the potential violation of a law and/or is an amount paid to come into compliance with the law.
12. Nothing herein is intended to modify in any way the terms of the Kroger Texas Settlement Agreement, to which the Texas Political Subdivision hereby agrees. To the extent this Participation and Release Form is interpreted differently from the Kroger Texas Settlement, the Kroger Texas Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Texas Political Subdivision.

Signature: _____
Name: _____
Title: _____
Date: _____

**COUNCIL AGENDA
ITEM BRIEFING DATA**



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-124 Authorizing the Edwards Association the use of Independence Square including the Parking Lot, and Designated Street Closures for the Annual Martin Luther King March on January 20, 2025

DATE: December 12, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The Edwards Association wishes to host the annual Martin Luther King March on January 20, 2025. The march will begin at the Independence Square at 10:00 a.m. and will walk north on St. Paul, a right will be taken at St. Andrew where the march will continue to the Edwards Association (1427 Fly Street). The event will be concluded at 11:00 a.m. with approximately 100 in attendance. The Gonzales Police Department has been contacted to coordinate an escort for traffic control for the event.

POLICY CONSIDERATIONS:

This is consistent with current procedures for street closures and use of City owned property.

FISCAL IMPACT:

The fiscal impact for the City would include the cost for the police officers to conduct an escort for the march (2 hrs. x 28.25/hr. x 2 patrol officers=\$113.00) with a total approximate cost to the city for the event being \$113.00.

STAFF RECOMMENDATION:

Staff respectfully requests the approval of this resolution.

RESOLUTION NO. 2024-124

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE EDWARDS ASSOCIATION THE USE OF INDEPENDENCE SQUARE INCLUDING THE PARKING LOT, AND DESIGNATED STREET CLOSURES FOR THE ANNUAL MARTIN LUTHER KING MARCH ON JANUARY 20, 2025; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Edwards Association has requested permission to hold their Annual MLK March on January 20, 2025, from 10:00 a.m. until 11:00 a.m.; and

WHEREAS, the Association has requested the use of Independence Square as a starting location for the march, and safe passage from St. Paul to St. Andrew, St. Andrew to the Edwards Association at 1427 Fly Street for the Annual Martin Luther King March; and

WHEREAS, the street closures will not include barricades but allow for a police escort to ensure participant safety; and

WHEREAS, the fiscal impact for the City would include the cost for the police officers to conduct an escort for the march (2 hrs. x 28.25/hr. x 2 patrol officers=\$113.00) with a total approximate cost to the city for the event being \$113.00; and

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

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

Section 1. The City Council of the City of Gonzales, Texas hereby authorizes the Edwards Association the Use of Independence Square including the Parking Lot, and Designated Street Closures for the Annual Martin Luther King March on January 20, 2025, as stated herein and set forth in the submitted Event form attached hereto as Exhibit "A".

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

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

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 12th day of December, 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

GONZALES EVENT INFORMATION SHEET



THIS INFORMATION IS TO BE PROVIDED TO THE CITY OF GONZALES AT
**LEAST 30 DAYS PRIOR TO ALL PUBLIC AND PRIVATE EVENTS HELD ON CITY
 PROPERTY**



EVENT NAME MLK March
HOST ORGANIZATION Edwards Association Association
CONTACT NAME David B. Tacy
CONTACT CELL PHONE [REDACTED]
EVENT DATE 01-20-2025
EVENT START TIME 10:00 am **EVENT END TIME** 11:00 am
EVENT LOCATION Independence Square
HOLIDAY CELEBRATED Y N **HOLIDAY:** MLK
CITY COUNCIL APPROVAL REQUIRED Y N **MEETING DATE:** _____

POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE 100
MUSIC Y N **LIVE** NA **DJ** NA
FOOD Y N
ALCOHOL Y N **RESPONSIBLE PARTY** Edwards Assn
MOTORIZED VEHICLES Y N **PARADE** **SHOW**
PUBLIC OR PRIVATE EVENT Public
SECURITY Y N **# OFFICERS NEEDED** (Call 672-8686 for costs) _____

ELECTRIC DEPARTMENT

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

STREETS DEPARTMENT

STREETS AFFECTED Y N St Paul, St Andrew
BARRICADES NEEDED (max 12) Y N
CONES NEEDED (max 48) Y N
STREETS TO BE CLOSED Y N
SET UP TIME NA
TAKE DOWN TIME NA

COMMUNITY SERVICES DEPARTMENT (Contingent upon availability)

NUMBER OF TRASH CANS NA (max 25)
SET UP TIME NA
TAKE DOWN TIME NA

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

Kristina Vega, CITY SECRETARY
citysecretary@gonzales.texas.gov

Insurance

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

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

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

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

The following types and amount of insurance are required:

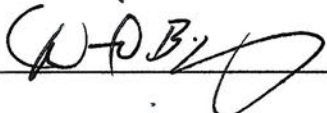
<u>Type</u>	<u>Amount</u>
Comprehensive General Liability including, but not limited to:	\$250,000 per person
• Premises/Operations	\$500,000 per occurrence for bodily injury; and
• Contractual Liability (Insuring above indemnity)	\$100,000 per occurrence for property damage

Indemnity

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

Notification

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



 AUTHORIZED SIGNATURE

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-125 Authorizing the City Manager to Execute a License Agreement with the Gonzales United Soccer Club

DATE: December 12, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The City of Gonzales has provided soccer fields for the local soccer league for years. This league is under the direction of Shea Seip, and the City has executed a license agreement for the use of the facilities for the past two years.

City staff has met with the Gonzales United Soccer Club Member and discussed the Agreement together and both parties understand why this agreement is needed. City staff will be available to answer any questions asked by the council.

POLICY CONSIDERATIONS:

A License Agreement is needed for citizens utilizing city property.

FISCAL IMPACT:

This License Agreement includes a \$3 registration fee per participant.

STAFF RECOMMENDATION:

Staff respectfully recommend the approval of this resolution.

RESOLUTION NO. 2024-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH THE GONZALES UNITED SOCCER CLUB; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gonzales desire to execute a facility license agreement for the use of the soccer fields at East Avenue Lions Park, Brickyard soccer field and two of the four fields of the quadraplex, and

WHEREAS, the provision of opportunities for Gonzales youth to participate in team sports serves an important public purpose of the community; and

WHEREAS, annually city tax dollars go towards funding the maintenance at the facilities at no charge to the Gonzales United Soccer Club, and

WHEREAS, within the license agreement the Gonzales Youth Sports Club has agreed to pay the City of Gonzales \$3.00 per player to assist with the maintenance of the fields utilized; and

WHEREAS, the agreement will be for four months beginning February 2025 through May 2025 for Gonzales Youth Sports Club; and

WHEREAS, the City Council of the City of Gonzales hereby finds that the execution of the license agreement with Gonzales United Soccer Club is in the best interest of the City.

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

Section 1. The City Council of the City of Gonzales hereby approves the License Agreement with Gonzales United Soccer Club attached hereto as Exhibit A, and authorizes the execution of said Agreement by the City Manager.

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 12th day of December, 2024.

Mayor, S.H.Sucher

ATTEST:

Kristina Vega, City Secretary

GONZALES UNITED SOCCER CLUB LICENSE AGREEMENT

THIS AGREEMENT is entered into by and between the CITY OF GONZALES, a Texas Municipal Corporation, and political subdivision, (hereinafter called "CITY") acting by and through its City Manager, and GONZALES UNITED SOCCER CLUB (hereinafter called "SOCCER CLUB"), acting by and through its President.

WITNESSETH:

WHEREAS, the SOCCER CLUB provides athletic opportunities for the youth of the City of Gonzales through the promotion and operation of youth sports programs; and

WHEREAS, the CITY finds the services provided by the SOCCER CLUB promotes the health, safety, morals and or general welfare of the residents of the CITY; and

WHEREAS, the CITY has developed a soccer facility (the "Facility") to promote the health, safety, morals and or general welfare of the residents of the CITY; and

WHEREAS, the SOCCER CLUB has requested the use of the Facility for its youth soccer association and the CITY has developed a facility use methodology so that the Facility is also available to the public; and

WHEREAS, after consideration at a meeting posted and held in compliance with the Texas Open Meetings Act, the City Council finds that a public purpose is served through the programs herein anticipated and the CITY's costs shall be recovered only to such extent necessary to ensure the continuation of said programs.

NOW THEREFORE:

For and in consideration of the following mutual promises and obligations, and for the benefit of the City of Gonzales and health, safety, morals, and/or general welfare of its residents, the parties agree as follows:

ARTICLE 1. GRANT OF LICENSE/CONSIDERATION

- 1.1 The CITY, for and in consideration of the mutual benefits to the CITY and the SOCCER CLUB and the observance of the terms and conditions set forth below, hereby grants permission to the SOCCER CLUB to enter upon and use all soccer fields and related facilities at Gonzales City Soccer Fields in the East Lions Parks, Brickyard Soccer Fields, the use of two fields at the Quadplex Fields.

**ARTICLE 2.
USE**

- 2.1 The premises shall be occupied and used by the SOCCER CLUB only for recreational purposes. The SOCCER CLUB agrees and specifically understands that this license is confined to the privilege to use the premises set forth herein on a non-exclusive basis and that the premises herein given does not grant SOCCER CLUB any interest or estate in the premises but is a mere personal privilege to do certain acts of a temporary character upon the premises and that the CITY retains dominion, possession, and control of the premises, including access thereto at all times.
- 2.2 The SOCCER CLUB agrees to provide the CITY with a schedule of its activities.
- 2.3 The SOCCER CLUB agrees that its members and any other individuals under its control shall abide by, conform to, and comply with all applicable municipal, State and Federal laws, ordinances, rules, and regulations and that it will not do or permit to be done anything in violation thereof. If the attention of the SOCCER CLUB is called to any such violation, the SOCCER CLUB or those under its control will immediately desist from and promptly correct such violation.
- 2.4 The CITY reserves the right to impose and enforce all necessary and proper reasonable rules for the management and operation of the premises and, in this connection, shall provide the SOCCER CLUB with written notice of such rules.
- 2.5 The City hereby grants the SOCCER CLUB a non-exclusive license to use the soccer fields to hold and conduct soccer games for youth league play, including league games, practices, playoffs, and tournaments, during the term of the agreement. Approved scheduled use of the soccer fields is subject to closure and interruption by the city for maintenance, inclement weather, or to preserve and maintain the public health, safety, and welfare.

**ARTICLE 3.
TERM**

- 3.1 The term of this agreement is from February _____, 2025 through May _____, 2025 unless early terminated in accordance with this agreement. The SOCCER CLUB and City representatives will perform a walkthrough of all facilities to inspect any necessary repairs or maintenance issues that need to be addressed before the start of the term agreement.

**ARTICLE 4.
ACCEPTANCE AND CONDITION OF PREMISES**

- 4.1 The SOCCER CLUB has had full opportunity to examine the premises and acknowledges that there is in and about them nothing dangerous to life, limb or health and hereby waives any claim for damages that may arise from defects of that character after occupancy. The SOCCER CLUB taking possession of the premises shall be conclusive evidence of the SOCCER CLUB acceptance thereof in good order and satisfactory condition, and the SOCCER CLUB hereby accepts the premises in their present condition as suitable for the purpose for which the license was granted.

- 4.2 The SOCCER CLUB agrees that no representations respecting the condition of the premises and no promises to alter, repair or improve the premises, either before or after the execution hereof, have been made by CITY or its agents to the SOCCER CLUB unless the same are in writing and are contained herein or made a part hereof by specific references herein.

**ARTICLE 5.
LIENS PROHIBITED**

- 5.1 The SOCCER CLUB covenants that it shall not bind, or attempt to bind, CITY for payment of any money in connection with any improvement, repair, alteration in, on or about the premises, whether authorized or unauthorized hereunder.
- 5.2 The SOCCER CLUB hereby agrees to promptly pay all persons applying labor, services and materials in the performance of any and all repairs, alterations, additions or improvements that may hereafter be made, and the SOCCER CLUB shall and will fully indemnify and hold harmless the CITY against any and all claims, liens, suits or actions asserted by a person, persons, firm or corporation on account of labor, materials or services furnished to the SOCCER CLUB during the performance of any said repair, alteration, addition or improvement and against any claim for injury to persons or property.

**ARTICLE 6.
MAINTENANCE**

- 6.1 The CITY at its sole expense shall maintain or cause to be maintained, through the term of this agreement, the grounds of the premises and all improvements in a condition acceptable.
- 6.2 The SOCCER CLUB shall, within its reasonable control, keep the premises free of litter, trash, paper, and other waste generated during its use of the premises and shall dispose of some in accordance with CITY policy. The City Manager shall have the right to always inspect the premises for cleanliness and sanitary conditions, and the SOCCER CLUB hereby agrees to promptly correct any deficiencies in maintenance of which it is notified in writing by the City Manager.
- 6.3 The SOCCER CLUB shall promptly repair any damage to the premises caused using the premises by the SOCCER CLUB or those persons under its control. The SOCCER CLUB shall have no duty to repair any damage caused by others whom the CITY has authorized to use the premises. Notwithstanding any contrary provisions herein contained, should the premises be damaged by fire, tornado or other act of God, the CITY shall be under no obligation to rebuild or repair the premises.
- 6.4 The SOCCER CLUB will, at the termination of this agreement, return the premises to CITY in a condition satisfactory to the CITY, usual wear, acts of God, or unavoidable accident only accepted.
- 6.5 The SOCCER CLUB will mark all the fields.

- 6.6 The CITY will provide trash containers for the SOCCER CLUB to maintain the area in a clean manner. The SOCCER CLUB shall pick up all trash and properly dispose of it in trash containers. The CITY will haul off the trash each morning.
- 6.7 The CITY will perform an initial cleaning and stocking of all restroom facilities, and make any necessary repairs prior to Opening Day. The SOCCER CLUB shall be responsible thereafter.
- 6.8 The CITY will maintain the facilities in good condition through term agreement, including mowing, weeding, irrigation, and not permit the existence of any public nuisances thereon, or such other threats to the public health, safety, welfare, and disruption of regular play on any city owned soccer goals.
- 6.9 The SOCCER CLUB will provide labor and materials to chalk or paint field and place goals after Opening Day.

ARTICLE 7. CONCESSION

- 7.1 The CITY reserves the right to prohibit the sale, possession and/or consumption of alcoholic beverages and tobacco products on the premises if such prohibition is deemed by the City Council at any time in the future to be in the public's interest. This prohibition applies to the fields, bleachers, concession areas, restrooms, and parking areas.

ARTICLE 8. FEES

- 8.1 Parking and attendance at the SOCCER CLUB events shall be free and open to the public.
- 8.2 As consideration for the use of the facilities described above, the SOCCER CLUB agrees to pay the CITY, no later than the 14th day of March 2025, a fee of \$3 per participant registered. At the time of payment, the SOCCER CLUB will provide written support for arriving at the number of participants.

ARTICLE 9. COMPLIANCE WITH APPLICABLE LAWS.

- 9.1 The SOCCER CLUB shall comply with all applicable statutes, ordinances, and local regulations concerning the use, condition, and occupancy of the fields and related property, and ensure that players, coaches, and spectators comply with such laws.

ARTICLE 10. INDEMNITY and INSURANCE

- 10.1 **The SOCCER CLUB covenants and agrees to fully indemnify and hold harmless the City of Gonzales, its members, agents, officers and employees, their successors and assigns, individually or collectively, from and against all costs and expenses for any**

finances, claims, suits, losses, damages demands, actions or causes of action, or liability of any kind and nature, including but not limited to personal injury or death and property damage, in any way arising out of the execution of this license or in connection with or resulting from any activity or operation of the SOCCER CLUB, in, on or about the premises or in connection with its use of the premises or arising out of any condition of the premises caused by the SOCCER CLUB, or by reason of such SOCCER CLUB misconduct or any breach, violation or non-performance of any covenant hereof or in any permit; and the SOCCER CLUB further agrees to pay all expenses in defending against any such claims made against the CITY, including but not limited to investigation costs, attorney's fees and court costs, except to the extent that the injury, death or damage is caused by the sole active negligence of CITY, its members, agents, officers and employees. It is the express intention of the parties that the attribution of responsibility provided for in this Article is a protection to CITY by the SOCCER CLUB for events, injuries and damages which are, or which are said to be, the consequences of CITY's negligence or alleged negligence, including where same is the concurring cause of the injury, death or damage; excluding only those injuries, death or damage caused by the sole active negligence of CITY or solely resulting from CITY activities on the premise, as the case may be. The indemnity contained herein shall survive the termination hereof. The indemnity herein shall include appropriate protections against the claims and causes of action referred to in the paragraph below. CITY shall not be liable or responsible for any loss or damage to any property or person occasioned by theft, fire, act of God, public enemy, injunction, riot, strike, insurrection, war, court order, requisition or order of governmental body or authority, or other matter beyond the reasonable control of CITY, or for any damage or inconvenience which may arise through repair or alteration of any part of the premises, or failure to make repairs from any cause whatever except as results from CITY's sole active negligence. The SOCCER CLUB and the CITY shall give prompt and timely notice of any claim made or suit instituted which in any way, directly or indirectly, contingently, or otherwise, affects or might affect the SOCCER CLUB.

10.2 LESSEE agrees to provide and to maintain the following types and amounts of insurance, for the term of this agreement:

TYPE: Commercial (Public) Liability - including, but not limited to, (a) Premises/Operations, and (b) Contractual Liability (insuring indemnity provisions).

AMOUNT: Combined Single Limit for Bodily Injury and Property Damage: \$1,000,000.00 per occurrence or per claim.

LESSEE further agrees that as respects the above-required insurance, LESSOR shall:

- 1) Be named as an additional insured.
- 2) Be provided with 30 days' advance written notice of cancellation or material change.
- 3) Be provided with notice of any insurance claim filed against the policy naming the City as an additional insured.

LESSEE further agrees that with respect to the above-required insurance, it shall provide evidence of insurance to LESSOR to satisfy the insurance requirements of this Lease.

**ARTICLE 11.
SIGNS**

- 11.1 The SOCCER CLUB hereby agrees not to install or display any sign(s) upon the premises without prior written approval of said sign(s) by the CITY through the City Manager. The SOCCER CLUB further agrees to comply with such design criteria as may be established and amended from time to time by duly authorized CITY authority and to comply with established sign review procedures for proposed new signs.
- 11.2 The SOCCER CLUB may erect advertising signs on and around the fields in accordance with these provisions:
- a) No advertising signs shall be permitted on the premises except for advertising signage located on the fences secured by the SOCCER CLUB. CITY is not responsible for damage, destruction, or vandalism to the advertising signs, except that which is caused by an agent or employee of the CITY.
 - b) All advertising signage must be removed and stored by the SOCCER CLUB at the end of each season.
 - c) Maximum size of signage is limited to two feet (2') by three feet (3') for structures and is limited to four feet by eight feet (4' x 8') for the fence area along the back perimeter of the field.
 - d) Signs must be constructed professionally and coated with a material to be resistant to normal weather conditions and to resist vandalism efforts.
 - e) Signs must be mounted in a manner to withstand high winds and severe weather.

**ARTICLE 12.
TERMINATION/REMEDIES**

- 12.1 Either CITY or the SOCCER CLUB, with or without cause, may cancel this agreement by giving forty-five (45) days prior written notice thereof to the other. However, if this agreement is cancelled without cause by the CITY, the CITY shall pay to the SOCCER CLUB the pro-rata cost of any improvements, approved, and authorized by the City, made on the premises by the SOCCER CLUB. Such payment shall be made within ninety (90) days from the date of cancellation. Additionally, any breach or violation by the SOCCER CLUB of the provisions contained in this agreement which is not cured following ten (10) days written notice thereof to the SOCCER CLUB shall, at the option of the CITY, be cause for termination of this agreement and/or entitle CITY to seek any remedy which now is or may hereafter be provided at law or in equity, whether stated herein. No waiver by the CITY of a breach or violation on the part of the SOCCER CLUB shall be construed or held to be a waiver of any succeeding or preceding breach or violation of the same or any other provision contained herein.

**ARTICLE 13.
REPORTS**

- 13.1 The SOCCER CLUB shall inform the City Manager in writing of the current officers of the SOCCER CLUB and promptly advise said City Manager in writing of any changes therein. On each anniversary of this agreement and thirty (30) days following termination of this agreement, the SOCCER CLUB will furnish to the City Manager a report including the following information:
- a) Number of participants in the SOCCER CLUB to include only zip codes served.
 - b) Certificate of Insurance (for the season). With amounts and type required in agreement.
 - c) Names and phone numbers of designated points of contact and one alternative point of contact.
 - d) The SOCCER CLUB shall submit to the City Manager on or before the seventh (7th) day before the season begins the following information:
 - a. A list of all the SOCCER CLUB'S scheduled events at the fields, including but not limited to games, practice games, tournaments, playoffs, with dates and times for such events.
 - b. The SOCCER CLUB'S current certificate of non-profit status and evidence of completed background checks on all SOCCER CLUB volunteers.

**ARTICLE 14.
ASSIGNMENT**

- 14.1 This license is personal to the SOCCER CLUB, as Licensee, it is non-assignable, and any attempt to assign this license will terminate all privileges granted to the SOCCER CLUB hereunder.

**ARTICLE 15.
CONDEMNATION**

- 15.1 It is agreed and understood that if the premises are taken, in whole or in part, by any governmental authority other than CITY, this license and all rights or permission to use hereunder shall, at the option of the CITY, cease on the date title to such land so taken or transferred vests in the condemning authority. The SOCCER CLUB hereby waives all rights to any proceeds of such condemnation.

**ARTICLE 16.
ATTORNEY'S FEES**

- 16.1 In the event CITY brings any action under this license alleging that the SOCCER CLUB hereto has defaulted hereunder, and the CITY prevails, the CITY shall be entitled to recover from the SOCCER CLUB hereto its reasonable attorney's fees. The SOCCER CLUB hereto which becomes so liable agrees to make prompt payment thereof to the CITY.

**ARTICLE 17.
SEVERABILITY**

17.1 The parties hereto agree that if any clause or provision of this license is determined to be illegal, invalid or unenforceable under any present or future Federal, state, or local law, including but not limited to the City Code, or City Ordinances of the City of Gonzales, Texas effective during the term of this license, then and in that event it is the intention of the parties hereto that the remainder of this license shall not be affected thereby, and it is also the intention of the parties to this license that in lieu of each clause or provision of this license that is illegal, invalid or unenforceable, there be added as a part of this license a clause or provision as similar in terms to such illegal, invalid or unenforceable clause or provision as may be possible and be legal, valid and enforceable.

**ARTICLE 18.
AMENDMENT**

18.1 No amendment, modification, or alteration of the terms of this agreement shall be binding unless the same is in writing, dated after the date hereof and duly executed and agreed to by the parties hereto.

**ARTICLE 19.
NONDISCRIMINATION**

19.1 The SOCCER CLUB covenants that it, or its agents, employees, or anyone under its control, will not discriminate against any individual or group on account of race, color, sex, age, religion, national origin, or handicap, in employment practices or in the use of or admission to the premises, which said discrimination the SOCCER CLUB acknowledges is prohibited.

EXECUTED in on this the _____ day of _____ 2024.

CITY:

City of Gonzales

By: _____

Name: Timothy L Crow

Title: City Manager

SOCCER CLUB:

Gonzales Youth Sports League

By: _____

Name: _____

Title: _____

By: _____

Name: Ralph Camarillo

Title: Parks and Recreation Director/Airport Manager

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-126 Rejecting the Proposals received for the 2024-2025 Bridge Replacement Projects.

DATE: December 12, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The City has received a bid for the 2024-2025 Bridge Replacement Projects. These plans include the demolition of the existing culverts at St. Andrew, St. Lawrence, St. Matthew, St. Michael and St. Vincent streets and replacing each with free span bridges, and it includes removing the low water crossing at Johnson Street and raising the street with the installation of large box culverts.

The only bid received was for \$7,770,341.00 as the base contract amount. Funding for this project is from CDBG-MIT funds in the amount of \$3,233,450.00. The engineer's estimate for the projects is \$3,979,140.50

POLICY CONSIDERATIONS:

As funds are available, the city should consider reconstructing and maintaining streets and bridges in order to provide safe transportation conditions for the public.

FISCAL IMPACT:

This agenda item has no fiscal impact.

ATTACHMENTS:

Bid tab

STAFF RECOMMENDATION:

Staff respectfully recommends rejecting the bid received November 21, 2024 and rebidding the project in January of 2025.

RESOLUTION NO. 2024-126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS REJECTING THE PROPOSALS RECEIVED FOR THE 2024-2025 BRIDGE REPLACEMENT PROJECTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Capital Improvement Plan for Fiscal Year Budget 2024-2025 included the 2024-2025 Bridge Replacement Projects to be competitively bid as per Chapter 252 of the Local Government Code; and,

WHEREAS, the advertisements for the Request for Bids were published in the newspaper for three consecutive weeks beginning October 31, 2024; and,

WHEREAS, the proposals were due to be received by the City of Gonzales on November 21, 2024 at 2:00 p.m.; and,

WHEREAS, one proposal was received from, CE Barker, LTD., by the due date published; and,

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

WHEREAS, Local Government Code Section 252.043(f) states that the governing body may reject any and all proposals; and,

WHEREAS, the bid received was substantially over budget and staff recommends rejecting the bid, and,

WHEREAS, the City Council finds that rejecting the proposals received on November 21, 2024, for the 2024-2025 Bridge Replacement Projects is in the best interest of the City.

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

Section 1. The City Council of the City of Gonzales hereby rejects all bids received on November 21, 2024 for the 2024-2025 Bridge Replacement Projects.

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 12th day of December, 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

BID TABULATION - Base Bid Sheet

CITY OF GONZALES

PROJECT NAME: 2024-2025 Bridge Replacement Projects		PROJECT MANAGER: Todd Remschel
PRE-BID CONFERENCE DATE & TIME: NA	BID DATE & TIME: November 21, 2024 – 2:00 PM	PROJECT CONSULTANT: J. KEITH SCHAUER, P.E., DOUCET & ASSOCIATES, INC.
BID OPENING LOCATION: Gonzales City Hall, 820 Saint Joseph Street, Gonzales, Texas 78629		

	BIDDER / FIRM NAME	Johnson Street Base Bid 1	St Andrew Base Bid 2	St Lawrence Base Bid 3	St Matthew Base Bid 4	St Michael Base Bid 5	St Vincent Base Bid 6	St Vincent Bid Alternate 1	Bid Bond
1	CE Barker, Ltd.	\$1,460,936.50	\$1,296,552.28	\$1,375,446.50	\$1,126,832.00	\$1,158,139.00	\$1,352,435.50	\$224,158.00	x
2									
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Recommendation:

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-127 Authorizing the City Manager to negotiate and execute a ground lease agreement with Gonzales Dog Adoptions

DATE: December 12, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The agreement between the City of Gonzales and the Gonzales Dog Adoptions for shelter services was renewed in September for fiscal year 2024-2025. During the October 17, 2024 meeting a Johnnie Fogle, Gonzales Dog Adoptions Construction Coordinator for Gonzales Dog Adoptions stated that they have raised over \$100,000.00, to build a larger animal shelter to relieve some overflow for the temporary shelters that are located outside for the welfare of the dogs. Gonzales Dog Adoptions is seeking permission to construct the new structure beside the existing structure and they are seeking a ground lease to do so. The City Manager has met with Mr. Fogle and will be further negotiating the agreement. Attached you will find a draft agreement for Council's initial review and consideration.

POLICY CONSIDERATIONS:

A ground lease agreement must be executed and in place in order for Gonzales Dog Adoptions to construct any new structures or improvements on City owned property in conformance with State Law.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Draft Ground Lease Agreement

STAFF RECOMMENDATION:

Staff respectfully recommends approval of this agreement.

RESOLUTION NO. 2024-127

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A GROUND LEASE AGREEMENT WITH GONZALES DOG ADOPTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Lessor and Lessee are committed to the proper operation, improvement, and continued development of the Gonzales Animal Shelter and animal services program for the City; and

WHEREAS, Lessor deems it advantageous to itself and to the operation of the animal services program to lease to Lessee certain land for the expanded operation of animal services as stated herein; and

WHEREAS, the City Council hereby finds that entering into said ground lease agreement contemplated therein is in the best interest of the City and its citizens, and serves a public purpose.

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

Section 1. The City Council of the City of Gonzales hereby authorizes the City Manager to negotiate and execute a ground lease agreement with Gonzales Dog Adoptions as attached hereto as Exhibit A.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

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

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 12th day of December, 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

**COUNCIL AGENDA
ITEM BRIEFING DATA**



AGENDA ITEM

Public Hearing, Discussion & Possible Action on Ordinance #2024-31 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 1132 Seydler Street

DATE: December 12, 2024

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

As per Local Government Code Section 211.004 Zoning Regulations must be adopted in accordance with a comprehensive plan. The City of Gonzales adopted the Gonzales Comprehensive Plan ("the Plan") in 2013. A future land use map is included within the Plan which illustrates the possible future land use based on several land use components and existing zoning.

The following rezone agenda item will be a request to rezone parcel 12481 from C-2 Heavy Commercial to SF-6, Single-Family 6. In order to complete the rezone, the Gonzales Comprehensive Plan Future Land Use map must be amended prior to the change in zoning, in order to be in conformance with state law.

The property has been utilized as a residential property for many years. The property owner would like to be able to continue to utilize the property as a single-family residential property. However, with the property zoned as C-2 Heavy 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-2 Heavy Commercial to SF-6, Single-Family 6.

POLICY CONSIDERATIONS:

In order for the zoning amendment to be in compliance with the Gonzales Comprehensive Plan an amendment to the Future Land Use Map will be required.

FISCAL IMPACT:

N/A

ATTACHMENTS:

- Current Future Land Use Map
- Amended Future Land Use Map

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this ordinance.

Planning & Zoning Commission Report and Recommendation

The City of Gonzales Planning & Zoning Commission convened on December 2, 2024 at 5:15 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

PLANNING & ZONING COMMISSION

Tim Gescheidle
Paul Neuse
Robert Cantu, Jr.
Manuel Pena, Jr.
Rose Ruiz-Jones

CITY STAFF

Kristina Vega, Zoning Administrator
Erica Leopold, Admin Asst.

COMMISSIONERS ABSENT

None

REPORT

Conduct a public hearing and consider a recommendation to the City Council regarding an amendment 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 1132 Seydler Street.

Zoning Administrator, Kristina Vega gave a staff presentation stating that the property owner is requesting an amendment to the City's Future Land Use Map in conjunction with the rezone from C-2 Heavy Commercial to SF-6, Single Family 6. The following rezone agenda item will be a request to rezone parcel 12481 from C-2 Heavy Commercial to SF-6, Single-Family 6. In order to complete the rezone, the Gonzales Comprehensive Plan Future Land Use map must be amended prior to the change in zoning, in order to be in conformance with state law. The property has been utilized as a residential property for many years. The property owner would like to be able to continue to utilize the property as a single-family residential property. However, with the property zoned as C-2 Heavy 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-2 Heavy Commercial to SF-6, Single-Family 6.

Chairman Gescheidle opened the Public Hearing.

No Public comments were made.

Chairman Gescheidle closed the Public Hearing.

Mr. Pena made a motion to accept and make a recommendation to City Council to amend 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 1132 Seydler Street. Mr. Cantu seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Cantu, Pena, Ruiz-Jones and Gescheidle all voted aye.

ORDINANCE NO. 2024-31

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, 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 1132 SEYDLER STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Gonzales, Texas, in accordance with Chapter 213 of the Texas Local Government Code, has adopted a Comprehensive Plan to guide the long-range development of the City, manage the future growth of the City, and promote the health, safety and welfare of its citizens; and

WHEREAS, the Comprehensive Plan includes a Future Land Use Map to serve as a geographical representation of anticipated land use patterns and long range development for the City; and

WHEREAS, changed conditions have arisen such that the land use and development patterns and development envisioned by the Future Land Use Map are no longer compatible with desired future development of the City; and

WHEREAS, the Planning and Zoning Commission for the City of Gonzales, in compliance with Chapter 213 of the Texas Local Government Code, conducted a public hearing on December 2, 2024, and after consideration made a recommendation of approval of this amendment; and

WHEREAS, the City Council for the City of Gonzales, in compliance with Chapter 213 of the Texas Local Government Code regarding adoption and amendment of the City's Comprehensive Plan, having afforded a full and fair hearing to all interested persons on December 12, 2024, being of the opinion that revision of the Comprehensive Plan and Future Land Use Map should be made as set out herein.

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

Section 1. The Future Land Use Plan Map, a component of the adopted Comprehensive Plan for the City, is hereby amended to change the Future Land Use designation of the property located at 1132 Seydler Street from "Commercial" to "Single-Family Residential" as depicted on Exhibit "A".

Section 2. The City Secretary shall cause the official Future Land Use Map of the Comprehensive Plan of the City of Gonzales, Texas to be updated as referenced above.

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 Council.

Section 4. All ordinances and codes, 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 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, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Gonzales, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Gonzales except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 12th DAY of December, 2024.

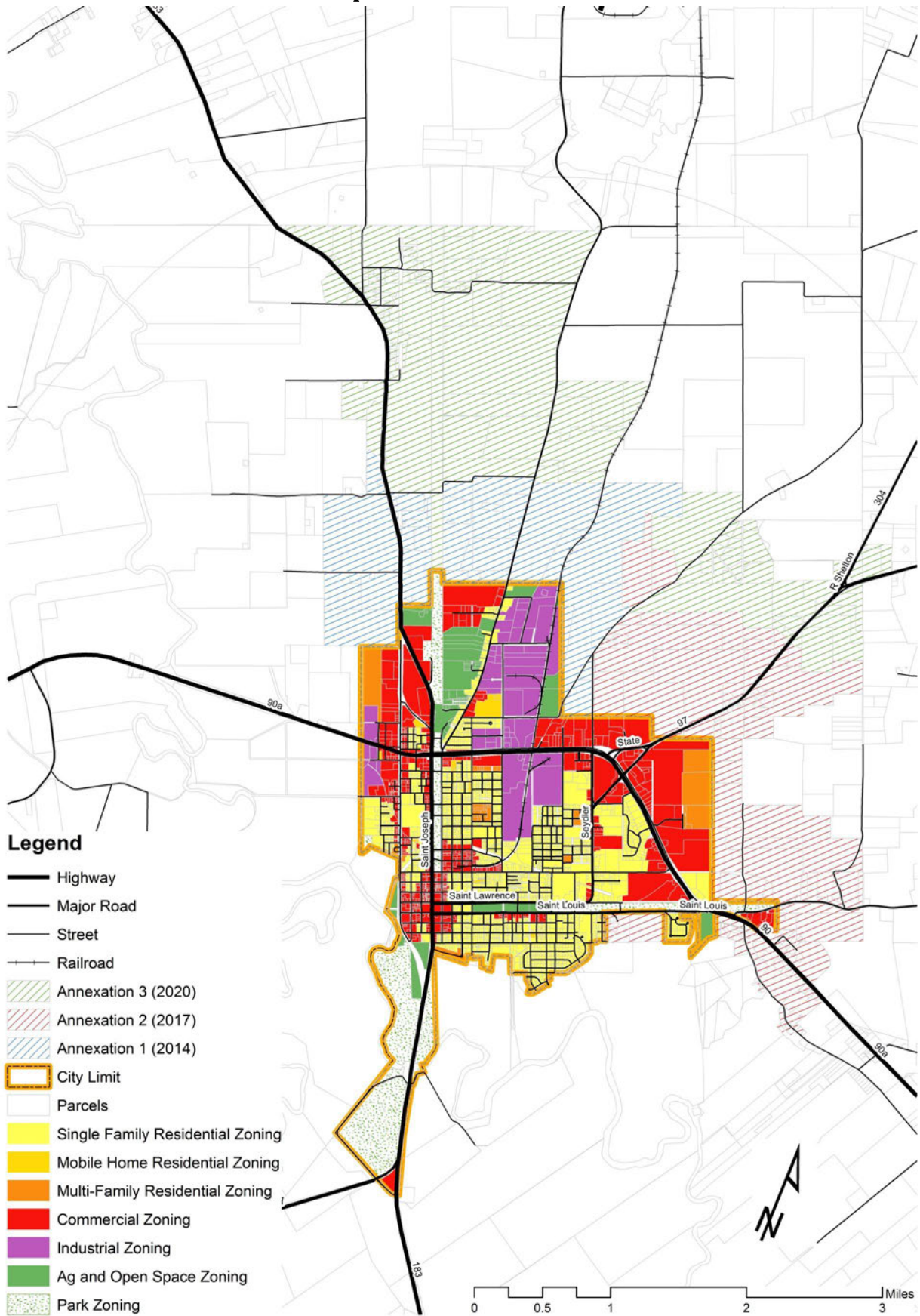
Mayor, S.H. Sucher

ATTEST:

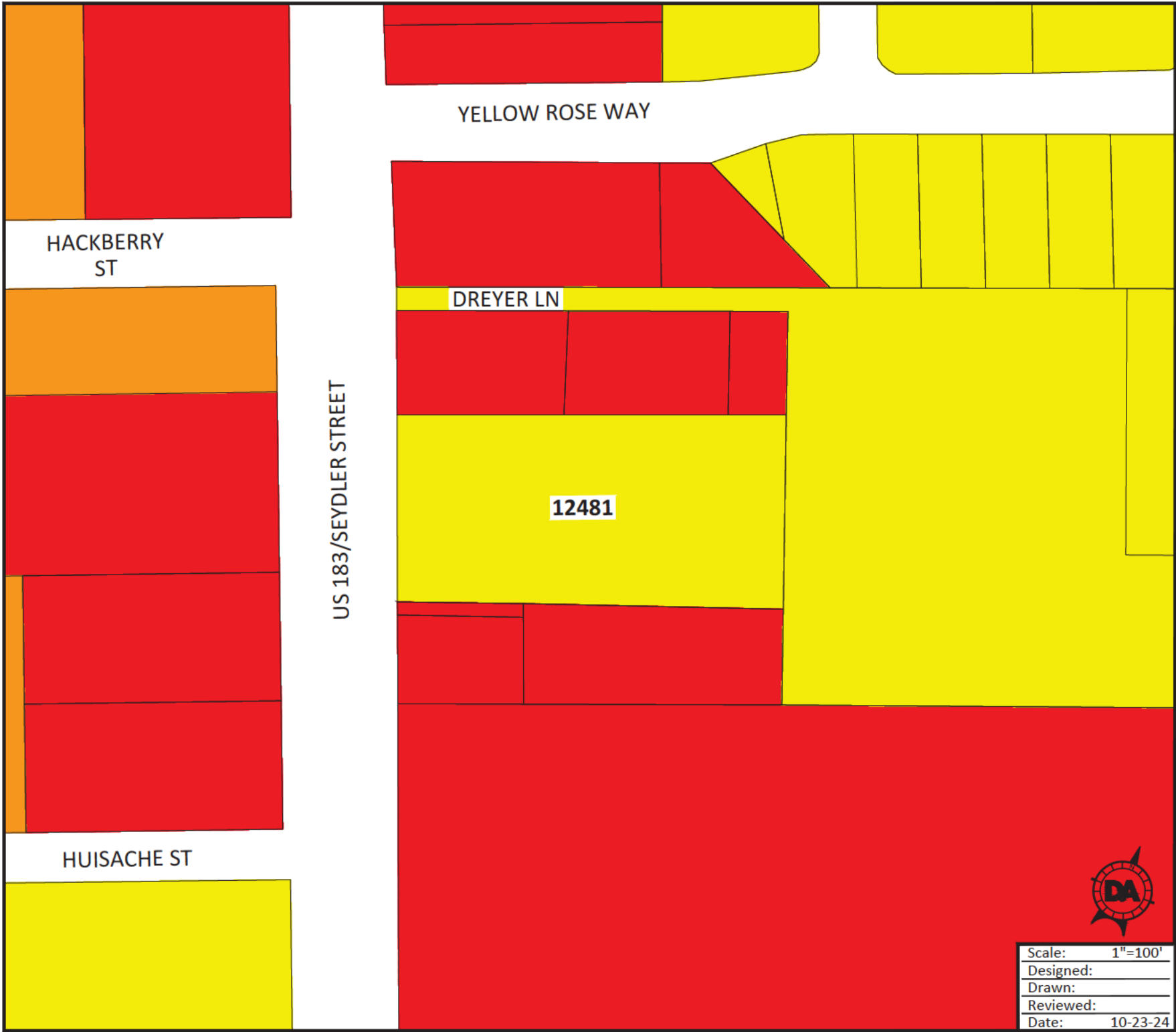
Kristina Vega, City Secretary

EXHIBIT A

Map 2.11: Future land use



Drawing: C:\pwworking\kif-dct-prod\brpeterperson@kleinfelder.com\d0154140\12481 USE.dwg



DOUCET
 A Kleinfelder Company
 Civil Engineering // Entitlements // Geospatial
 829 N Saint Joseph St
 Gonzales, TX 78629, Tel: (512)-851-1740
 www.doucetengineering.com
 TBPELS Engineering Firm No. F-3937
 TBPELS Surveying Firm No. 10194951

1132 SEYDLER STREET
 (12481)
 COMPREHENSIVE PLAN
 AMENDMENT EXHIBIT

CITY OF GONZALES
 PROPERTY REZONE
 GONZALES, TX

Scale:	1"=100'
Designed:	
Drawn:	
Reviewed:	
Date:	10-23-24

SHEET
 1
 OF 1
 Project No.:
 1171-001 PZ

**COUNCIL AGENDA
ITEM BRIEFING DATA**



AGENDA ITEM

Public Hearing, Discussion & Possible Action on Ordinance #2024-32 Amending the Official Zoning Map by Zoning Property for the property commonly known as 1132 Seydler Street, said property being currently zoned as C-2, Heavy Commercial District and seeking to be rezoned to SF-6, Single Family Residential

DATE: December 12, 2024

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

The property has been utilized as a residential property for many years. The property owner would like to be able to continue to utilize the property as a single-family residential property. However, with the property zoned as C-2 Heavy 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-2 Heavy Commercial District to SF-6, Single-Family 6 District.

A notice was published in the newspaper for three weeks beginning on November 14, 2024 and notices were mailed to property owners within 200’ of the subject property on November 12, 2024. Twenty-one (21) property owners were notified of the zoning change. As of preparation of the staff report, there was one objection letter and zero no objection letters returned.

POLICY CONSIDERATIONS:

Assuming the companion Future Land Use Plan amendment is approved, the rezone will be consistent with the Comprehensive Plan.

FISCAL IMPACT:

N/A

ATTACHMENTS:

- Application for rezone
- Map of property being rezoned
- List of property owners notified
- Objection/No Objection letters

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this ordinance.

Planning & Zoning Commission Report and Recommendation

The City of Gonzales Planning & Zoning Commission convened on December 2, 2024 at 5:15 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

PLANNING & ZONING COMMISSION

Tim Gescheidle
Paul Neuse
Robert Cantu, Jr.
Manuel Pena, Jr.
Rose Ruiz-Jones

CITY STAFF

Kristina Vega, Zoning Administrator
Erica Leopold, Admin Asst.

COMMISSIONERS ABSENT

None

REPORT

Chairman Gescheidle read and asked for a staff report regarding the item: Conduct a public hearing and consider a recommendation to the City Council regarding a request for an amendment to the Official Zoning Map of the City of Gonzales for the property commonly known as 1132 Seydler Street, said property being currently zoned as C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

PROPERTY OWNER: Christie E Reed Krueger
LEGAL DESCRIPTION: PT 4 Range VII
PARCEL: 12481
PROPERTY ADDRESS: 1132 Seydler Street

Zoning Administrator, Kristina Vega gave a staff presentation stating that this item is in conjunction with the previous item discussed regarding an amendment to the comprehensive plan future land use map and a request for rezone from C-2 Heavy Commercial District to SF-6, Single-Family 6 District. The property has been utilized as a residential property for many years. The property owner would like to be able to continue to utilize the property as a single-family residential property. However, with the property zoned as C-2 Heavy 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-2 Heavy Commercial District to SF-6, Single-Family 6 District. A notice was published in the newspaper for three weeks beginning on November 14, 2024 and notices were mailed to property owners within 200' of the subject property on November 12, 2024. Twenty-one (21) property owners were notified of the zoning change. As of preparation of the staff report, there was one objection letter and zero no objection letters returned.

Chairman Gescheidle opened the Public Hearing.

No Public Comments were made.

Chairman Gescheidle closed the Public Hearing.

Ms. Ruiz-Jones made a motion to accept and make a recommendation to City Council to amend the Official Zoning Map by Zoning Property for the property commonly known as 1132 Seydler Street, said property being currently zoned as C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single-Family 6 District. Mr. Neuse seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Cantu, Pena, Ruiz-Jones and Gescheidle all voted aye.

ORDINANCE NO. 2024-32

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AMENDING THE OFFICIAL ZONING MAP BY ZONING PROPERTY FOR THE PROPERTY COMMONLY KNOWN AS 1132 SEYDLER STREET, SAID PROPERTY BEING CURRENTLY ZONED AS C-2, HEAVY COMMERCIAL DISTRICT AND SEEKING TO BE REZONED TO SF-6, SINGLE FAMILY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Gonzales (“City”) is a Texas Home Rule Municipality operating under the laws of the State of Texas; and

WHEREAS, the City is empowered by Chapter 211 of the Texas Local Government Code to establish a zoning ordinance establishing zoning districts and permissible land uses within the incorporated limits of the City; and

WHEREAS, the City Council has previously adopted zoning regulations as Chapter 14 of the City of Gonzales Code of Ordinances as amended; and

WHEREAS, the City Council may from time to time choose to amend, supplement, change or modify the City’s zoning regulations, boundaries, or classifications; and

WHEREAS, the City received an application for rezone for 1132 Seydler Street from C-2 Heavy Commercial District to SF-6, Single Family 6 District; and

WHEREAS, on November 12, 2024, notices of the public hearing were mailed to property owners whose property is affected by the proposed change; and

WHEREAS, on November 14, 2024, November 21, 2024 and November 26, 2024, notice of a public hearing was published in the Gonzales Inquirer newspaper; and

WHEREAS, on **December 2, 2024**, the Planning and Zoning Commission conducted a public hearing and after consideration, made a recommendation of approval of this amendment; and

WHEREAS, on **December 12, 2024**, the City Council conducted a public hearing and after consideration determined that the requested zoning be approved as provided herein.

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

Section 1. The Property located at 1132 Seydler Street, being PT 4 Range VII (property ID #12481), as shown and more particularly described in the attached Exhibit “A”, is hereby zoned SF-6, Single Family 6 District.

Section 2. The Official Zoning Map of the City of Gonzales, Texas shall be revised to reflect the above amendment.

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 Council.

Section 4. All ordinances and codes, 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 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, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Gonzales, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Gonzales except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 12th DAY of December, 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT A

The below listed property is currently zoned as C-2, Heavy Commercial District and seeking to be rezoned SF, Single Family District

- a. **PROPERTY OWNER:** Christie E Reed Krueger
LEGAL DESCRIPTION: PT 4 Range VII
PARCEL: 12481
PROPERTY ADDRESS: 1132 Seydler Street



For Office Use
Case No. _____

City of Gonzales Development Application

Submission of an application does not indicate acceptance by the City of Gonzales.

Type of Request:

- Annexation
- Zone Change
- Specific Use Permit
- Zoning Variance
- Alternative Design Compliance
- Comprehensive Plan Amendment
- Other: _____
- Preliminary Plat
- Final Plat
- Replat
- Vacating/Replat
- Minor Plat
- Amending Plat

Project Name/Description: change from commercial to residential

Site Location Information

Legal Description PT 4 RANGE VII

County Appraisal District Parcel ID # 12481

Address: 1132 Seydler Street Gonzales TX 78629 Number of Lots: 1 Acreage: 1

General Location of Property (if no address): _____

Subdivision Name: _____ Block: _____ Lot: _____

Zoning Information

Current Zoning: Commercial Requested Zoning (if applicable): Residential

Existing Land Use: Residential Proposed Land Use (if applicable): Residential

Property Owner Information

Owner Name: Christie Reed Krueger

Owner Address: 149 County Road 192 Gonzales TEXAS 78629
(Street) (City) (State) (Zip)

Phone # [REDACTED] Email: [REDACTED]

Applicant Information - Check box if same as property owner

Name: Christie Reed Krueger

Address: 1132 Seydler Street Gonzales TX 78629
(Street) (City) (State) (Zip)

Phone # [REDACTED] Email: [REDACTED]

For Office Use
Case No. _____

Engineer/Surveyor Information (if applicable)

Name: Christie Reed Krueger
(Company) (Contact Person)

Address: 1132 Seydler Street Gonzales TX 78629
(Street) (City) (State) (Zip)

Phone #: [REDACTED] Email: [REDACTED]

Authorized Agent Information (if applicable)

Name: Christie Reed Krueger

Address: 1132 Seydler Street Gonzales TX 78629
(Street) (City) (State) (Zip)

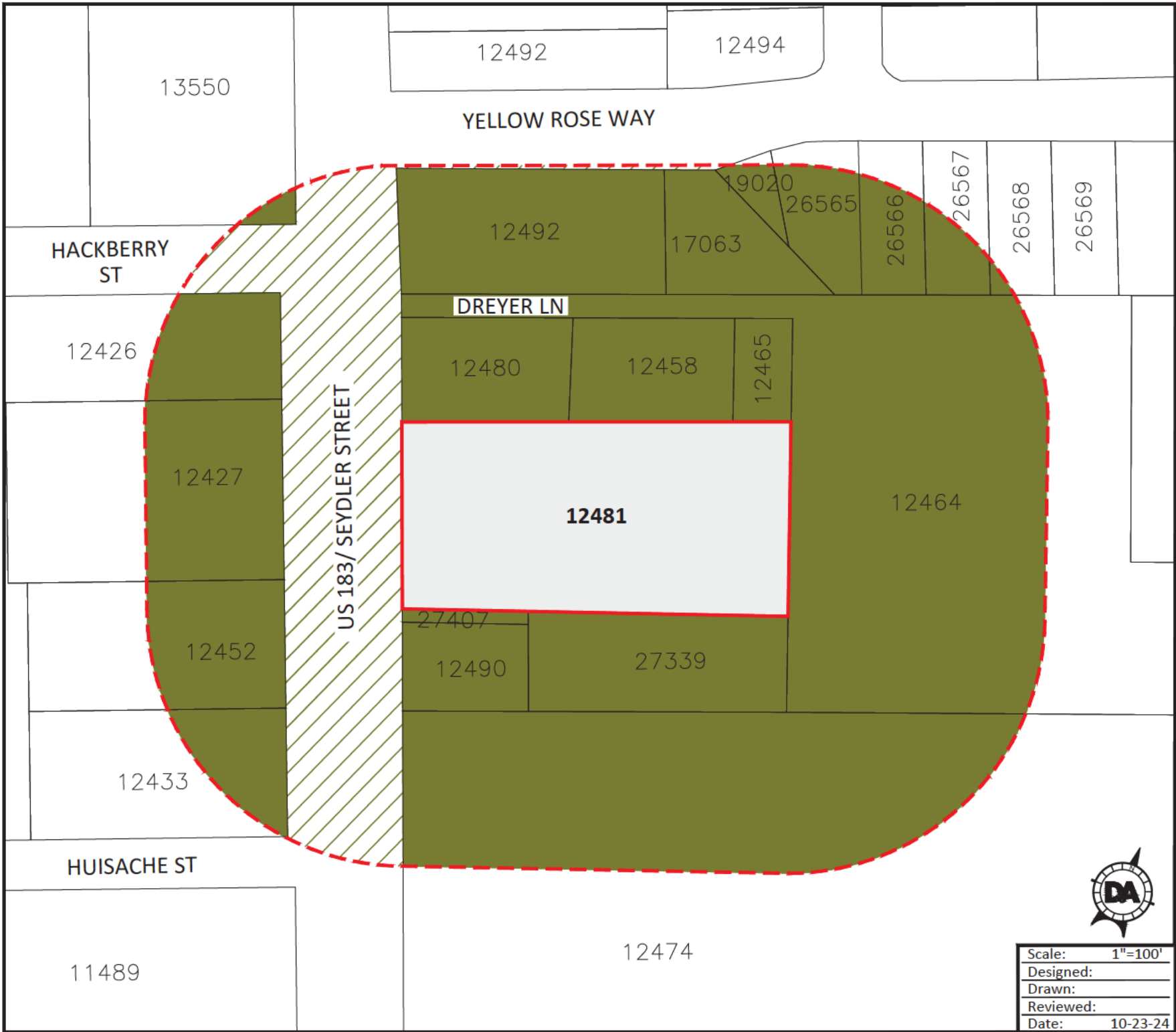
Phone #: [REDACTED] Email: [REDACTED]

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. By signing below, I agree that the City of Gonzales (the "City") is authorized and permitted to provide information contained within this application, including the email address, to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in connection with the application, if such reproduction is associated with the application in response to a Public Information Request.

Signature Owner: Christie Reed Krueger Date: 10-22-2024

Office Use Only		
Received Date: _____	Fee: \$ _____	Receipt No.: _____
Case No.: _____	Review By: _____	

Drawing: C:\pwworking\kif-dct-prod\brpeter@kleinfelder.com\d0154140\12481.dwg



Scale:	1"=100'
Designed:	
Drawn:	
Reviewed:	
Date:	10-23-24

DOUCET
 A Kleinfeider Company
 Civil Engineering // Eminent // Geospatial
 829 N Saint Joseph St
 Gonzales, TX 78629, Tel: (512)-851-1740
 www.doucetengineering.com
 TBPELS Engineering Firm No. F-3937
 TBPELS Surveying Firm No. 10194951

1132 SEYDLER STEET
 (12481)

CITY OF GONZALES
 PROPERTY REZONE
 GONZALES, TX

SHEET
 1
 OF 1
 Project No.:
 87 1171-001 PZ

Parcel	Company	Street	City	State	Postal	Parcel Location
12426	C3 Investments TX LLC	1205 Graymere Manor Rd	Columbia	TN	38401	1118 Robertson, Gonzales, Texas 7862
12427	Leslie R & Virginia E Pirkle	1223 Seydler Street	Gonzales	Texas	78629	1223 Seydler Street, Gonzales, Texas 7
12433	Elma Alvarez Maldonado	637 Eadington Avenue	Fullerton	CA	92833	1117 Seydler Street, Gonzales, Texas 7
12452	William L Thomas Jr	1125 Seydler Street	Gonzales	Texas	78629	1125 Seydler Street, Gonzales, Texas 7
12458	Laura Beth Cantu	1910 Dreyer Lane	Gonzales	Texas	78629	1910 Dreyer Lane, Gonzales, Texas 786
12464	Tiffany Dubose	P.O. Box 1503	Gonzales	Texas	78629	1926 Dreyer Lane, Gonzales, Texas 786
12465	Robert Louis Cantu	1910 Dreyer Lane	Gonzales	Texas	78629	Dreyer Lane, Gonzales, Texas 78629
12474	Jason T & Michelle N Brockdorf	6024 Florencia Lane	Austin	Texas	78724	1100 Block of Seydler, Gonzales, Texas
12480	Tiffany Lee Dubose	P.O. Box 1503	Gonzales	Texas	78629	1325 Seydler Street, Gonzales, Texas 7
12481	Christie E Reed Krueger	149 CR 192	Gonzales	Texas	78629	1132 Seydler Street, Gonzales, Texas 7
12490	Samuel Gallegos & Mirna Chavez	317 Live Oak Street	Gonzales	Texas	78629	1126 Seydler Street, Gonzales, Texas 7
12492	Pauline Espinosa Life Estate	6 Park Place Drive	Gonzales	Texas	78629	1333 Seydler Street, Gonzales, Texas 7
13550	OPM Texas Investments LLC	17622 Krugerrand	San Antonio	Texas	78232	1315 Seydler Street, Gonzales, Texas 7
17063	Tiffany Dubose	P.O. Box 1503	Gonzales	Texas	78629	1921 Dreyer Lane, Gonzales, Texas 786
19020	Alfredo Sotelo & Laura P Villegas	6728 Broad Brook Drive	Austin	Texas	78747	Seydler Street, Gonzales, Texas 78629
26565	Alfredo Sotelo & Laura P Villegas	6728 Broad Brook Drive	Austin	Texas	78747	Yellow Rose Way, Gonzales, Texas 786
26566	Michelle & Seth Tucker	2002 Yellow Rose Way	Gonzales	Texas	78629	2002 Yellow Rose Way, Gonzales, Texa
26567	Frank & Debra Ingram	2006 Yellow Rose Way	Gonzales	Texas	78629	2006 Yellow Rose Way, Gonzales, Texa
26568	Kenneth Michael Lockard	2010 Yellow Rose Way	Gonzales	Texas	78629	2010 Yellow Rose Way, Gonzales, Texa
27339	Mark Carpenter & Heather Shepherd	1128 Seydler Street	Gonzales	Texas	78629	1128 Seydler Street, Gonzales, Texas 7
27407	Mark Carpenter & Heather Shepherd	1128 Seydler Street	Gonzales	Texas	78629	Seydler Street

CITY OF GONZALES



COME AND TAKE IT

November 12, 2024

820 St. Joseph Street
P.O. Drawer 547
Gonzales, Texas 78629
Phone (830) 672-2815
www.gonzales.texas.gov

Pauline Espinosa Life Estate
6 Park Place Drive
Gonzales Texas 78629

Parcel ID:12492

NOTICE IS HEREBY GIVEN THAT: Your property located at 1333 Seydler Street, Gonzales, Texas 78629 has been identified as a property either being considered for rezoning or within 200 feet of an area being considered for rezoning.

The below listed property is zoned C-2, Heavy Commercial District and the property owner is requesting to rezone to SF-6, Single Family District. The full legal description of the property involved is enclosed for your reference. A location map of the property is included on the reverse of this letter.

PROPERTY OWNER: Christie E Reed Krueger
LEGAL DESCRIPTIONS: Pt 4 Range VII
PARCELS: 12481
PROPERTY ADDRESS: 1132 Seydler Street

The Planning & Zoning Commission will hold a **Public Hearing on December 2, 2024 at the Gonzales City Hall, 820 St. Joseph St. at 5:15 p.m.**, to allow for public comment on the application to rezone the listed property. After consideration and recommendation by Planning & Zoning Commission and the Public Hearing, the application for rezoning will be presented to **City Council for a Public Hearing and possible approval on December 12, 2024 at 6:00 p.m. at the Gonzales City Hall, 820 St. Joseph St.**

The City Council encourages citizens to participate in the public comment and public hearing process for all applications for zoning or rezoning before the Planning & Zoning Commission and City Council. Citizens unable to attend meetings may submit their views to Kristina Vega, City Secretary for the City of Gonzales, by mailing them to P.O. Drawer 547, Gonzales, TX 78629.

Any property owner having any objections or comments to this change may state his/her objections or comments in writing and return this form to the City of Gonzales, P.O. Box 547, Gonzales, Texas 78629 or citysecretary@gonzales.texas.gov by November 25, 2024. A property owner may appear before the commission and verbally state any objections or comments at 820 St. Joseph, Gonzales, Texas 78629 at the date and time of the meeting stated above. For additional information, contact the City Secretary's office at (830)-672-2815.

PLEASE CHECK ONE OF THE FOLLOWING AND RETURN:

NO OBJECTION OBJECTIONS AND COMMENTS

I would not like to see it a commercial property, there too many homes close by

Leticia Cerotti 11-9-24
Signature Date
POA for Pauline Espinosa

**COUNCIL AGENDA
ITEM BRIEFING DATA**



AGENDA ITEM

Public Hearing, Discussion & Possible Action on Ordinance #2024-33 Amending the City of Gonzales’ Future Land Use Map within the Gonzales’ Comprehensive Plan changing the designation from “Single-Family Residential” to “Commercial” on the property located at 418 St. Michael Street.

DATE: December 12, 2024

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

As per Local Government Code Section 211.004 Zoning Regulations must be adopted in accordance with a comprehensive plan. The City of Gonzales adopted the Gonzales Comprehensive Plan (“the Plan”) in 2013. A future land use map is included within the Plan which illustrates the possible future land use based on several land use components and existing zoning.

The following rezone agenda item will be a request to rezone parcel 11955 from SF-6, Single Family 6 District to C-1, Light Commercial District. In order to complete the rezone, the Gonzales Comprehensive Plan Future Land Use map must be amended prior to the change in zoning, in order to be in conformance with state law.

The property has been used as a residential property for many years. However, CTX Restaurants, Inc.(Dairy Queen) is interested in purchasing the property to increase their parking lot for their patrons. The property would need to be rezoned in order to accommodate this use since the property is currently zoned SF-6, Single Family 6 Residential. Therefore, the property owner and potential purchaser are requesting an amendment to the City’s Future Land Use Map in conjunction with the rezone from SF-6, Single Family 6 District to C-1 Light Commercial District.

POLICY CONSIDERATIONS:

In order for the zoning amendment to be in compliance with the Gonzales Comprehensive Plan an amendment to the Future Land Use Map will be required.

FISCAL IMPACT:

N/A

ATTACHMENTS:

- Current Future Land Use Map
- Amended Future Land Use Map

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this ordinance.

Planning & Zoning Commission Report and Recommendation

The City of Gonzales Planning & Zoning Commission convened on December 2, 2024 at 5:15 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

PLANNING & ZONING COMMISSION

Tim Gescheidle
Paul Neuse
Robert Cantu, Jr.
Manuel Pena, Jr.
Rose Ruiz-Jones

CITY STAFF

Kristina Vega, Zoning Administrator
Erica Leopold, Admin Asst.

COMMISSIONERS ABSENT

None

REPORT

Conduct a public hearing and consider a recommendation to the City Council regarding an amendment the City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Single Family Residential" to "Commercial" on the property located at 418 St. Michael.

Zoning Administrator, Kristina Vega gave a staff presentation stating that the property owner is requesting an amendment to the City's Future Land Use Map in conjunction with the rezone from SF-6, Single Family 6 District to C-1 Light Commercial District. In order to complete the rezone, the Gonzales Comprehensive Plan Future Land Use map must be amended prior to the change in zoning, in order to be in conformance with state law. The property has been used as a residential property for many years. However, CTX Restaurants, Inc.(Dairy Queen) is interested in purchasing the property to increase their parking lot for their patrons. The property would need to be rezoned in order to accommodate this use since the property is currently zoned SF-6, Single Family 6 Residential. Therefore, the property owner and potential purchaser are requesting an amendment to the City's Future Land Use Map in conjunction with the rezone from SF-6, Single Family 6 District to C-1 Light Commercial District.

Chairman Gescheidle opened the Public Hearing.

No Public Comments were made.

Chairman Gescheidle closed the Public Hearing.

Mr. Cantu made a motion to accept and make a recommendation to City Council to amend the City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Single-Family Residential" to "Commercial" on the property located at 418 St. Michael Street. Mr. Pena seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Cantu, Pena, Ruiz-Jones and Gescheidle all voted aye.

ORDINANCE NO. 2024-33

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, AMENDING THE CITY OF GONZALES' FUTURE LAND USE MAP WITHIN THE GONZALES COMPREHENSIVE PLAN CHANGING THE DESIGNATION FROM "SINGLE FAMILY RESIDENTIAL" TO "COMMERCIAL" ON THE PROPERTY LOCATED AT 418 ST. MICHAEL; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Gonzales, Texas, in accordance with Chapter 213 of the Texas Local Government Code, has adopted a Comprehensive Plan to guide the long-range development of the City, manage the future growth of the City, and promote the health, safety and welfare of its citizens; and

WHEREAS, the Comprehensive Plan includes a Future Land Use Map to serve as a geographical representation of anticipated land use patterns and long range development for the City; and

WHEREAS, changed conditions have arisen such that the land use and development patterns and development envisioned by the Future Land Use Map are no longer compatible with desired future development of the City; and

WHEREAS, the Planning and Zoning Commission for the City of Gonzales, in compliance with Chapter 213 of the Texas Local Government Code, conducted a public hearing on December 2, 2024, and after consideration made a recommendation of approval of this amendment; and

WHEREAS, the City Council for the City of Gonzales, in compliance with Chapter 213 of the Texas Local Government Code regarding adoption and amendment of the City's Comprehensive Plan, having afforded a full and fair hearing to all interested persons on December 12, 2024, being of the opinion that revision of the Comprehensive Plan and Future Land Use Map should be made as set out herein.

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

Section 1. The Future Land Use Plan Map, a component of the adopted Comprehensive Plan for the City, is hereby amended to change the Future Land Use designation of the property located at 418 St. Michael Street from "Single Family Residential" to "Commercial" as depicted on Exhibit "A".

Section 2. The City Secretary shall cause the official Future Land Use Map of the Comprehensive Plan of the City of Gonzales, Texas to be updated as referenced above.

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 Council.

Section 4. All ordinances and codes, 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 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, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Gonzales, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Gonzales except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 12th DAY of December, 2024.

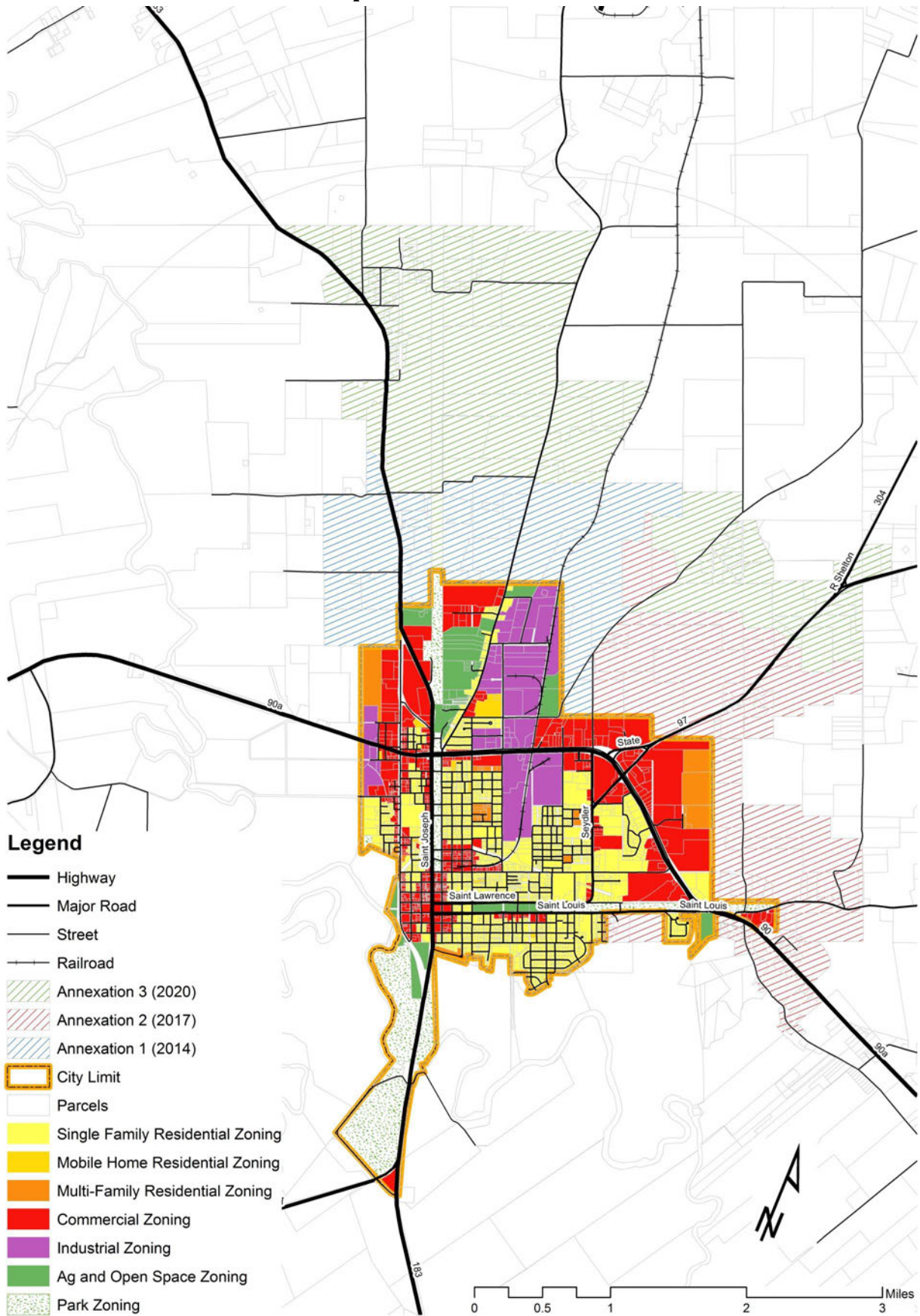
Mayor, S.H. Sucher

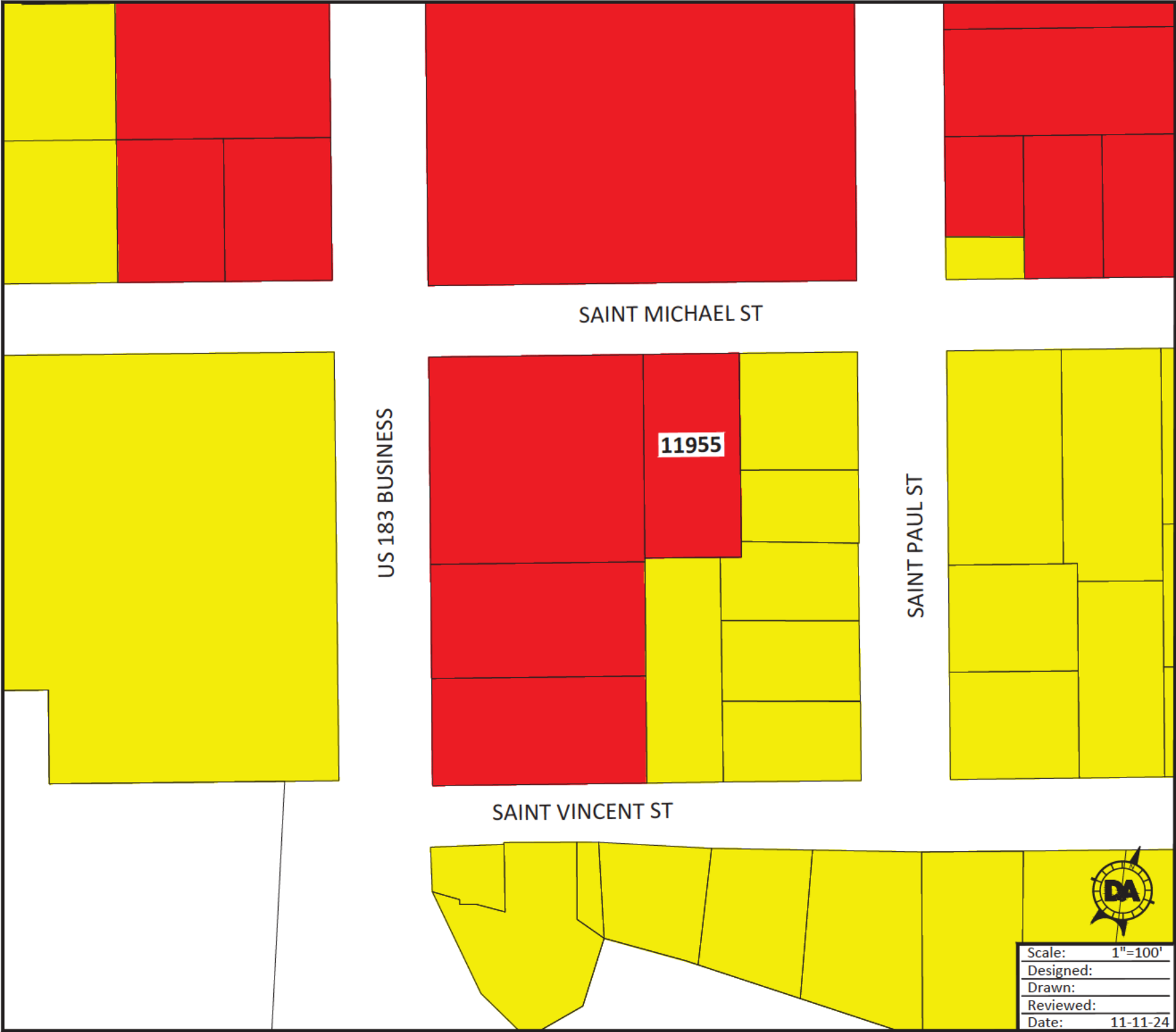
ATTEST:

Kristina Vega, City Secretary

EXHIBIT A

Map 2.11: Future land use





Scale:	1"=100'
Designed:	
Drawn:	
Reviewed:	
Date:	11-11-24



418 SAINT MICHAEL STREET
 (11955)
 COMPREHENSIVE PLAN
 AMENDMENT EXHIBIT

CITY OF GONZALES
 PROPERTY REZONE
 GONZALES, TX

**COUNCIL AGENDA
ITEM BRIEFING DATA**



AGENDA ITEM

Public Hearing, Discussion & Possible Action on Ordinance #2024-34 Amending the Official Zoning Map by Zoning Property for the property commonly known as 418 St. Michael Street, said property being currently zoned as SF-6, Single-Family 6 District and seeking to be rezoned C-1, Light Commercial District

DATE: December 12, 2024

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

The property has been used as a residential property for many years. However, CTX Restaurants, Inc.(Dairy Queen) is interested in purchasing the property to increase their parking lot for their patrons. The property would need to be rezoned in order to accommodate this use since the property is currently zoned SF-6, Single Family 6 Residential. Therefore, the property owner and potential purchaser are requesting an amendment to the City’s Future Land Use Map in conjunction with the rezone from SF-6, Single Family 6 District to C-1 Light Commercial District.

A notice was published in the newspaper for three weeks beginning on November 14, 2024 and notices were mailed to property owners within 200’ of the subject property on November 12, 2024. Sixteen (16) property owners were notified of the zoning change. As of preparation of the staff report, there was one no objection letter and zero objection letters returned.

POLICY CONSIDERATIONS:

Assuming the companion Future Land Use Plan amendment is approved, the rezone will be consistent with the Comprehensive Plan.

FISCAL IMPACT:

N/A

ATTACHMENTS:

- Application for rezone
- Map of property being rezoned
- List of property owners notified
- Objection/No Objection letters

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this ordinance.

Planning & Zoning Commission Report and Recommendation

The City of Gonzales Planning & Zoning Commission convened on December 2, 2024 at 5:15 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

PLANNING & ZONING COMMISSION

Tim Gescheidle
Paul Neuse
Robert Cantu, Jr.
Manuel Pena, Jr.
Rose Ruiz-Jones

CITY STAFF

Kristina Vega, Zoning Administrator
Erica Leopold, Admin Asst.

COMMISSIONERS ABSENT

None

REPORT

Chairman Gescheidle read and asked for a staff report regarding the item: Conduct a public hearing and consider a recommendation to the City Council regarding a request for an amendment to the Official Zoning Map of the City of Gonzales for the property commonly known as 418 St. Michael Street, said property being currently zoned as SF-6, Single Family 6 District and seeking to be rezoned to C-1, Light Commercial District.

PROPERTY OWNER: Charlie & Kathleen Burrier

LEGAL DESCRIPTION: BLK 28 PT LOTS 5 & 6

PARCEL: 11955

PROPERTY ADDRESS: 418 St. Michael Street

Zoning Administrator, Kristina Vega gave a staff presentation stating that this item is in conjunction with the previous item discussed regarding an amendment to the comprehensive plan future land use map and a request for rezone from SF-6, Single Family 6 District to C-1 Light Commercial District. The property has been used as a residential property for many years. However, CTX Restaurants, Inc.(Dairy Queen) is interested in purchasing the property to increase their parking lot for their patrons. The property would need to be rezoned in order to accommodate this use since the property is currently zoned SF-6, Single Family 6 Residential. Therefore, the property owner and potential purchaser are requesting an amendment to the City's Future Land Use Map in conjunction with the rezone from SF-6, Single Family 6 District to C-1 Light Commercial District. A notice was published in the newspaper for three weeks beginning on November 14, 2024 and notices were mailed to property owners within 200' of the subject property on November 12, 2024. Sixteen (16) property owners were notified of the zoning change. As of preparation of the staff report, there was one no objection letter and zero objection letters returned.

Chairman Gescheidle opened the Public Hearing.

No Public Comments were made.

Chairman Gescheidle closed the Public Hearing.

Mr. Cantu made a motion to accept and make a recommendation to City Council to amend the Official Zoning Map by Zoning Property for the property commonly known as 418 St. Michael Street, said property being currently zoned as SF-6, Single Family 6 District and seeking to be rezoned to C-1, Light Commercial District. Mrs. Neuse seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Cantu, Pena, Ruiz-Jones and Gescheidle all voted aye.

ORDINANCE NO. 2024-34

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AMENDING THE OFFICIAL ZONING MAP FOR THE PROPERTY COMMONLY KNOWN AS 418 ST. MICHAEL STREET, SAID PROPERTY BEING CURRENTLY ZONED AS SF-6, SINGLE FAMILY 6 DISTRICT AND SEEKING TO BE REZONED TO C-1, LIGHT COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Gonzales (“City”) is a Texas Home Rule Municipality operating under the laws of the State of Texas; and

WHEREAS, the City is empowered by Chapter 211 of the Texas Local Government Code to establish a zoning ordinance establishing zoning districts and permissible land uses within the incorporated limits of the City; and

WHEREAS, the City Council has previously adopted zoning regulations as Chapter 14 of the City of Gonzales Code of Ordinances as amended; and

WHEREAS, the City Council may from time to time choose to amend, supplement, change or modify the City’s zoning regulations, boundaries, or classifications; and

WHEREAS, the City received an application for rezone 418 Sr. Michael Street from SF-Single Family District to C-1 Light Commercial District; and

WHEREAS, on November 12, 2024, notices of the public hearing were mailed to property owners whose property is affected by the proposed change; and

WHEREAS, on November 14, 2024, November 21, 2024 and November 26, 2024, notice of a public hearing was published in the Gonzales Inquirer newspaper; and

WHEREAS, on **December 2, 2024**, the Planning and Zoning Commission conducted a public hearing and after consideration, made a recommendation of approval of this amendment; and

WHEREAS, on **December 12, 2024**, the City Council conducted a public hearing and after consideration determined that the requested zoning be approved as provided herein.

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

Section 1. The Property located in the 418 St. Michael Street, being Blk 28 Pt Lots 5 & 6 (property ID #11955), as shown and more particularly described in the attached Exhibit “A”, is hereby zoned C-1, Light Commercial District.

Section 2. The Official Zoning Map of the City of Gonzales, Texas shall be revised to reflect the above amendment.

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 Council.

Section 4. All ordinances and codes, 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 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, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Gonzales, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Gonzales except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 12th DAY of December, 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT A

The below listed property is currently zoned as SF-6, Single Family 6 District and seeking to be rezoned C-1 Light Commercial District

- a. PROPERTY OWNER: Charlie & Kathleen Burrier
LEGAL DESCRIPTION: BLK 28 PT LOTS 5 & 6
PARCEL: 11955
PROPERTY ADDRESS: 418 St. Michael Street



For Office Use
Case No. _____

City of Gonzales Development Application

Submission of an application does not indicate acceptance by the City of Gonzales.

Type of Request:

- | | |
|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary Plat |
| <input checked="" type="checkbox"/> Zone Change | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Specific Use Permit | <input type="checkbox"/> Replat |
| <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Vacating/Replat |
| <input type="checkbox"/> Alternative Design Compliance | <input type="checkbox"/> Minor Plat |
| <input checked="" type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Amending Plat |
| <input type="checkbox"/> Other: _____ | |

Project Name/Description: _____

Site Location Information

Legal Description Block 28 PT LOTS 536

County Appraisal District Parcel ID # 11955

Address: 418 St. Michael Number of Lots: 2 Acreage: -272

General Location of Property (if no address): _____

Subdivision Name: _____ Block: 28 Lot: 536

Zoning Information

Current Zoning: SF-1 Single Family Requested Zoning (if applicable): C-1 Light Commercial

Existing Land Use: Residence Proposed Land Use (if applicable): Parking Lot

Property Owner Information

Owner Name: Kathleen Burrier

Owner Address: 418 St. Michael Gonzales TX 78629
(Street) (City) (State) (Zip)

Phone: [Redacted] mail: _____

Applicant Information - Check box if same as property owner

Name: CTX Restaurants, Inc.

Address: PO Box 91197 San Antonio TX 78209
(Street) (City) (State) (Zip)

Phone #: [Redacted] mail: [Redacted]

For Office Use
Case No. _____

Engineer/Surveyor Information (if applicable)

Name: _____
(Company) (Contact Person)

Address: _____
(Street) (City) (State) (Zip)

Phone #: _____ Email: _____

Authorized Agent Information (if applicable)

Name: _____

Address: _____
(Street) (City) (State) (Zip)

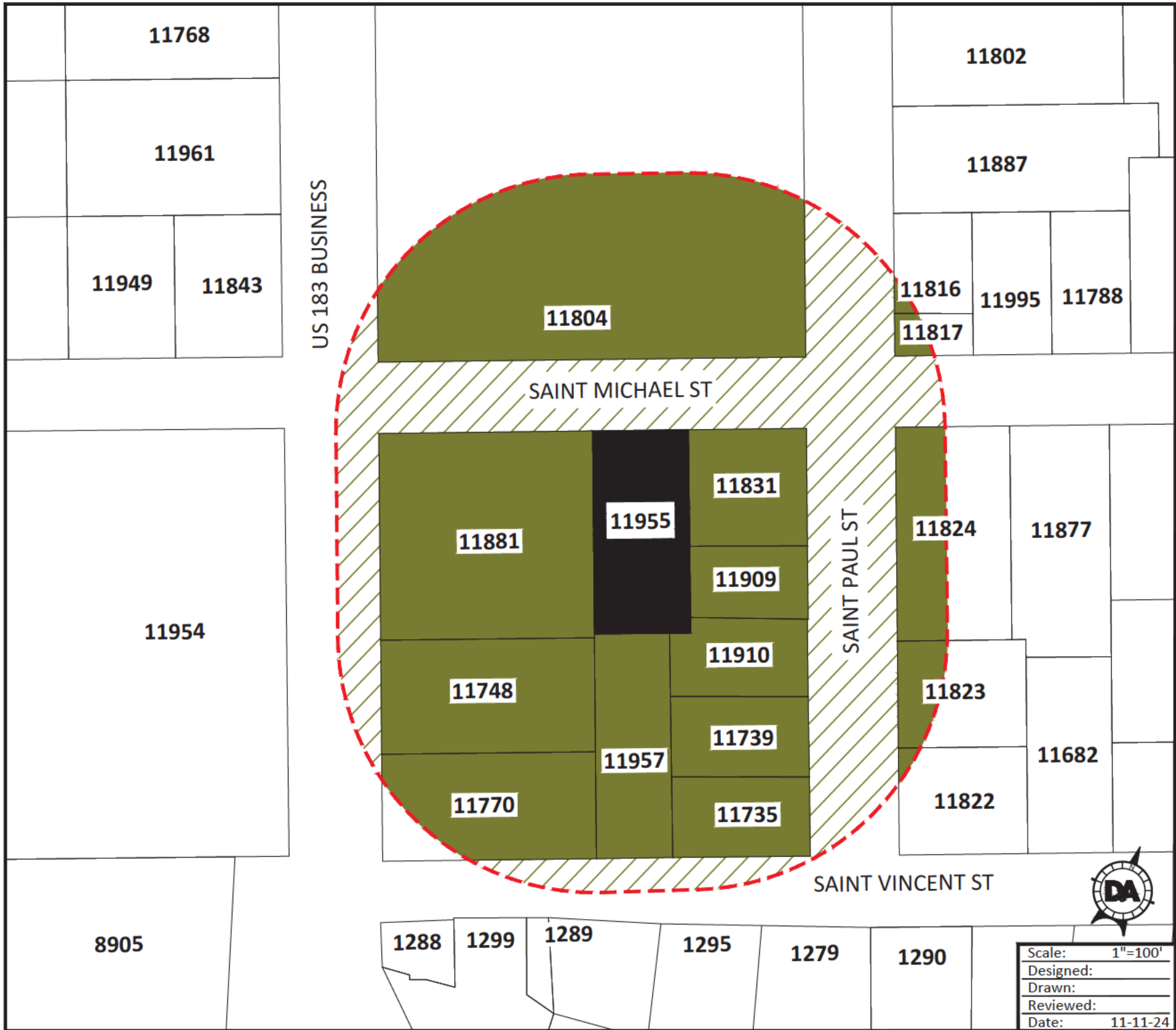
Phone #: _____ Email: _____

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. By signing below, I agree that the City of Gonzales (the "City") is authorized and permitted to provide information contained within this application, including the email address, to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in connection with the application, if such reproduction is associated with the application in response to a Public Information Request.

Signature Owner: Kathy Barrion Date: 10-7-24

Office Use Only		
Received Date: _____	Fee: \$ _____	Receipt No.: _____
Case No.: _____	Review By: _____	

Drawing: C:\pwworking\kf-dct-prod\brpeter@kleinfelder.com\d0154140\11955.dwg



418 SAINT MICHAEL STREET
 (11955)

CITY OF GONZALES
 PROPERTY REZONE
 GONZALES, TX

Scale:	1"=100'
Designed:	
Drawn:	
Reviewed:	
Date:	11-11-24



Parcel	Company	Street	City	State	Postal	Parcel Location
11735	J C Crystal Properties LLC	154 Garner Ranch Road	Bertram	Texas	78605	103 St. Paul St., Gonzales, Texas 78629
11739	Maria Camarillo	105 Saint Paul Street	Gonzales	Texas	78629	105 St. Paul St., Gonzales, Texas 78629
11748	Cynthia Porras Ynclan	110 N Saint Joseph Street	Gonzales	Texas	78629	110 N St. Joseph St., Gonzales, Texas 78629
11770	3 C Real Property Holdings LLC	1827 Quiet Country Ct	Kingwood	Texas	77345	102 St. Joseph St., Gonzales, Texas 78629
11804	Gonzales ISD Trustee	P.O. Box 157	Gonzales	Texas	78629	222 St. Joseph St., Gonzales, Texas 78629
11816	Verle D. Williams	1714 Gardien Street	Gonzales	Texas	78629	206 St. Paul St., Gonzales, Texas 78629
11817	Verle D. Williams	1714 Gardien Street	Gonzales	Texas	78629	202 St. Paul St., Gonzales, Texas 78629
11822	Lydia Ramos	505 Saint Vincent Street	Gonzales	Texas	78629	505 St. Vincent St., Gonzales, Texas 78629
11823	Guadalupe Delarosa	112 Saint Paul Street	Gonzales	Texas	78629	112 St. Paul St., Gonzales, Texas 78629
11824	Minh Vu Phuong	504 Saint Michael Street	Gonzales	Texas	78629	504 St. Michael St., Gonzales, Teas 78629
11831	Ricarda Ramirez & Lorenzo Ramirez Estate	P.O. Box 249	Gonzales	Texas	78629	125 St. Paul St., Gonzales, Texas 78629
11881	CTX Restaurants Inc	P.O. Box 91197	San Antonio	Texas	78209	103 St. Joseph St., Gonzales, Texas 78629
11909	Vanna Lester & Clara Robinette Lester	113 Saint Paul Street	Gonzales	Texas	78629	111 St. Paul St., Gonzales, Texas 78629
11910	Charles Yvonne Strauss	107 Saint Paul Street	Gonzales	Texas	78629	107 St. Paul St., Gonzales, Texas 78629
11955	Charles & Kathleen Burrier	418 Saint Michael Street	Gonzales	Texas	78629	418 St. Michael St., Gonzales, Texas 78629
11957	Jorge & Norma Cervantes	411 Saint Vincent Street	Gonzales	Texas	78629	411 St. Vincent St., Gonzales, Texas 78629

CITY OF GONZALES



COME AND TAKE IT

820 St. Joseph Street
P.O. Drawer 547
Gonzales, Texas 78629
Phone (830) 672-2815
www.gonzales.texas.gov

November 12, 2024

CTX Restaurants Inc
P.O. Box 91197
San Antonio Texas 78209

Parcel ID: 11881

NOTICE IS HEREBY GIVEN THAT: Your property located at 103 St. Joseph St., Gonzales, Texas 78629 has been identified as a property either being considered for rezoning or within 200 feet of an area being considered for rezoning.

The below listed property is zoned SF-6, Single Family District and the property owner is requesting to rezone to C-1, Light Commercial District. The full legal description of the property involved is enclosed for your reference. A location map of the property is included on the reverse of this letter.

PROPERTY OWNER: Charlie & Kathleen Burrier
LEGAL DESCRIPTIONS: BLK 28 PT LOT 5 & 6
PARCELS: 11955
PROPERTY ADDRESS: 418 St. Michael Street

The Planning & Zoning Commission will hold a **Public Hearing on December 2, 2024 at the Gonzales City Hall, 820 St. Joseph St. at 5:15 p.m.**, to allow for public comment on the application to rezone the listed property. After consideration and recommendation by Planning & Zoning Commission and the Public Hearing, the application for rezoning will be presented to **City Council for a Public Hearing and possible approval on December 12, 2024 at 6:00 p.m. at the Gonzales City Hall, 820 St. Joseph St.**

The City Council encourages citizens to participate in the public comment and public hearing process for all applications for zoning or rezoning before the Planning & Zoning Commission and City Council. Citizens unable to attend meetings may submit their views to Kristina Vega, City Secretary for the City of Gonzales, by mailing them to P.O. Drawer 547, Gonzales, TX 78629.

Any property owner having any objections or comments to this change may state his/her objections or comments in writing and return this form to the City of Gonzales, P.O. Box 547, Gonzales, Texas 78629 or citysecretary@gonzales.texas.gov by November 25, 2024. A property owner may appear before the commission and verbally state any objections or comments at 820 St. Joseph, Gonzales, Texas 78629 at the date and time of the meeting stated above. For additional information, contact the City Secretary's office at (830)-672-2815.

PLEASE CHECK ONE OF THE FOLLOWING AND RETURN:

NO OBJECTION OBJECTIONS AND COMMENTS

Tom W. Burrier 11/14/24
Signature Date

CITY OF GONZALES



COME AND TAKE IT

November 12, 2024

820 St. Joseph Street
P.O. Drawer 547
Gonzales, Texas 78629
Phone (830) 672-2815
www.gonzales.texas.gov

Parcel ID:11955

Charles & Kathleen Burrier
418 Saint Michael Street
Gonzales Texas 78629

NOTICE IS HEREBY GIVEN THAT: Your property located at 418 St. Michael St., Gonzales, Texas 78629 has been identified as a property either being considered for rezoning or within 200 feet of an area being considered for rezoning.

The below listed property is zoned SF-6, Single Family District and the property owner is requesting to rezone to C-1, Light Commercial District. The full legal description of the property involved is enclosed for your reference. A location map of the property is included on the reverse of this letter.

PROPERTY OWNER: Charlie & Kathleen Burrier
LEGAL DESCRIPTIONS: BLK 28 PT LOT 5 & 6
PARCELS: 11955
PROPERTY ADDRESS: 418 St. Michael Street

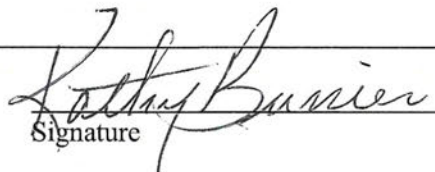
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PLEASE CHECK ONE OF THE FOLLOWING AND RETURN:

NO OBJECTION **OBJECTIONS AND COMMENTS**

 11-14-24
Signature Date