

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
VIA TELEPHONE CONFERENCE
AGENDA –MAY 14, 2020 6:00 P.M.**

NOTICE is hereby given that, pursuant to Section 551.045 of the Texas Government Code and the March 16, 2020 order by the Governor of the State of Texas, the City Council will hold its regular meeting on Thursday, May 14, 2020 at 6:00 p.m., via teleconference in accordance with Governor Abbott's order.

This meeting notice, agenda and agenda packet are posted online at www.gonzales.texas.gov.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings.

This meeting will be closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The public toll-free dial in number to participate in the telephone conference is hosted through FreeConferenceCall.com.

Toll-free call in number: **1-844-854-2222**

When asked for an access code enter **348787#**

It is not necessary to announce yourself when you join the teleconference.

A recording of the telephone conference will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

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

Temporarily suspended as noted above.

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.

- 1.1 **Minutes** - Approval of the minutes for the March 25, 2020 Emergency Meeting and April 9, 2020 and Regular Meeting.
- 1.2 Discuss, Consider & Possible Action on **Resolution #2020-42** Authorizing the Designation of Mayor Connie Kacir, City Manager Tim Patek, and Finance Director Laura Zella as Authorized Signatories and Removing All Others for All Accounts in the City of Gonzales' Name With All Financial Institutions

RESOLUTIONS AND COUNCIL ACTION

- 2.1 Discuss, Consider & Possible Action on **Resolution #2020-43** Denying AEP Texas Inc.'s Application to Amend its Distribution Cost Recover Factors to Increase Distribution Rates within the City.
- 2.2 Discuss, Consider & Possible Action on **Resolution #2020-44** Authorizing the Expenditure in an Amount Not to Exceed \$100,800.00 for the Change Out of Electrical Poles.
- 2.3 Discuss, Consider & Possible Action authorizing the City Manager to determine if/when the Summer Youth would be available based on Governor's orders for the summer of 2020.
- 2.4 Discuss, Consider & Possible Action authorizing the City Manager to determine if/when the swimming pool would be open based on Governor's orders for the summer of 2020.
- 2.5 Discuss, Consider & Possible Action on establishing a policy on the repayment of utility bills that have been extended due to COVID-19 and all future extensions.
- 2.6 Discuss, Consider & Possible Action regarding Star Spangled Spectacular and Fireworks show scheduled for July 4, 2020.
- 2.7 Discuss, Consider & Possible Action on the City's Fiscal Management Contingency Plan and the status of capital improvement projects.
- 2.8 Discuss, Consider & Possible Action on a request by First United Methodist Church to use Confederate Square for drive-in church services on May 31, 2020 and June 28, 2020.
- 2.9 Discuss, Consider & Possible Action on a request by the Gonzales Chamber of Commerce and Agriculture to donate a portion of land located adjacent to 304 St. Louis Street to address an encroachment of the building owned by the Chamber on land in which the City of Gonzales is the owner of record.
- 2.10 Discuss, Consider & Possible Action on **Resolution #2020-45** Authorizing the City Manager to execute a license agreement with H.C. Schmidt for an unopened street.

- 2.11 Discuss, Consider & Possible Action on the Texas Junior High Rodeo Association's (TJHRA) request to conduct the TJHRA Finals event June 22 – June 27, 2020 at J.B. Wells in accordance with the Open Texas Phase 1 Guidelines for Outdoor Sports or other guidelines established by the Governor.
- 2.12 Discuss, Consider & Possible Action on the City of Gonzales Code of Ethics and Conduct acknowledgements by appointed board, commission and committee members.

STAFF/BOARD REPORTS

- 3.1 Financial Report for the Month of April 2020.
- 3.2 City Manager, Tim Patek will update the City Council on the following: Jim Price Clean-Up, Hydro Plant Update, Old Library Building and GEDC Grant Status

CLOSED SESSION

- 4.1 (a) Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:

1. In Re Estate of J. B. Wells litigation
2. Patricia Bennett and Gloria Knight v. City of Gonzales, Texas Cause No. 27,500
3. A Guerra Enterprise LLC D/B/A Holiday Inn Express & Suites Cause No. 27,591

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

1. City Secretary

RETURN TO OPEN SESSION

- 5.1 Discuss and Consider any Action Resulting from Closed Session as Necessary
- 5.2 Discuss, Consider & Possible Action on **Resolution #2020-46** Authorizing the City Manager to defer all hotel occupancy tax payments for the second quarter of FY2019-2020 (January, February, March) for a minimum of 90 days, with penalties waived, based on the recommendation from the Gonzales Convention and Visitor's Bureau.

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.

CERTIFIED as posted by 5:30 p.m. on May 11, 2020. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.



Kristi Gilbert, Interim City Secretary

**CITY OF GONZALES, TEXAS
EMERGENCY CITY COUNCIL MEETING
MINUTES –MARCH 25, 2020**

The Emergency Meeting of the City Council was held on **March 25, 2020** at 5:30 p.m. via teleconference pursuant to **Section 551.045 of the Texas Government Code and in accordance with the March 16, 2020 order by the Governor of the State of Texas.**

An urgent public necessity exists requiring immediate action of the City Council due to an imminent threat to public health and safety arising from the COVID-19 pandemic.

The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

The public was offered a toll-free dial in number to participate in the telephone conference hosted through FreeConferenceCall.com.

CALL TO ORDER AND INVOCATION

Mayor Kacir called the meeting to order at 5:35 p.m. and certified a quorum.

Attendee Name	Title	Status
Connie L. Kacir	Mayor	Present in person
Gary Schroeder	Council Member, District 1	Present via phone
Tommy Schurig	Council Member, District 2	Present in person
Bobby O'Neal	Council Member, District 3	Present via phone
Dan Blakemore	Mayor Pro Tem/Council Member, District 4	Present via phone

STAFF PRESENT:

City Manager Tim Patek, City Attorney Daniel Santee (via phone), Interim City Secretary Kristi Gilbert and Finance Director Laura Zella

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.

EMERGENCY ITEMS

1. Discussion and possible action on an ordinance amending and possibly extending the public health emergency declaration regarding precautionary measures in reference to the COVID-19 virus.

Mayor Kacir stated the revised declaration includes naming Dr. Hisey as the City's Medical Director, adding fines for non-compliance, specifying no outside events, and adding emergency language for the Economic Development Corporation as it relates to supporting the City's small businesses.

ACTION: Item 1

APPROVED

Councilmember O'Neal moved to adopt the ordinance [Ordinance No. 2020-07]. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

2. Conduct the first reading of a resolution authorizing certain emergency financial assistance up to \$500,000.00 by the GEDC to be used as a line of credit or other financial assistance for businesses located within the City of Gonzales, Texas due to the impacts of the COVID-19 virus.

ACTION: Item 2

FIRST READING

Councilmember Schurig moved to vote in favor and ask the Economic Development Corporation to meet next week regarding the item. Councilmember Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

3. Discuss and consider action on authorizing the City Manager to enact Fiscal Management Contingency Plan Level II and postpone all capital improvement projects for a period of 30 days.

ACTION: Item 3

APPROVED

Councilmember Schurig moved to authorize the City Manager to enact Fiscal Management Contingency Plan Level II effective March 30th and postpone all capital improvement projects for a period of 30 days. Councilmember Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ADJOURN

The meeting was adjourned at 2:59 p.m.

Approved this 14th day of May 2020.

Connie Kacir, Mayor

Kristi Gilbert, Interim City Secretary

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –APRIL 9, 2020**

The Regular Meeting of the City Council was held on **April 9, 2020** at 6:00 p.m. via teleconference **pursuant to Section 551.045 of the Texas Government Code and in accordance with the March 16, 2020 order by the Governor of the State of Texas.**

The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily mandated public hearings, such as zoning and similar hearings.

This meeting was closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings was granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The public was offered a toll-free dial in number to participate in the telephone conference hosted through FreeConferenceCall.com.

CALL TO ORDER AND INVOCATION

Mayor Kacir called the meeting to order at 6:04 p.m. and a quorum was certified.

Attendee Name	Title	Status
Connie L. Kacir	Mayor	Present in person
Gary Schroeder	Council Member, District 1	Present via phone
Tommy Schurig	Council Member, District 2	Present in person
Bobby O'Neal	Council Member, District 3	Present via phone
Dan Blakemore	Mayor Pro Tem/Council Member, District 4	Present via phone

STAFF PRESENT:

City Manager Tim Patek, Interim City Secretary Kristi Gilbert and Finance Director Laura Zella

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
Mayor Pro Tem Blakemore recognized city employees for their part in contributing to the completion of the water tower work.
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

Temporarily suspended as noted above.

PROCLAMATIONS

- 1.1 Fair Housing Month
- 1.2 National Sexual Assault Awareness and Prevention Month

Mayor Kacir stated she would execute the proclamations and forward them to the respective organizations.

PRESENTATIONS

- 2.1 Discuss, Consider & Possible Action on **Resolution #2020-35** Acknowledging Receipt and Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ending September 30, 2019.

Jon Watson with Brooks Watson & Co. Certified Public Accountants presented the Fiscal Year 2019 audited financials via phone. Mr. Watson stated the total assets exceed total liabilities by \$34,027,927. Mr. Watson stated the governmental funds reported a combined ending fund balance of \$5,320,697, an increase of \$3,073,286 and unassigned fund balance in the general fund was \$1,823,427 equaling 23% of annual general fund expenditures which was an increase over the previous two years. Mr. Watson stated the unassigned fund balance two years ago was \$124,687 which was 1.8% of the general fund annual expenditures. Mr. Watson stated the city had an overall increase in net position of \$2,195,903 for the year.

Mayor Kacir thanked Mr. Watson and highlighted the financial position that is continuing to improve.

ACTION: Item 2.1

APPROVED

Councilmember Schurig moved to approve **Resolution #2020-35** Acknowledging Receipt and Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ending September 30, 2019. Councilmember Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

CONSENT AGENDA ITEMS

- 3.1 **Minutes** - Approval of the minutes for the Regular Meeting of March 12, 2020, Special Called Meeting on March 16, 2020 and Emergency Meeting on March 20, 2020.
- 3.2 **Absences**-Approval of any council absences for the second quarter of fiscal year 2019-20.
- 3.3 Discuss, Consider & Possible Action on **Resolution #2020-36** Declaring Certain City Property Surplus and Authorizing the Sale and/or Donation of Said Property in the manner most advantageous to the City of Gonzales.
- 3.4 Discuss, Consider & Possible Action on **Resolution #2020-37** Affirming the City of Gonzales does not Discriminate in the Provision of any Program Based on the Race, Color, National Origin, Age, Religion, Gender, Handicap Status, Veteran Status or Any Other Protected Status.

- 3.5 Discuss, Consider & Possible Action on **Resolution #2020-38** Authorizing Designated Signators for Contractual and Financial Documents for the Texas General Land Office Community Development Block Grant Disaster Recovery Program.

ACTION: Item 3.1 through 3.5

APPROVED

Councilmember O'Neal moved to approve the consent agenda Items 3.1 through 3.5 as presented. Councilmember Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

RESOLUTIONS

- 4.1 Discuss, Consider & Possible Action Approving **Resolution #2020-39** Accepting the Proposals and Awarding the Contract for the roof replacement and repairs at Gonzales Memorial Museum and Amphitheatre to RYCARS Construction.

ACTION: Item 4.1

APPROVED

Councilmember Schroeder moved to approve **Resolution #2020-39** of the City Council of the City Gonzales accepting the proposals and awarding the contract for the roof replacement and repairs at Gonzales Memorial Museum to RYCARS Construction effective April 9, 2020. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.2 Conduct second reading of a resolution and action on a resolution authorizing certain financial assistance up to \$500,000.00 by the GEDC to be used as a line of credit or other financial assistance for businesses located within the City of Gonzales, Texas.

Mayor Kacir stated the first reading of the resolution had been conducted at the March 20, 2020 meeting and stated the City Council was not required to approve the associated performance agreement.

ACTION: Item 4.2.

AUTHORIZE

Councilmember O'Neal moved to authorize the GEDC to proceed with the project. Councilmember Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.3 Discuss, Consider & Possible Action on the GEDC's action to extend all existing loan payments for 90 days and waiving late fees due to COVID-19.

ACTION: Item 4.3

APPROVED

Councilmember O'Neal moved to extend all existing loan payments for 90 days and waive late fees due to COVID-19. Councilmember Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.4 Discuss, Consider & Possible Action Approving **Resolution #2020-40** Appointing a Board Member to the Gonzales Economic Development Corporation.

Mayor Kacir suggested the item be tabled to a future meeting. Councilmember Schroeder stated he was prepared to make an appointment.

ACTION: Item 4.4

NO APPOINTMENT

Councilmember Schroeder moved to approve **Resolution #2020-40** appointing Clint Hille to the Gonzales Economic Development Corporation. Councilmember O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Schroeder and O'Neal. Against: Schurig, Blakemore and Kacir. The motion failed 2-3.

- 4.5 Discuss, Consider & Possible Action on **Resolution #2020-41** Denying Texas Gas Service Company's Requested Rate Increase.

ACTION: Item 4.5

APPROVED

Councilmember Schurig moved to approve **Resolution #2020-41** Denying Texas Gas Service Company's Requested Rate Increase. Councilmember Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ORDINANCES:

- 5.1 Discuss, Consider and Possible Action on **Ordinance #2020-09** Authorizing Budget Amendments for the 2019-2020 Fiscal Year

ACTION: Item 5.1

APPROVED

Mayor Pro Tem Blakemore moved to approve **Ordinance #2020-09** Authorizing Budget Amendments for the 2019-2020 Fiscal Year. Councilmember Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.2 Discussion and possible action on an ordinance amending and possibly extending the public health emergency declaration regarding precautionary measures in reference to the COVID-19 virus.

Mayor Kacir stated her recommendation was to maintain the same restrictions but extend them to April 30, 2020 to coincide with Governor Abbott's Executive Order.

ACTION: Item 5.2

APPROVED

Councilmember Schurig moved to approve **Ordinance #2020-10** as presented. Councilmember Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

STAFF/BOARD REPORTS:

- 6.1 Financial Report for the Month of March 2020
- 6.2 City Manager, Tim Patek updated the City Council on the Jim Price Clean-Up being postponed to the summer, the Tank #2 Rehab at the water plant and the status of the library demolition stating photos would be on the website.

CONVENE INTO CLOSED SESSION:

No executive session was held.

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

ACTION: Item 8.1

NO ACTION

The Council did not convene into Executive Session; therefore, no action was taken.

CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA *(discussion under this item must be limited to whether or not the Council wishes to include a potential agenda item on a future agenda)*

- 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

On a motion by Councilmember Schurig and a second by Councilmember O'Neal, the meeting was adjourned at 7:11 p.m.

Approved this 14th day of May 2020.

Connie Kacir, Mayor

Kristi Gilbert, Interim City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-42 Authorizing the Designation of Mayor Connie Kacir, City Manager Tim Patek, and Finance Director Laura Zella as Authorized Signatories and Removing All Others For All Accounts in the City of Gonzales' Name With All Financial Institutions

DATE: May 14, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Council is required to pass a resolution designating authorized signatories for financial institutions (per City of Gonzales Investment Policy). Resolution will designate the following individuals as authorized signatories and removing all others for all accounts in the City of Gonzales' name with all financial institutions.

Mayor Connie Kacir
City Manager Tim Patek
Finance Director Laura Zella

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

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

RESOLUTION 2020-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE DESIGNATION OF MAYOR CONNIE KACIR, CITY MANAGER TIMOTHY PATEK, AND FINANCE DIRECTOR LAURA ZELLA AS AUTHORIZED SIGNATORIES AND REMOVING ALL OTHERS FOR ALL ACCOUNTS IN THE CITY OF GONZALES' NAME AT ALL FINANCIAL INSTITUTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Council is required to pass a resolution designating the authorized signatories for financial institutions (per City of Gonzales Investment Policy). This resolution will designate the Mayor Connie Kacir, City Manager Tim Patek, and Finance Director Laura Zella as authorized signatories and removing all others for all accounts in the City of Gonzales' name at all financial institutions; and

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales, Texas hereby authorizes the designation Mayor Connie Kacir, City Manager Timothy Patek, and Finance Director Laura Zella as authorized signatories and removing all others for all accounts in the City of Gonzales' name at all financial institutions.

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

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

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

Section 6. That 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 7. This Resolution shall be effective upon its approval.

Section 8. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 14th day of May, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on
Resolution #2020-43 Denying AEP Texas Inc's
Rate Increase.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

From the Staff Report law firm representing the Cities Served by AEP Texas Inc.

On April 3, 2020, AEP Texas Inc. ("AEP" or "Company") filed an Application to Amend its Distribution Cost Recover Factors ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in distribution revenues of approximately \$39.87 million (an approximately \$1.83 increase to the average residential customer's bill from the rates just approved in the Company's rate case).

The resolution authorizes the City to join with the Cities Served by AEP ("Cities") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Explanation of "Be It Resolved" Paragraphs:

2. This section authorizes the City to participate with Cities as a party in the Company's DCRF filing, PUC Docket No. 50733.
3. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes Cities to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.
4. This paragraph finds that the Company's application is unreasonable and should be denied.
5. This section states that the Company's current rates shall not be changed.
6. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants approved by Cities will submit monthly invoices that will be forwarded to AEP for reimbursement.
7. This section recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

8. This section provides that AEP and counsel for Cities will be notified of the City's action by sending a copy of the approved and signed Resolution to counsel.

POLICY CONSIDERATIONS:

This is consistent with current policy.

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this Resolution.

RESOLUTION NO. 2020-43

A RESOLUTION OF THE CITY OF GONZALES, TEXAS FINDING THAT AEP TEXAS INC.'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTORS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE CITIES SERVED BY AEP TEXAS; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Gonzales, Texas ("City") is an electric utility customer of AEP Texas Inc. ("AEP" or "Company"), and a regulatory authority with an interest in the rates and charges of AEP; and

WHEREAS, the City is a member of the Cities Served by AEP ("Cities"), a membership of similarly situated cities served by AEP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in AEP's service area; and

WHEREAS, on or about April 3, 2020 AEP filed with the City an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 50733, seeking to increase electric distribution rates by approximately \$39.87 million (an approximately \$1.83 increase to the average residential customer's bill from the rates just approved in the Company's rate case); and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, Cities are coordinating its review of AEP's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, Cities members and attorneys recommend that members deny the DCRF.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. That the City is authorized to participate with Cities in PUC Docket No. 50733.

Section 3. That subject to the right to terminate employment at any time, the City of hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 4. That the rates proposed by AEP to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 5. That the Company shall continue to charge its existing rates to customers within the City.

Section 6. That the City's reasonable rate case expenses shall be reimbursed in full by AEP within 30 days of presentation of an invoice to AEP.

Section 7. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 8. That a copy of this Resolution shall be sent to Melissa Gage, American Electric Power Service Corporation, 400 West 15th Street, Suite 1520, Austin, Texas 78701 and to Thomas Brocato, General Counsel to the Cities, at Lloyd Gosselink Rochelle & Townsend, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

Section 9. This Resolution shall be effective upon its approval.

Section 10. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED, APPROVED and ADOPTED by the City Council of the City of Gonzales, Texas, on this 14th day of May, 2020.

CITY OF GONZALES

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-44 Authorizing the Expenditure in an Amount Not to Exceed \$100,800.00 for the Change Out of Electrical Poles.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

On January 9, 2020, the City of Gonzales authorized the execution of an agreement the Techline Construction, LLC to gain access to LCRA's Distribution Services Contract with Techline Construction, LLC. The City has received a quote from Techline Construction for the change out of 35 poles at an estimated cost of \$90,720 in an amount not to exceed \$100,800.00. The City also obtained a quote from GVEC in the amount of \$221,683.37.

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

Staff budgeted \$100,000 in Special Contracts GL Account 210-7-710.411 for the labor portion of the replacement of these poles. The total amount budgeted in this GL Account is \$128,000, but only \$100,000 is allocated for this specific project in the 2019-2020 Fiscal Year Budget and that was verified with the Finance Director.

ATTACHMENTS:

Resolution

Quotes

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2020- 44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CHANGE OUT OF POWER POLES IN AN AMOUNT NOT TO EXCEED \$100,800.00; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an annual operating budget for the fiscal year October 1, 2019 through September 30, 2020, was approved and adopted by the City Council on September 12, 2019; and,

WHEREAS, as set forth in the City's Fiscal and Budgetary Policy, all City purchases and contracts over \$50,000 shall conform to a competitive bidding process as set forth in Chapter 252 of the Local Government Code of Texas; and,

WHEREAS, the pricing for the power poles was obtained through a program agreement for Distribution Construction Services Contracting through the Lower Colorado River Authority ("LCRA") under the authority of Chapter 791 of the Texas Government Code and Chapter 271, Subchapter F of the Texas Local Government Code; and,

WHEREAS, the Finance Director verified that funds in the amount of \$100,000 are currently budgeted for the labor portion of this project in Special Contracts GL Account 210-7-710.411 in the 2019-2020 Fiscal Year Budget; and,

WHEREAS, the total cost of the change out of 35 poles is estimated at \$90,720 with an amount not to exceed \$100,800.00; and,

WHEREAS, the City Council finds that changing out the poles is in the best interest of the City and its citizens and will further promote the public health, safety, and general welfare of the City.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales hereby authorizes the change out of a minimum of 35 poles in an amount not to exceed \$100,800.00.

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.

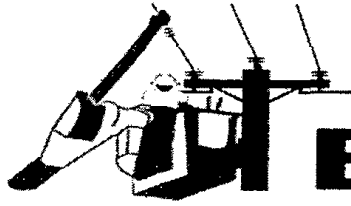
Section 8. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 14th day of May, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary



TECHLINE

CONSTRUCTION, LLC

9609 BECK CIRCLE
AUSTIN, TEXAS 78758
DON LAWYER (903) 603-6260

August 15, 2019

City of Gonzales
C/O Nick Deleon

RE: Pole Change Outs(35)

Dear Nick,

Thank you for giving Techline Construction the opportunity to quote on Pole Change Outs(35) . The estimated total for this project will be \$90,720.00 not to exceed \$100,800.00.

Thank you,

Vance Thurmon
Superintendent
Techline Construction



February 26, 2020

City of Gonzales

Please find below the contribution-in-aid of construction costs to change 36 rotten poles as requested. This includes us picking up all materials from your yard, hauling out, picking up all old materials, and hauling in old material. This quote does not include hydro Vac or hand digs.

Contribution-in-aid of construction -----\$221,683.37

Thank you,

GuadalupeValleyElectricCooperative, Inc.

825 E. Sarah DeWitt Dr. | P.O. Box 118 | Gonzales, Texas 78629 | 1.800.223.GVEC (4832) | www.gvec.org

May 14, 2020 Council Agenda 23 of 93

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible authorizing the City Manager to determine if/when the Summer Youth would be available based on Governor's orders for the summer of 2020.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Consideration

BACKGROUND:

In normal years, the Summer Youth Program begins interviewing camp counselors in April and May to be ready for the program to open June 1, 2020. Summer Youth is held at one of the schools that is designated by the Gonzales ISD, in speaking to Gene Kridler the school district will be conducting summer school online so the facilities will not be available, due to COVID-19.

At this time there have only been two applications turned in which would not be adequately staffed for the program.

POLICY CONSIDERATIONS:

Council action will cancel the Summer Youth Program for Summer 2020.

FISCAL IMPACT:

The Fiscal Year 2021 budget included \$12,030.00 for the program.

ATTACHMENTS:

Staff Email

STAFF RECOMMENDATION:

Staff respectfully requests approval.

From: [Anne Dollery](#)
To: [City Secretary](#)
Subject: FW: Summer Youth
Date: Monday, May 11, 2020 9:39:05 AM

Kristi,

Could you add this information to the Summer Youth information

Anne Dollery

Parks and Recreation Director

Operations Manager

J.B. Wells Arena

2301 CR 197

P.O. Box 547

Gonzales, TX 78629

Office - 830-672-6558

Cell - 979-412-2551

adollery@cityofgonzales.org

From: Anne Dollery
Sent: Wednesday, May 06, 2020 2:10 PM
To: Tim Patek
Subject: Summer Youth

Tim,

Just got off the phone with Gene Kridler and they will be doing an online summer school so the school would not be available.

Thanks

Anne Dollery

Parks and Recreation Director

Operations Manager

J.B. Wells Arena

2301 CR 197

P.O. Box 547

Gonzales, TX 78629

Office - 830-672-6558

Cell - 979-412-2551

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COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action authorizing the City Manager to determine if/when the swimming pool would be open based on Governor's orders for the summer of 2020.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Consideration

BACKGROUND:

In normal years, the swimming pool takes the months of April and May to prepare for the upcoming opening of the pool. The interviews usually take place in April so that we can give any new lifeguards enough time to get the proper training, CPR and/or lifeguard certification. With COVID-19 that has not been possible to be handled yet. At the present time we have only received four applicants, which is not adequate to staff.

In early May the Parks Department begins the preparation of cleaning, painting and filling the pool. Also, chlorine is ordered to be ready for the opening of June 1, 2020. Due to the cost of preparing the pool, we are currently waiting to see the orders of the Governor in pertaining to social gatherings due to the COVID-19.

In the Governor's Executive Orders GA-18 going into effect May 1, it specifically says individuals shall avoid public swimming pools.

POLICY CONSIDERATIONS:

Council action will close the swimming pool for Summer 2020.

FISCAL IMPACT:

The Fiscal Year 2021 budget included \$36,728.00 for the program.

ATTACHMENTS:

Staff email

STAFF RECOMMENDATION:

Staff respectfully requests approval.

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS CLOSING THE CITY OF GONZALES PUBLIC SWIMMING POOL FOR THE SUMMER 2020 PROGRAM BASED ON GUIDANCE FROM THE GOVERNOR'S OFFICE RELATED TO THE COVID-19 EXECUTIVE ORDERS AND THE GOVERNOR'S REPORT TO OPEN TEXAS DATED APRIL 27, 2020; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Governor Abbott issued a disaster proclamation on March 13, 2020, certifying that COVID-19 poses an imminent threat of disaster for counties in the state of Texas; and,

WHEREAS, on March 31, 2020 Governor Abbott issued GA-14 superseding local authority invoked under Chapter 418 of the Government Code, and Chapter 81 and 122 of the Health and Safety Code where local order conflict with GA-14 or any previous order of the Governor related to the pandemic; and,

WHEREAS, on April 27, 2020 Governor Abbott issued GA-18 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and,

WHEREAS, Governor Abbott has stated that his intent to issue additional executive orders in the near future to continue to expand the reopening of services; and,

WHEREAS, the City Council of the City of Gonzales believes it is in the best interest of the public health and safety to close the public swimming pool for the Summer 2020 based on rapidly changing conditions.

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

Section 1. That the recitals contain in the preamble hereto 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 2. The City Council of the City of Gonzales, Texas hereby closes the public swimming pool for the Summer 2020 based on rapidly changing conditions.

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

Section 4. That 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 5. This Resolution shall be effective upon its approval.

Section 6. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED, APPROVED and ADOPTED by the City Council of the City of Gonzales, Texas, on this 14th day of May 2020.

CITY OF GONZALES

Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, Interim City Secretary

From: [Anne Dollery](#)
To: [City Secretary](#)
Subject: FW: James Tetley Swimming Pool Instructor
Date: Monday, May 11, 2020 9:44:04 AM

Kristi

Would you add this information to the pool resolution.

Anne Dollery

Parks and Recreation Director

Operations Manager

J.B. Wells Arena

2301 CR 197

P.O. Box 547

Gonzales, TX 78629

Office - 830-672-6558

Cell - 979-412-2551

adollery@cityofgonzales.org

From: Anne Dollery
Sent: Wednesday, May 06, 2020 2:00 PM
To: Tim Patek
Subject: James Tetley Swimming Pool Instructor

I called Mr Tetley today regarding the swimming pool instruction. He said that he did not see how it was possible to have a class with the social distancing. He also said that he did not see how you could put a life guard in that risk of having to save a person, which would put them at risk.

He said that Luling was looking at the same thing but had not come to a conclusion as of yet.

I just told him after the Governor had come out with his ruling we wanted to see where he stood on the issue. He said that he believed people needed to use common sense and not put anyone in that position to be compromised.

Anne Dollery

Parks and Recreation Director

Operations Manager

J.B. Wells Arena

2301 CR 197

P.O. Box 547

Gonzales, TX 78629

Office - 830-672-6558

Cell - 979-412-2551

adollery@cityofgonzales.org

MINIMUM STANDARD HEALTH PROTOCOLS



☒ CHECKLIST FOR PARKS/BEACHES/BODIES OF WATER Page 1 of 2

While parks, beaches, rivers, and lakes may be open, effective May 8, 2020, indoor swimming pools may operate up to 25% of the total listed occupancy of the swimming pool facility and outdoor swimming pools may operate up to 25% of the normal operating limits as determined by the swimming pool operator. Local public swimming pools may so operate only if permitted by the local government. People shall continue to avoid visiting interactive amusement venues, such as water parks and splash pads.

The following are the minimum recommended health protocols for all individuals visiting parks and engaging in water activities, such as visiting beaches, rivers, and lakes. These minimum health protocols are not a limit on the health protocols that individuals may adopt. Individuals are encouraged to adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all Texans.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk. Because of the hidden nature of this threat, everyone should rigorously follow the practices specified in these protocols, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including those who are most vulnerable.

Please note, public health guidance cannot anticipate every unique situation. Individuals should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization.

Health protocols for individuals:

- ☐ Maintain at least 6 feet separation from others not within the individual's group at the park, beach, river, or lake. The individual's group may not exceed the greater of the individual's household or up to 5 individuals who go to the park, beach, river, or lake together. If such distancing is not feasible, other measures such as face covering, hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced.
- ☐ Self-screen before going to a park, beach, or other public open space for any of the following new or worsening signs or symptoms of possible COVID-19:

<input type="checkbox"/> Cough	<input type="checkbox"/> Sore throat
<input type="checkbox"/> Shortness of breath or difficulty breathing	<input type="checkbox"/> Loss of taste or smell
<input type="checkbox"/> Chills	<input type="checkbox"/> Diarrhea
<input type="checkbox"/> Repeated shaking with chills	<input type="checkbox"/> Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit
<input type="checkbox"/> Muscle pain	<input type="checkbox"/> Known close contact with a person who is lab confirmed to have COVID-19
<input type="checkbox"/> Headache	
- ☐ Wash or disinfect hands after any interaction with employees, other customers, or items in the park, beach, river, or lake.
- ☐ Consistent with the actions taken by many individuals across the state, consider wearing cloth face coverings (over the nose and mouth) at a park, beach, river, or lake when within 6 feet of another person who is not a member of the individual's group. The individual's group may not exceed the greater of the individual's household or up to 5 individuals who arrived at the park, beach, river, or lake together. If

MINIMUM STANDARD HEALTH PROTOCOLS



PARKS/BEACHES/BODIES OF WATER: Page 2 of 2

available, individuals should consider wearing non-medical grade face masks. Face coverings may not be feasible while in the water.

- ☐ Clean and sanitize recreational water equipment before and after use.
- ☐ **Special consideration for river rafting and similar activities:**
 - ☐ Any vehicle used to transport individuals between places along the river must be cleaned and disinfected between uses.
 - ☐ If such a vehicle is a bus, alternate rows should be used.
 - ☐ Individuals should not sit within 6 feet of any other person not with the individual's group.
 - ☐ Individuals should sanitize hands before getting onto such a vehicle.
 - ☐ Face coverings are strongly recommended while on the vehicle.
- ☐ **Individuals aged 65 or older are at a higher risk of COVID-19. To the extent possible, avoid contact within 6 feet with individuals aged 65 and older. Individuals aged 65 and older should stay at home as much as possible.**

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on establishing a policy on the repayment of utility bills that have been extended due to COVID-19 and all Future Extensions.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Consideration

BACKGROUND:

On March 16, 2020 Council adopted Ordinance 2020-08 which extended a Declaration of Local Disaster and established rules and regulations for the duration of the Disaster. In this Ordinance every utility customer was granted a 30-day extension for payments that were due on March 10, 2020 and waived late fees in the amount of \$11,327.51 and extension fees. On April 9, 2020 Council adopted Ordinance 2020-10 which extended the previous Ordinance to April 30, 2020 and had additions to it. This granted utility customers another 30-day extension for payments that were due April 10, 2020 and waived late fees in the amount of \$10,850.65 and extension fees. Due to COVID-19, the City chose not to disconnect anyone for unpaid balances on their utility customers, so we have asked individuals to sign extensions in order to have signed documentation. As of May 5, 2020, there are 10 accounts that still have balances that were originally due March 10th but were extended to April 10th and that total amount for those 10 accounts were about \$19,000. Of those 10 accounts, only 3 came in to sign an extension. As of May 5, 2020, there are 150 accounts that still have balances that were originally due April 10th but were extended to May 10th and the total amount for those 150 accounts is around \$53,000. Of those 150 accounts, only 73 came in to sign the extension. The Ordinance expired on April 30, 2020 which leaves all the payments for March 10th and April 10th due by May 10th. Staff has been working on collecting the balances that were due March 10th but extended to April 10th. Staff believes that there are a couple accounts that are now vacant but the customer failed to disconnect with the City. Attempts were made to contact them, but the phone calls were not returned.

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

The fiscal impact if Council chooses to waive the penalties for the May payment is around \$11,000.

STAFF RECOMMENDATION:

Staff is recommending that Council vote to allow disconnects for the month of June for the accounts that have an outstanding balance for the bill that was originally due March 10th (January

usage) but was extended to April 10th. Staff is also recommending that for the accounts that were originally due on April 10th (February usage) but extended to May 10th, they be required to pay half of that bill and may be granted an extension for the other half till June 10th when their regular June bill will also be due as long as they sign proper documentation with the utility department. If they are unable to pay half of that bill or refuse to sign an extension by June 8, 2020, we will disconnect on June 10th. For the billing that was originally due on May 10, 2020, normal policy will be followed.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action regarding Star Spangled Spectacular and Fireworks show scheduled for July 4, 2020.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Consideration

BACKGROUND:

For the past ten years, the City of Gonzales and Gonzales Main Street has held concerts on Confederate Square and a Fireworks Show to celebrate the 4th of July. Locals and visitors look forward to this event every year.

This year's entertainment on the square will be Andrea Marie and the Magnolia Band starting at 7 pm and the Dirty River Boys starting at 8:30 pm, with Fireworks Show starting at 10:00 pm. Contracts have been signed with both bands, but can be canceled.

The City of Gonzales contracted with Mr. B Fireworks, Inc. for the 2020 July 4th Fireworks Show on January 27, 2020. A deposit of \$6,000.00 was submitted with the contract. The balance of \$9,000.00 is due on July 4, 2020. Mr. Bargas of Mr. B Fireworks, Inc. contacted the City to see if the show would be cancelled and said if he is informed by June 1, 2020 he would roll-over the deposit of \$6,000.00 for next year's show.

The fireworks are shot from the brick yard at Gonzales Independence Park starting at 10 p.m. for twenty minutes show and can be viewed throughout the city. Many citizens look forward to this event every year and we feel that to continue with the show would be a way to lift everyone spirits.

Due COVID-19 we would like a decision as to whether to cancel the concerts on Confederate Square and the fireworks show; or just cancel the concerts on Confederate Square and have the fireworks show.

POLICY CONSIDERATIONS:

Council action will decide if the concerts on Confederate Square and the fireworks show should be canceled; or just cancel the concerts on Confederate Square and have the fireworks show on July 4, 2020. .

FISCAL IMPACT:

The Fiscal Year 2020 budget included \$15,000.00 for the event.

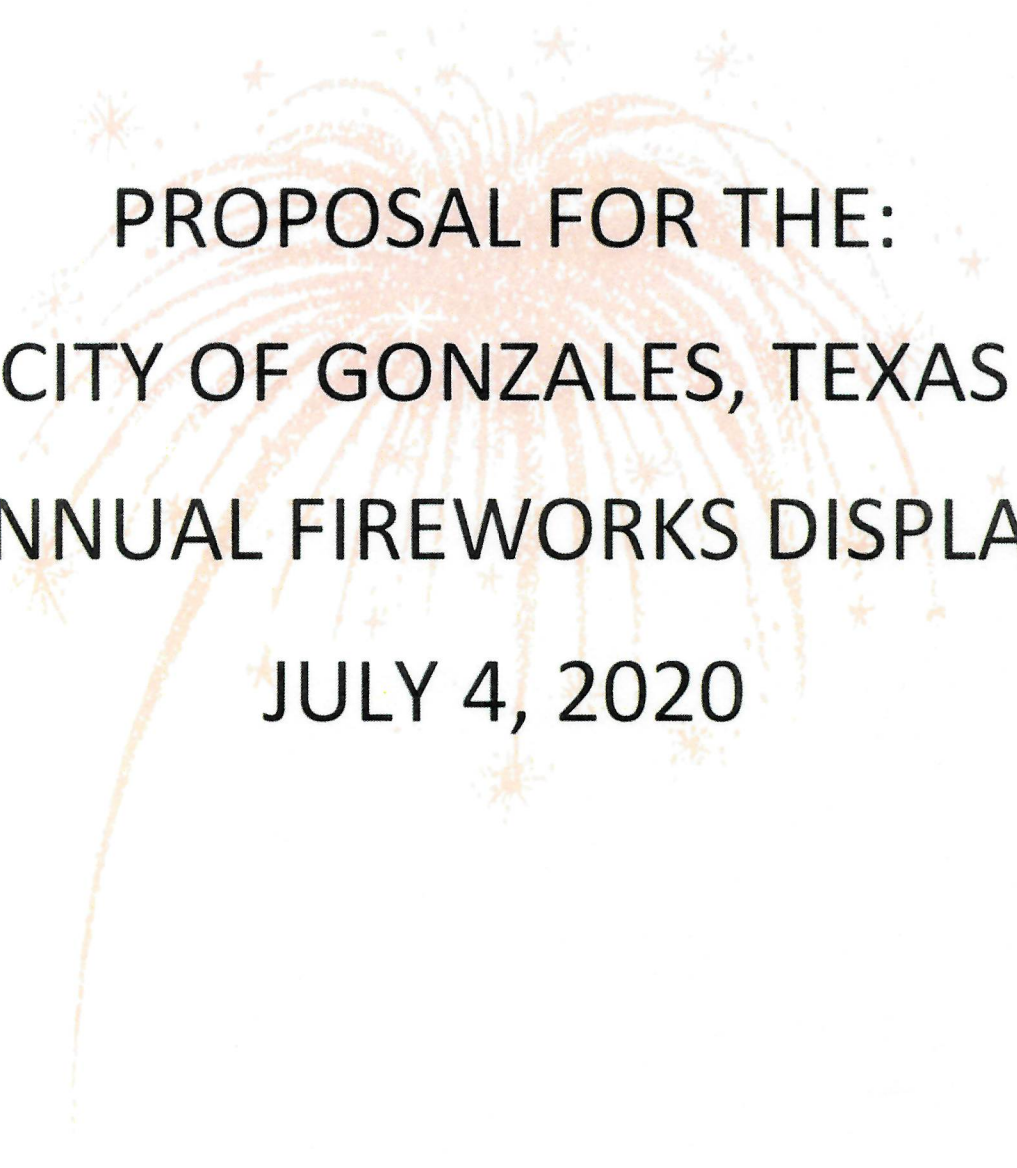
ATTACHMENTS:

Proposal from Mr. B Fireworks, Inc.

STAFF RECOMMENDATION:

Staff respectfully recommends the Council take action they deem necessary

MR. B FIREWORKS, INC.



PROPOSAL FOR THE: CITY OF GONZALES, TEXAS ANNUAL FIREWORKS DISPLAY JULY 4, 2020

3710 Mensik Road • Schulenburg, Texas 78956 • (979) 561-8177 • Fax (979) 561-8797
Website: www.mrbfireworks.com • E-mail: mrbfireworks-1987@hotmail.com

Date: Saturday July 4, 2020
Inclement weather date: July 5, 2020
Approximate time: 9:15 P.M.

Email: bfriedrich@cityofgonzales.org

Location: Independence Park
Hwy. 183 South
Gonzales, Texas 78629

This proposal is valid until March 1, 2020.

Scope of Services:

Mr. B Fireworks, Inc. will provide:

1. An approximate 18-20 minute fireworks display.
2. The fireworks display will be fired electronically.
3. Provide all necessary equipment, labor and supervision to set up and dismantle the display.
4. Shell sizes shall be 4", 5", 6", and 8" in diameter. No ground effects will be used.
 - a.) Quantity and sizes of shells as follows:
 1. 144 each – 4" assorted shells
 2. 15 each – 4" Cylinder shells each with three effects
 3. 72 each – 5" assorted shells
 4. 36 each – 6" assorted shells
 5. 4 each – 8" assorted shells

The finale will consist of :

1. 60 each – 3" assorted shells
 2. 60 each – 3" Salute shells (Bombards)
 3. 9 each – 6" Pagoda Shells
5. Display will consist of a variety of display shells including but not limited to: salutes, shell of shells, crossettes, falling leaves, ring shells, palm trees, strobes, crackling, dahlia, willows, diadems, chrysanthemums, peonies, brocade crown, and kamuros. Single and multiple color shells of orange, red, white, green, purple, gold, silver and blue. Majority of shells include rising gold tails.
6. Total cost is \$ 15,000.00. A deposit of \$6,000.00 is required to book the show. The balance of \$9,000.00 is due on July 4, 2020.
7. Locate all unexploded shells at end of display.
8. Obtain all necessary permits for firing the display.

9. Display and storage of fireworks will comply with International Fire Code 209, Sect. 3008 and NFPA 1123 or NFPA 1126.
10. Aerial site plan with fallout area, location of buildings, if any and showing spectator location and parking will be provided. Also, included will be safety perimeter distances.
11. Approximate arrival time will be 4 -6 hours prior to display time. Fireworks will be set up at the display site selected and approved by Mr. B and the AHJ.
12. One million dollar commercial general liability insurance will be provided showing the City of Gonzales as additional insured. Five million dollar business automobile liability Insurance.
13. Fireworks can be fired in light rain. In case of inclement weather, then the Mr. B pyrotechnician in charge will confer with the City of Gonzales responsible party and the Gonzales Fire Marshal and together make a recommendation as to whether post pone the display until inclement weather subsides or to re-schedule the display until the following day.

SUBMITTED BY:



Date: January 27, 2020

Thomas Bargas
MR. B FIREWORKS, INC.
Schulenburg, Texas 78956
Phone: 979-561-8177
email: mrbfireworks-1987@hotmail.com

Approved By:



City of Gonzales, Texas

Date: 1-27-20

MR. B FIREWORKS, INC.

January 27, 2020

Sold To City of Gonzales TX



INVOICE

Fireworks Display July 4, 2020	\$15,000.00
Deposit 40% (Required to book Display)	<u>\$6,000.00</u>
Balance Due by July 4, 2020	\$9,000.00

3710 Mensik Road • Schulenburg, Texas 78956 • (979) 561-8177 • Fax (979) 561-8797
Website: www.mrbfireworks.com • E-mail: mrbfireworks-1987@hotmail.com

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on the City's Fiscal Management Contingency Plan and the status of capital improvement projects.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Consideration

BACKGROUND:

On March 25, 2020, the City Council unanimously voted to enact Fiscal Management Contingency Plan Level II and postpone all capital improvement projects for a period of 30 days. Staff is seeking direction on future steps.

POLICY CONSIDERATIONS:

Staff is seeking direction from the City Council.

FISCAL IMPACT:

The fiscal impact depends on the Contingency Plan Level adopted.

ATTACHMENTS:

Fiscal Management Contingency Plan

STAFF RECOMMENDATION:

Staff is seeking direction from the City Council.

Fiscal Management Contingency Plan

The fiscal management plan will assist City management in guiding future planning efforts. The Plan is a guide only, and is intended to assist in budget balancing strategies. Depending upon management's response to economic and financial conditions, some parts of the plan may be implemented sooner or later, in accordance with direction from City Council. Economic and budget conditions will be evaluated monthly, and any budget impacts resulting from economic conditions or trends will be identified.

Throughout the contingency plan process, the goal is to protect current service levels, while continuing to provide competitive pay and benefits to all employees.

Budgetary Revenue Shortfall Contingency Plan

- A. The City will establish a plan to address economic situations that cause revenue to be significantly less than the adopted budget revenue. The plan is comprised of the following components:
 - Indicators – Serve as warnings that potential budgetary revenue shortfalls are increasing in probability. Staff will monitor state and national economic indicators to identify recessionary or inflationary trends that could negatively impact consumer spending or property values.
 - Levels – Serve to classify and communicate the severity of the estimated budgetary revenue shortfalls and identify the actions to be taken at the given phase.
 - Actions – Preplanned steps to be taken in order to prudently address and counteract the estimated budgetary revenue shortfall.
- B. The actions listed in Levels I through IV are intended to be short-term in nature. In the event the underlying economic situation is expected to last for consecutive years, more permanent actions will be taken.
- C. The City Manager or designee will apprise City Council at the regular City Council meeting immediately following any action taken through this plan. Information such as underlying economic condition, economic indicators, estimated budgetary revenue shortfalls, actions taken and expected duration will be presented to City Council.
- D. The City Council may appropriate available fund balance as needed to cover any estimated revenue shortfall. Appropriation of fund balance must be carefully weighed and long-term budgetary impacts must be considered in conjunction with the projected length of the economic downturn.
- E. Actions taken through this plan must always consider the impact in revenue generation. Actions taken should reduce expenses well in excess of resulting revenue losses.
- F. The following is a summary of classifications and the corresponding actions to be taken.
 - 1. Level I: The estimated annual revenue is below budget projections for 3 consecutive months. Current economic conditions and indicators may continue.
 - a. Expenditures:
 - i. Freeze newly created positions.
 - ii. Implement a time delay for hiring vacant positions.
 - iii. Increase/decrease temperatures in all City Buildings during hours not open to public.

- b. Revenues:
 - i. Identify any potential new revenue sources.
 - c. Service Level Impacts:
 - i. Minor service level disruptions and/or delays.
 - ii. New projects may be postponed or deferred.
 - iii. Begin planning for Levels II through IV.
 - iv. Implement Community Communication Plan in order to communicate to citizens any service levels that may be impacted.
 - d. Improvement in Economic Conditions. When the estimated annual revenue equals or exceeds the budget projections for 3 consecutive months *and economic indicators are anticipated to continue to improve*, initiate normal operating procedures.
2. Level II: The estimated annual revenue is below budget projections for 6 consecutive months. Current economic conditions and indicators are anticipated to continue.
- a. Expenditures:
 - i. Implement a managed-hiring program for vacant positions.
 - ii. Reduce the hours/number of part-time and seasonal employees as per Reduction in Force Policy.
 - iii. Reduce travel and training expenses.
 - iv. Review and prioritize reductions of operating and capital expenditures.
 - v. Eliminate or defer capital outlay expenses.
 - vi. Review and prioritize expenses for professional and contracted services.
 - b. Revenues:
 - i. Evaluate user fees in order to remain competitive.
 - ii. Identify and/or implement new revenue sources.
 - iii. Evaluate Electric, Solid Waste, Water, and Wastewater rate increases.
 - iv. Evaluate use of available fund balance.
 - c. Service Levels Impacts:
 - i. Cutbacks or reductions in non-essential day-to-day operations (number of times parks are mowed, hours of operations of facilities).
 - ii. Adjust service hours for City Facilities. (example: increase hours of City Hall from 9 hours to 11 hours for four days and close one day per week with increased/decreased temperatures or adjust hours of Library, etc.)
 - iii. Defer general (non-essential) maintenance.
 - iv. Prioritize and defer or freeze vehicle replacements, computer upgrades, and new computer purchases. Replacements for essential non-working equipment are allowed, subject to approval by the City Manager.
 - v. Reduce or defer non-essential repair and maintenance expenses. Example – vehicles, communications, office equipment, machinery and buildings. Repair and maintenance on non-working equipment is permitted, subject to approval by the City Manager.
 - d. Improvement in Economic Conditions. When the estimated annual revenue equals or exceeds the budget projections for 3 consecutive months, *and economic indicators are anticipated to continue to improve*, initiate Level I.

3. Level III: The estimated annual revenue is below budget projections for 9 consecutive months, or is below budget projections by more than 6% for 6 consecutive months. Current economic conditions and indicators are anticipated to continue or possibly worsen.
 - a. Expenses:
 - i. Prepare for implementation of a Reduction in Force Plan.
 - ii. Implement a compensation freeze.
 - iii. Identify overtime expenses that may likely be reduced.
 - iv. Reduce external program funding.
 - v. Eliminate or defer pending capital improvement projects.
 - vi. Consider deferring payments to City-owned utilities – Electric, Solid Waste, Water, and Wastewater services.
 - b. Revenues:
 - i. Recommend property tax increase.
 - ii. Recommend Electric, Solid Waste, Water, and Wastewater rate increase.
 - iii. Recommend new revenues, or increases in current fees.
 - iv. Recommend use of available fund balance.
 - c. Service Level Impacts:
 - i. Significant reductions in service levels.
 - ii. Evaluate and/or recommend a reduction in hours of operation at all facilities.
 - iii. Essential programs and services will be evaluated for reductions.
 - iv. Reduce energy costs through reduction in hours of operations.
 - d. Improvement in Economic Conditions. When the estimated annual revenue equals or exceeds the budget projections for 3 consecutive months, and *economic indicators are anticipated to continue to improve*, initiate Level II.
4. Level IV: The estimated annual revenue is below budget projections for 12 consecutive months, or is below budget projections by more than 6% for 9 consecutive months. Current economic conditions and indicators are anticipated to continue and are likely to worsen.
 - a. Expenditures:
 - i. Implement Reduction in Force Plan (reduce employee personnel costs, including an employee furlough plan for time off without pay and/or four-day work weeks, laying off of personnel, etc.).
 - ii. Consider other cost reduction strategies.
 - iii. Reduce departmental budgets by a fixed percentage or dollar amount.
 - iv. Eliminate external program funding.
 - v. Reduce and/or eliminate overtime expenses throughout departments.
 - b. Revenues:
 - i. Implement property tax rate increase.
 - ii. Implement Electric, Solid Waste, Water, and Wastewater rate increase.
 - iii. Increase user fees.
 - iv. Implement use of available fund balance.
 - c. Service Level Impacts:
 - i. Reduce hours of operations to all facilities.
 - ii. Implement service level reductions throughout all departments and/or eliminate specific programs.

- iii. Departments will prioritize service levels and programs according to City Council goals and objectives.
- iv. Defer infrastructure and street overlay maintenance.
- d. Improvement in Economic Conditions. When the estimated annual revenue equals or exceeds the budget projections for 3 consecutive months, and *economic indicators are anticipated to continue to improve*, initiate Level III.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on a request by First United Methodist Church to use Confederate Square for drive-in church services on May 31, 2020 and a date to be determined in June 2020.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Consideration

BACKGROUND:

The First United Methodist Church has requested the use of Confederate Square for drive-in church service on May 31, 2020 and a date to be determined in June 2020. Set up will begin early Sunday morning with church services starting at 9 a.m. and lasting one hour. The church expects to have the square cleared by noon. The stage will be a flat bed trailer and they will be utilizing a FM transmitter and sound system so attendees can listen via their radio. It will not be necessary to close any streets for this event.

POLICY CONSIDERATIONS:

Staff is seeking direction from the City Council.

FISCAL IMPACT:

None anticipated at this time.

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff is seeking direction from the City Council.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on a request by the Gonzales Chamber of Commerce and Agriculture to donate a portion of land located adjacent to 304 St. Louis Street to address an encroachment of the building owned by the Chamber on land in which the City of Gonzales is the owner of record.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Consideration

BACKGROUND:

Attached is a request from the Gonzales Chamber of Commerce and Agriculture to donate a portion of land located adjacent to 304 St. Louis Street to address an encroachment of the building owned by the Chamber on land in which the City of Gonzales is the owner of record.

A suggestion has been made that the Chamber donate swap an equal portion of land with the City and replat the property. This option is currently being discussed with the City's engineer.

POLICY CONSIDERATIONS:

Staff is seeking direction from the City Council.

FISCAL IMPACT:

If there is a swap of property there would be little financial impact.

ATTACHMENTS:

Letter of Request

Survey of Chamber Property

STAFF RECOMMENDATION:

Staff is seeking direction from the City Council.

May 4, 2020



Dear Council:

As you know, the Gonzales Chamber of Commerce purchased the red GVEC Home Store building at 304 St. Louis Street in Gonzales, Texas, in March of 2018. The attached survey reveals the building encroaches upon city owned property. As you can see, it is a very small encroachment of a foot or two.

We will soon be seeking a possible loan to fund improvements to our new building. As such, any lender will require we clear title to any encroachments. We understand the City usually will consider a lease only, especially in light of the recently passed resolution not to sell any city property.

However, we are requesting your consideration of a waiver to this particular resolution since it such a minute portion of real estate. We would most respectfully request your consideration of a donation of this small parcel to the Gonzales Chamber of Commerce and Agriculture so that we might proceed to a lender with clean title to the property.

If you should have any questions, please feel free to reach out to any board member or Chamber staff.

Chamber of Commerce Board of Directors:

President: Rebekah Morgan

Vice President: Dane King

2nd Vice President: Carolyn Morrow

Treasurer: Jason Fogle

Abigail Casares

Crystal Gray

Eddie Escobar

Edward Wuensch

Jean Peterek Burns

Kasey Rhodes

Samantha Garcia

Sarah Carrizales

Shawntel McCune

Steven Gresham

Suzanne Zaitz

Chamber of Commerce Staff:

Director: Daisy Scheske Freeman

Administrative Assistant: Elizabeth Riley

Visitor Center Docent: JoLaine Schurig

Student Associate: Molly Manning

Sincerely,

Rebekah Morgan, President

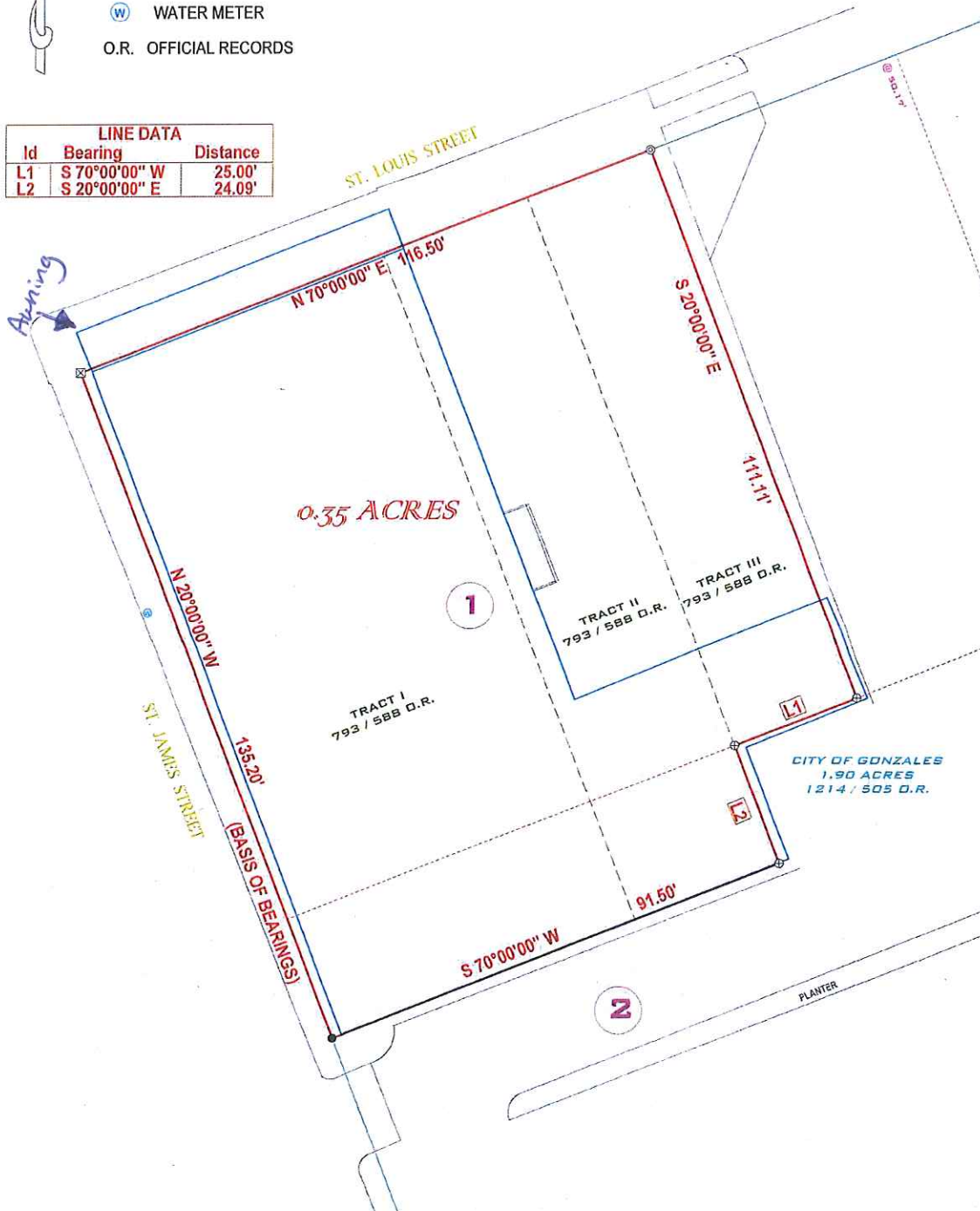


LEGEND

- 5/8" IRON ROD FOUND
- ⊠ "X" MARKED IN CONCRETE
- ⊙ PK NAIL FOUND WITH WASHER
- ⊕ CALCULATED POINT IN BUILDING
- Ⓜ WATER METER
- O.R. OFFICIAL RECORDS

ORIGINAL INNER TOWN OF GONZALES
BLOCK NO. 17 ~ PARTS OF LOTS NOS. 1 & 2
CITY OF GONZALES
GONZALES COUNTY, TEXAS

LINE DATA		
Id	Bearing	Distance
L1	S 70°00'00" W	25.00'
L2	S 20°00'00" E	24.09'



PLAT SHOWING all that certain tract of 0.35 of an acre of land, more or less, lying and being situated in Gonzales County, Texas, being part of Lots Nos. 1 and 2, Block No. 17, in the Original Inner Town of Gonzales, more particularly being all of TRACT I, TRACT II, and TRACT III, described in Special Warranty Deed dated December 31, 1997, executed by Aida Alvarez to GVEC Home Services, Inc., recorded in Volume 793, Page 588, of the Official Records of Gonzales County, as was found during an on the ground survey done under my supervision on March 22, 2018.

SETH M. FULLILOVE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6397



GONZALES FIRST SHOT SURVEYING, L.L.C.
403 ST. GEORGE STREET
GONZALES, TEXAS 78629
830-672-6585 FIRM# 10172000

SCALE: 1" = 20'	DATE: 03/22/18	SIZE: 11x17
DRAWN: GAB	CHECKED:	JOB: S18-043

May 14, 2020 Council Agenda 49 of 93

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on
Resolution #2020-45 Authorizing the City
Manager to execute a license agreement with
H.C. Schmidt for an unopened street.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

River Land Holdings, LLC has requested a license agreement for two portions of an unopened street located on the east side of Range No. 15, East of Water Street in the Original Outer Town of Gonzales.

POLICY CONSIDERATIONS:

N/A

FISCAL IMPACT:

STAFF RECOMMENDATION:

Staff is seeking direction from the Council on this item.

RESOLUTION NO. 2020-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH RIVER LAND HOLDINGS, LLC GRANTING THEM THE USE OF CERTAIN TRACTS OF LAND AS DESCRIBED; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, River Land Holdings, LLC is requesting the right to use tracts of land described in Exhibits “A” and “B” of the license agreement attached as Attachment A; and,

WHEREAS, the concession agreement will for a period of fifteen (15) years with the option to be extended for up to four (4) additional fifteen (15) year terms; and,

WHEREAS, the City Council of the City of Gonzales hereby finds that the execution of the license agreement with River Land Holdings, LLC 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 recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales hereby approves the License Agreement with River Land Holdings, LLC attached hereto as Attachment A and authorizes the execution of said Agreement by the City Manager.

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.

Section 8. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 14th day of May, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary

ATTACHMENT A TO RESOLUTION 2020-45
LICENSE AGREEMENT

This License Agreement is made this the _____ day of _____, 2020, by and between the City of Gonzales, a Municipal Corporation, of Gonzales County, Texas, hereinafter called the LICENSOR, and River Land Holdings, LLC a Texas Limited Liability Company of Gonzales County, Texas hereinafter called LICENSEE:

RECITALS

WHEREAS, the LICENSOR is the owner of the tracts of land attached hereto as Exhibit's "A" and "B";

WHEREAS, the LICENSEE desires to exercise certain rights and privileges upon the above described property;

NOW THEREFORE, it is agreed as follows:

GRANT OF LICENSE

LICENSOR hereby grants unto the LICENSEE, its successors and assigns the right to use for free and uninterrupted use, liberty and privilege of occupying the hereinabove described tracts of land, together with free unobstructed ingress and egress to and from the said LICENSEES, their heirs and assigns, for a period of FIFTEEN (15) years only, from and after the date of this agreement, in, along, upon and over said tract of land TO HAVE AND TO HOLD all and singular the said license and privileges aforesaid, unto the LICENSEE during the term of said License. The rights herein granted to LICENSEE, may be assigned in part or in whole, but expressly subject to the terms of this License Agreement and approval of the City Council. This License may be extended for up to FOUR (4) additional FIFTEEN (15) year terms.

In consideration for this agreement, the LICENSEE shall pay to the LICENSOR the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

TERMINATION

It is expressly agreed and understood by the LICENSEE that the purpose of this license is to grant to LICENSEE a license and right on the hereinabove described tracts of land because said tracts of land are located within boundaries of the property owned by the LICENSEE, and it is expressly agreed and stipulated, and LICENSEE, by the acceptance of this license, expressly agrees, that should either of the hereinabove described tracts of land cease to be

used by LICENSEE for a period of SIX (6) consecutive months during the term of this grant, or, in the event the LICENSOR shall open for traffic either of the hereinabove tracts of land, this license shall TERMINATE, and be of no force or effect, and all such rights and privileges herein granted as to such tract to the LICENSEE, shall automatically revert to the LICENSOR, and its successors and assigns.

RESOLUTION AND AUTHORITY

This License Agreement and the grant to Licensee has set forth herein were authorized by the duly passed Resolution of the City of Gonzales dated _____, 2020 and the undersigned was authorized to act on behalf of the City of Gonzales, Texas. A copy of the Resolution is attached hereto as Exhibit "C".

Executed this the ____ day of April, 2020

LICENSOR: City of Gonzales

CONNIE KACIR
Mayor, City of Gonzales

STATE OF TEXAS

COUNTY OF GONALES

This instrument was acknowledged before me on the ____ day of _____, 2020, by Connie Kacir Mayor of the City of Gonzales, Texas, a municipal corporation, on behalf of the corporation, and in the capacity stated.

Notary Public, State of Texas

AGREED TO AND ACCEPTED BY:

LICENSEE:

River Land Holdings, LLC,

a Texas limited liability company

By: _____

Henry C. Schmidt, III, Manager

STATE OF TEXAS §

COUNTY OF GONZALES §

This instrument was acknowledged before me on April ____, 2020, by Henry C. Schmidt, III, as Manager of River Land Holdings, LLC, for the benefit of said company.

Notary Public, State of Texas

EXHIBIT "A"

S19-124C_BStreet

Being all that certain tract of 0.479 acres of land, more or less, lying and being situated in Gonzales County, Texas, being part of an unopened city street (55.55 feet wide) lying on the east side of Range No. 15, East of Water Street, in the Original Outer Town of Gonzales, intended to be described by metes and bounds, with bearing basis GPS Grid North, as follows:

BEGINNING at a 5/8 inch iron rod set (all iron rods set with red plastic cap marked Gonzales First Shot Surv) in the east line of said unopened city street, and in the west line of a 33.213 acre tract of land described in Special Warranty Deed December 9, 2019, executed by River Land Holdings, LLC to Truitt Land Holdings, LLC, recorded in Volume 1333, Page 276, of the Official Records of Gonzales County, the same being the northwest corner of a 7.554 acre tract of land surveyed on even date, and the southwest corner of a 12.748 acre tract of land surveyed on even date, for the southeast corner of this tract or parcel of land hereby intended to be described;

THENCE entering said subject tract, South 68° 12' 37" West 55.55 feet to a 5/8 inch iron rod set in the west line of said unopened city street, and in the east line of a 1.060 acre tract of land described as SECOND TRACT in above deed to Truitt Land Holdings, the same being at the northeast corner of a 0.897 acre tract of land surveyed on even date and at the southeast corner of a 0.163 acre tract of land surveyed on even date, the same being in the east line of Lot No. 3, Range No. 15, East of Water Street, in the Original Outer Town of Gonzales, for the southwest corner of this tract or parcel of land hereby intended to be described;

THENCE North 21° 16' 15" West along the west line of said unopened city street and the east line of said 1.060 acre Truitt Land Holdings tract, and the east line of said 0.163 acre tract of land surveyed on even date, and said Lot No. 3, and said Range No. 15, at 203.48 feet, crossing a 60 penny nail set, at the north corner of said 0.163 acre tract of land surveyed on even date, and in the east line of County Road No. 488, and continuing into said County Road No. 488, at, 138.44 feet, crossing a 5/8 inch iron rod found flush with the ground at the northeast corner of said Lot No. 3, Range No. 15, East of Water Street, and at the southeast corner of Lot No. 4, Range No. 15, East of Water Street, and continuing along the east line of said Lot 4, in all a distance of 376.08 feet to a point in said line, for the northwest corner of this tract or parcel of land hereby intended to be described;

THENCE crossing said unopened city street, North 68° 14' 01" East 55.55 feet to a 5/8 inch iron rod set in the east line of said unopened city street, and in the west line of said 33.213 acre Truitt Land Holdings tract, the same being the west line of said 12.748 acre tract of land surveyed on even date, for the northeast corner of this tract or parcel of land hereby intended to be described;

THENCE South 21° 16' 15" East 376.06 feet along the east line of said subject tract and the west line of said 33.213 acre Truitt Land Holdings tract, and said 12.748 acre tract of land surveyed on even date, to the PLACE OF BEGINNING, as is shown in Gonzales First Shot Surveying Plat No. S19-124C_B, dated April 2, 2020.

These Field Notes were prepared from a survey done on the ground under my supervision and are true and correct to the best of my knowledge.



SETH M. FULLILOVE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6397



EXHIBIT "B:

S19-124C_CStreet

Being all that certain tract of 0.438 of an acre of land, more or less, lying and being situated in Gonzales County, Texas, being part of an unopened city street (55.55 feet wide) lying on the east side of Range No. 15, East of Water Street, in the Original Outer Town of Gonzales, intended to be described by metes and bounds, with bearing basis GPS Grid North, as follows:

BEGINNING at a 3/4 inch iron pipe found in the east line of said unopened city street, the same being at the southwest corner of a 33.213 acre tract of land described as FIRST TRACT in Special Warranty Deed December 9, 2019, executed by River Land Holdings, LLC to Truitt Land Holdings, LLC, recorded in Volume 1333, Page 276, of the Official Records of Gonzales County, and at the southwest corner of a 7.554 acre tract of land surveyed on even date, and at the northwest corner of a 19.74 acre tract of land described in Warranty Deed dated September 8, 1978, executed by David Espinosa and Herminia Espinosa to Johnny Espinosa, recorded in Volume 445, Page 574, of the Gonzales County Deed Records, for the southeast corner of this tract or parcel of land hereby intended to be described;

THENCE entering said unopened city street, South 67° 46' 01" West 55.55 feet to a 5/8 inch iron rod set (all iron rods set with red plastic cap marked Gonzales First Shot Surv) at the southeast corner of a 1.060 acre tract of land described as SECOND TRACT in Special Warranty Deed December 9, 2019, executed by River Land Holdings, LLC to Truitt Land Holdings, LLC, recorded in Volume 1333, Page 276, of the Official Records of Gonzales County, and at the southeast corner of a 0.897 acre tract of land surveyed on even date, for the southwest corner of this tract or parcel of land hereby intended to be described;

THENCE North 21° 16' 15" West 344.44 feet along the west line of said unopened city street, and the east line of said 1.060 acre Truitt Land Holdings tract, and said 0.897 acre tract of land surveyed on even date, to a 5/8 inch iron rod set in said line, and at the northeast corner of said 0.897 acre tract of land surveyed on even date, and at the southeast corner of a 0.163 acre tract of land surveyed on even date, for the northwest corner of this tract or parcel of land hereby intended to be described;

THENCE entering said unopened city street, North 68° 12' 37" East 55.55 feet to a 5/8 inch iron rod set in the east line of said unopened city street, and in the west line of said 33.213 acre Truitt Land Holdings tract, the same being at the northwest corner of said 7.554 acre tract of land surveyed on even date, and at the southwest corner of a 12.748 acre tract of land surveyed on even date, and being in the west line of the Andrew Zumwalt 3/4 League, Abstract No. 503, for the northeast corner of this tract or parcel of land hereby intended to be described;

THENCE 21° 16' 15" East along the east line of said unopened city street, and the west line of said 33.213 acre Truitt Land Holdings tract, and said 7.554 acre tract of land surveyed on even date, and said Andrew Zumwalt 3/4 League, at 59.17 feet, crossing the southwest corner of said Andrew Zumwalt 3/4 League and the northwest corner of the Eli Mitchell 3/4 League and Labor, Abstract No. 337, and continuing along the west line of said Eli Mitchell 3/4 League and Labor, in all a distance of 344.01 feet to the PLACE OF BEGINNING, as is shown on Gonzales First Shot Surveying Plat No. S19-124C_C, dated April 2, 2020.

These Field Notes were prepared from a survey done on the ground and are true and correct to the best of my knowledge.



SETH M. FULLILOVE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6397



EXHIBIT “C”

INSERT.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on the Texas Junior High Rodeo Association's (TJHRA) request to conduct the TJHRA Finals event June 22 – June 27, 2020 at J.B. Wells in accordance with the Open Texas Phase 1 Guidelines for Outdoor Sports or other guidelines established by the Governor.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Consideration

BACKGROUND:

Due to the COVID -19, Texas Junior High Rodeo Association is asking to conduct the TJHRA Finals June 22-27, 2020 in a modified version of allowing two regions a day Monday through Friday and then on Saturday the short go. There would be no spectators allowed on the grounds, only the parents of the contestants would be allowed on the grounds. They are asking for 25% of the money that was budgeted \$6,250.00 and eight hotel rooms for staff (our current Contract is \$25,000.00 and 20 hotel rooms).

This would limit the number on the grounds at one time, with social distancing. They would be allowed to spend one night and possibly two if they could not travel back home in a timely manner.

This is all contingent that the Governor would open more things up in Phase 2.

POLICY CONSIDERATIONS:

Staff respectfully requests the approval.

FISCAL IMPACT:

The money would be cut by 25% and hotel rooms cut by 12 rooms. We would rent stalls for \$20 a night and RV for \$30 a night. We would not have the stall rental or the tent expense.

ATTACHMENTS:

The proposal from the TJHRA and the Liability forms that everyone that comes on the grounds and contestants would have to have filled out and notarized.

STAFF RECOMMENDATION:

Staff respectfully requests the approval.

Overview:

Texas High School Rodeo Association (THSRA) & Texas Junior High Rodeo Association (TJHRA) operates under the rules and guidelines of the National High School Rodeo Association (NHSRA). In 1949, Texas educator, Claude Mullins, created the NHSRA and hosted the first NHSRA National Finals event in Hallettsville, Texas.

NHSRA was established to give high school students the opportunity to participate in the unique and challenging sport of rodeo. NHSRA is an independent student athletic association emphasizing fairness in competition, good sportsmanship, and the importance of academic achievement. NHSRA operates without assistance from tax dollars. Members are fully insured, supervised and guided by adult experts, and provided opportunities to acquire scholarships and grants for continuing their educational careers.

Created in 2004, the NHSRA Junior High Division (NJHSRA) was established to bring the excitement of the sport to 6th, 7th, and 8th graders and to serve as a feeder system into the high school ranks of the Association. Today, all 48 state and provinces that belong to the NHSRA also produce a Junior High Division as well, with over 2,500 members in total now competing. Junior High Division students compete in a variety of events, including Barrel Racing, Pole Bending, Goat Tying, Breakaway Roping, Tie-Down Roping, Chute Dogging, Team Roping, Ribbon Roping and Junior Bull Riding, Bareback Steer Riding and Saddle Bronc Steer Riding.

Each summer the “best of the best” from each state and province qualify for the National Junior High Finals Rodeo. Approximately 1,000 competitors show off their talents in the event and compete for thousands of dollars in scholarships and prizes. Gallup, N.M., hosted the NJHFR from 2005 through 2013. The rodeo moved to Des Moines, Iowa, for 2014-15 and was hosted by Lebanon, Tenn, in 2016-17. After Lebanon, we moved to Huron, SD for 2018-19, and will arrive back in Des Moines, IA for 2020-21. Unfortunately due to the COVID-19 the National Finals will not be taking place in 2020.

THSRA was guarded and cautious in its decision to start the TJHRA. However, it was the City of Gonzales that helped convince THSRA to start the new association. In 2004, the City of Gonzales stepped up to host the first TJHRA state finals in 2005. Gonzales has been the home of the TJHRA State Finals ever since. THSRA and TJHRA is eternally grateful to the City of Gonzales for their continued generosity and hospitality. Approximately 450 contestants from around the state of Texas make Gonzales their home the last week of May each year.

NJHSRA members compete at state levels for state titles and the top four contestants in each event from each state qualify for the National High School Finals Rodeo. Over 1,000 contestants from each of the 47 state/province associations compete for national titles, awards and scholarships.

Over 600 student athletes have competed in ten regions across the state of Texas this season for their chance to qualify for the TJHRA State Finals in Gonzales, Texas. Since the NJHRA has had to cancel the National Junior High, Texas will not be able to go and compete at the National level, where Texas has been fortunate to win the National Title for the last three consecutive years and several others since the finals began.

Although we will not be able to travel to Nationals, in Texas the Texas Title means more to these athletes than being able to attend the National Finals. The Texas competition is tough and to earn that title is a great accomplishment.

In accordance with Texas ordinance related to Governor Abbott's executive orders and plans to re-open Texas business, Texas Junior High School Rodeo Association (TJHRA) proposes a responsible plan of action to produce a safe, quality state finals event. Complying with statewide restrictions is not only mandatory, but also essential to the safety of TJHRA contestants and the community surrounding Gonzales, Texas, and Gonzales County.

The Open Texas Executive Order's Phase I recommendation provides a checklist for Outdoor Sports Participants on page 38 of the Open Texas Report. This section of the report applies to our equine sports. THSRA will follow the checklist which states "individuals may engage in outdoor sports, provided that the sports do not include contact with other participants and no more than four participants play the sport at any time". In his speech, Governor Abbott used the examples of Golf and Tennis. In our rodeo events, no more than two people would be in the arena competing at the same time.

TJHRA remains hopeful COVID-19 will be forever defeated, and the association is dedicated to the responsible management of any events that will be allowed. TJHRA proposes to adapt the format of the event to reduce the number of people on-site and allow for Governor Abbott's social distancing guidelines of 6 feet of separation to be followed by contestants and enforced by the association.

Event Plan To Accommodate Open Texas Phase 1 Guidelines for Outdoor Sports:

- TJHRA proposes to modify and reduce the TJHRA Finals event from 6 days, to reduce the number of individuals on site at one time.
- TJHRA would be responsible for only allowing a pre-determined amount of horses and people to attend and participate in each days' competition. Those amounts will be determined by Texas law and J.B. Wells management.
- TJHRA will govern the number of people allowed on the facility grounds.
- TJHRA will follow all camping guidelines provided by J.B. Wells, City of Gonzales.
- TJHRA will restrict and public access to the facility grounds throughout the entire TJHRA Finals event.
- TJHRA will modify contestant check in procedures to avoid social congestion.
- TJHRA will limit grounds access exclusively to rodeo production personnel, contestants, and parents or guardians. No siblings, grandparents, other relatives, or friends are allowed.

Social Distancing and Best Practices

- Signage will be provided throughout the facility to remind attendees of best hygiene practices and social distancing, especially in areas where individuals tend to gather near restrooms, event holding areas, and warm up arenas.
- Parking areas will be clearly spaced and marked to ensure social distancing.
- Warm up areas will be clearly marked and monitored to ensure social distancing practices are maintained.
- Arena entrance / exits will be arranged so that riders are not coming in close contact entering and exiting the arenas.
- Monitors will be provided throughout the facility to maintain social distancing.
- Hand sanitizing stations / wipes will be provided in key areas where people frequent.
- High traffic areas will be sanitized frequently on a specific schedule per the Governor Abbott's guidelines.
- Riders will not be allowed to congregate or gather. Riders must keep 6 feet of space between each other at all times.
- The total number of horses and contestants in each competition area will be limited, based on state guidelines at the time of the event.
- To minimize contact, communication will involve radios, phones, email, text messaging, Facebook, and website announcements.
- To minimize contact, all stall and RV reservations will be pre-booked and pre-paid prior to the event, including shavings orders so that stalls may be pre-bedded before attendees arrive.
- Grandstands will be clearly sectioned to ensure social distancing. Access to grandstands will be limited exclusively to the parent(s). Parental access to the grandstands is only available while their child is competing. Parents must exit the grandstands immediately after their child's competitive run has ended.
- Contestants will be separated from one another in the arena. As usual, only one contestant will compete at any given time.
- Contestants will be scheduled for arrival, competition times, and departure to maintain safe numbers on the grounds at all times.

Liability Waiver and Illness Release

In addition to the standard liability waiver, all attendees will sign an additional waiver to include TJHRA, J. B. Wells and City of Gonzales, and any other supporting groups releasing liability for, but not limit to, COVID-19 exposure or infection. This would include a section stating:

- The attendee has conducted a “Self-Screening” per pg. 20 of the Open Texas report, and has not experienced any COVID-19 symptoms in the last 14 days;
 - The attendee has not had close contact with a person symptomatic or confirmed to have COVID-19 in the last 14 days;
 - Any attendee who was previously diagnosed with COVID-19 has been medically released to return to normal activities; and
 - The attendee agrees to social distancing standards.
- Event publicity will include “Individuals who are at a higher risk of infection should consider their own health status before attending a public event. Anyone with symptoms of COVID-19 must stay home.”

Conclusion:

The TJHRA has had a positive working relationship with J.B. Wells and City of Gonzales for many years. TJHRA’s Board of Directors and staff are dedicated the responsible management of the TJHRA State Finals Rodeo including the delivery and implementation of all required rules and restrictions. TJHRA will work in partnership with the J.B. Wells and City of Gonzales team to create one of the first equine events to be held during this devastating time in our world.

The Texas Horse Industry is a multi-billion-dollar business. That business evolved around the production of horse events. From rodeo to racing we are in partnership with the many county, city and privately held facilities that host our events. Without events and facilities like J.B. Wells, our industry disappears. Without a TJHRA State Finals Rodeo, the talented and dedicated youth of our great state will not have the opportunity to compete for Texas Title that they have worked so hard to achieve. Please work with us to execute a plan that delivers a safe environment for our staff, our members, and the community surrounding Gonzales County.

COVID-19 NHSRA/THSRA/TJHRA

(Please Print Clearly or Type and fill in all blanks)

Member's Name: _____

Address: _____ **City:** _____ **State:** _____ **Zip:** _____

Telephone #: _____ **DOB: Month** _____ **Day** _____ **Year** _____

COVID-19 RELEASE, ASSUMPTION OF RISK AND INDEMNITY AGREEMENT

In consideration of the above-named member ("Member") being allowed to participate and compete in the 2020 TJHRA Finals Rodeo, we, the Member, and the undersigned parent(s) or legal guardian of the Member, on behalf of the Member, and for ourselves, our personal representatives, heirs, spouse, parents, siblings, and children, do hereby:

1. RELEASE, WAIVE, DISCHARGE AND COVENANT NOT TO SUE the National High School Rodeo Association, Inc., the Texas High School Rodeo Association or Texas Junior High Rodeo Association, any other rodeo association, any rodeo committee, any stock contractor, any rodeo or event sponsors and the J.B. Wells, City of Gonzales, and each of them and their officers, directors, trustees, managers, agents and employees (all of whom are collectively referred to herein as "Releasees") from any and all liability to the Member, the undersigned, and their personal representatives, assigns, heirs, parents, legal guardians, siblings, and children, and any claims or demands therefore, on account of the Member's or the undersigned's injury, illness, disease or death from the COVID-19 coronavirus, which occurs as a result of the Member's or any of the undersigned's entrance onto the grounds of the J.B. Wells, City of Gonzales and/or participation as a contestant, assistant, official or otherwise in any rodeo event, whether such injury, sickness, disease or death is caused by the negligence or other wrongful conduct of, strict liability or otherwise by, one or more of the Releasees or any contestants, spectators or other individuals at the J.B. Wells, City of Gonzales.
2. AGREE TO INDEMNIFY AND SAVE AND HOLD HARMLESS THE RELEASEES and each of them from any liability, damage or loss (including, but not limited to, attorneys' fees and other defense costs) one or more of them may suffer or incur arising out of or related to the Member's or any of the undersigned's entry onto the grounds of the J.B. Wells, City of Gonzales and/or participation in any rodeo events, whether such claim is based on one or more of the Releasees' negligence, breach of contract or warranty, strict liability or other legal theory.
3. UNDERSTAND that Member's and the undersigned's entry onto the grounds of the J.B. Wells, City of Gonzales and/or participation in rodeo events during the COVID-19 pandemic contains DANGER AND RISK OF ILLNESS, DISEASE, INJURY OR DEATH TO MEMBER and the undersigned, that COVID-19 is highly contagious, and that there is INHERENT DANGER in COVID-19 which the Member and each of the undersigned appreciate and voluntarily assume because we choose to do so. WE EACH VOLUNTARILY ELECT TO ASSUME AND ACCEPT ALL RISKS inherent in COVID-19.
4. We each agree to comply with all federal, state and local laws and regulations and all security policies and procedures of the J.B. Wells, City of Gonzales, THSRA, TJHRA, and the NHSRA relating to COVID-19. We each understand that the Member may be denied entrance to the J.B. Wells, City of Gonzales and not allowed to participate or continue to participate in the rodeo based on medical check-in requirements and continuing medical requirements during the duration of the rodeo. The undersigned agree that in the event any portion of this document is held to be invalid, the balance shall, notwithstanding, continue in full legal force and effect to the greatest extent possible under applicable law. The parents or guardian of the Member agree that by signing below they are in addition to binding themselves, binding the Member to the maximum extent permitted by applicable law.

WE HAVE READ THIS RELEASE, ASSUMPTION OF RISK AND INDEMNITY AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT WE HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT, ASSURANCE, OR GUARANTEE BEING MADE, AND INTEND THIS TO BE A COMPLETE AND UNCONDITIONAL RELEASE OF ALL LIABILITY TO THE GREATEST EXTENT ALLOWED BY APPLICABLE LAW.

Signature of Natural Father

Print Clearly or Type Name of Natural Father

Signature of Natural Mother

Print Clearly or Type Name of Natural Mother

Signature of Legal Guardian

Print Clearly or Type Name of Legal Guardian

Signature of Member

Print Clearly or Type Name of Member

On this _____ day of _____ 2020, before me, personally appeared _____

Notary: List all Names Notarized

_____ to me known to be the persons who executed the foregoing Release and acknowledged that they signed same as their free act and deed.

My Commission Expires: _____

Notary Public

*Both parents or legal guardian and member must sign this form in the appropriate places above. If only one parent is signing, please note reason on signature line. For example, DECEASED, DIVORCED AND FULL CUSTODY, ETC. All signatures must be witnessed by a notary and listed as personally appearing in the appropriate place on the form. Be sure that notary signs, dates and places his/her seal on the form. Please return original Release form to the state/province secretary with Official Contestant Entry Form.

COVID-19 NHSRA/THSRA/TJHRA
(Please Print Clearly or Type and fill in all blanks)

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone #: _____ DOB: Month _____ Day _____ Year _____

COVID-19 RELEASE, ASSUMPTION OF RISK AND INDEMNITY AGREEMENT

In consideration of being allowed to attend the 2020 TJHRA Finals Rodeo, I, the undersigned individual, for myself, my personal representatives, heirs, spouse, parents, siblings, and children, do hereby:

1. RELEASE, WAIVE, DISCHARGE AND COVENANT NOT TO SUE the National High School Rodeo Association, Inc., the Texas High School Rodeo Association and Texas Junior High Rodeo Association, any other rodeo association, any rodeo committee, any stock contractor, any rodeo or event sponsors and the J.B. Wells Arena, City of Gonzales, and each of them and their officers, directors, trustees, managers, agents and employees (all of whom are collectively referred to herein as "Releasees") from any and all liability to me, the undersigned, and my personal representatives, assigns, heirs, parents, legal guardians, siblings, and children, and any claims or demands therefore, on account of the undersigned's injury, illness, disease or death from the COVID-19 coronavirus, which occurs as a result of my, the undersigned's, entrance onto the grounds of the J.B. Wells, City of Gonzales and/or participation as an assistant, official or otherwise in any rodeo event, whether such injury, sickness, disease or death is caused by the negligence or other wrongful conduct of, strict liability or otherwise by, one or more of the Releasees or any contestants, spectators or other individuals at the J.B. Wells, City of Gonzales.
2. AGREE TO INDEMNIFY AND SAVE AND HOLD HARMLESS THE RELEASEES and each of them from any liability, damage or loss (including, but not limited to, attorneys' fees and other defense costs) one or more of them may suffer or incur arising out of or related to the undersigned's entry onto the grounds of the J. B. Wells, City of Gonzales and/or participation in any rodeo events, whether such claim is based on one or more of the Releasees' negligence, breach of contract or warranty, strict liability or other legal theory.
3. UNDERSTAND that the undersigned's entry onto the grounds of the J.B. Wells, City of Gonzales and/or participation in the event during the COVID-19 pandemic contains DANGER AND RISK OF ILLNESS, DISEASE, INJURY OR DEATH TO the undersigned, that COVID-19 is highly contagious, and that there is INHERENT DANGER in COVID-19 which the undersigned appreciate and voluntarily assume because he/she chooses to do so. I, the undersigned, VOLUNTARILY ELECT TO ASSUME AND ACCEPT ALL RISKS inherent in COVID-19.
4. I, the undersigned, agree to comply with all federal, state and local laws and regulations and all security policies and procedures of the J.B. Wells, City of Gonzales, THSRA, TJHRA and the NHSRA relating to COVID-19. I, the undersigned, understand that I may be denied entrance to the Expo Center of Taylor County and not allowed to participate or continue to participate in the rodeo event based on medical check-in requirements and continuing medical requirements during the duration of the rodeo. The undersigned agrees that in the event any portion of this document is held to be invalid, the balance shall, notwithstanding, continue in full legal force and effect to the greatest extent possible under applicable law. I agree that by signing below I am binding myself to the maximum extent permitted by applicable law.

I HAVE READ THIS RELEASE, ASSUMPTION OF RISK AND INDEMNITY AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT, ASSURANCE, OR GUARANTEE BEING MADE, AND INTEND THIS TO BE A COMPLETE AND UNCONDITIONAL RELEASE OF ALL LIABILITY TO THE GREATEST EXTENT ALLOWED BY APPLICABLE LAW.

Signature _____

Print Clearly or Type Name _____

On this _____ day of _____ 2020, before me, personally appeared _____

Notary: List all Names Notarized

to me known to be the persons who executed the foregoing Release and acknowledged that they signed same as their free act and deed.

My Commission Expires: _____

Notary Public _____

CITY OF GONZALES FINANCIALS

May 14, 2020

FINANCIAL REPORTS FOR FUNDS

CASH & INVESTMENT BY FUND

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: MAY 31ST, 2020

100-GENERAL FUND

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

REVENUE SUMMARY						
401-TAX REVENUE	2,731,386.00	0.00	1,919,203.49	70.26	0.00	812,182.51
402-FRANCHISE REVENUE	1,948,150.00	213.66	886,325.62	45.50	0.00	1,061,824.38
403-LICENSE/FEE/PERMITS	59,500.00	531.04	37,279.89	62.66	0.00	22,220.11
404-PARKS FEES REVENUE	193,850.00	3,723.64	95,388.63	49.21	0.00	98,461.37
405-MUNICIPAL COURT REVEN	116,932.00	337.25	30,580.10	26.15	0.00	86,351.90
406-MISCELLANEOUS REVENUE	763,852.00	1,022.91	490,797.90	64.25	0.00	273,054.10
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	45,000.00	0.00	18,033.32	40.07	0.00	26,966.68
409-OTHER FINANCING REVEN	518,273.00	0.00	563,730.45	108.77	0.00	(45,457.45)
410-TRANSFERS	2,436,066.00	0.00	1,252,947.28	51.43	0.00	1,183,118.72

*** TOTAL REVENUES ***	8,813,009.00	5,828.50	5,294,286.68	60.07	0.00	3,518,722.32
=====						
EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTME	88,359.00	3,222.94	48,695.51	55.11	0.00	39,663.49
102-CITY MANAGER DEPART	242,406.24	6,588.92	137,027.10	56.53	0.00	105,379.14
103-COMMUNITY DEVELOPMENT	236,666.36	5,449.64	114,644.96	48.44	0.00	122,021.40
104-NON-DEPARTMENTAL	776,632.00	0.00	232,159.60	30.06	1,290.75	543,181.65
105-MAIN STREET DEPARTMEN	155,476.12	1,974.91	66,359.04	42.68	0.00	89,117.08
106-ECONOMIC DEVELOPMENT	0.00	0.00	9.90	0.00	0.00	(9.90)
107-BUILDING MAINTENANCE	227,722.36	4,313.43	113,564.88	49.87	0.00	114,157.48
108-CITY SECRETARY DEP	135,304.12	0.00	67,972.25	50.24	0.00	67,331.87
109-FINANCE DEPARTMENT	259,025.36	6,479.08	167,344.61	64.61	0.00	91,680.75
110-HOTEL/MOTEL	0.00	0.00	116.12	0.00	0.00	(116.12)
201-PARKS DEPARTMENT	718,492.08	13,951.05	352,643.47	49.08	0.01	365,848.60
202-SWIMMING POOL DEPARTM	37,249.00	0.00	541.40	1.45	0.00	36,707.60
204-RECREATION DEPARTMENT	12,194.00	0.00	163.66	1.34	0.00	12,030.34
206-INDEPENDENCE GOLF CO	271,250.24	4,922.94	147,183.52	54.26	0.00	124,066.72
301-FIRE DEPARTMENT	1,535,368.20	21,055.25	916,650.62	60.01	4,663.10	614,054.48
501-POLICE DEPARTMENT	2,498,981.24	54,728.56	1,428,137.88	57.15	0.00	1,070,843.36
504-ANIMAL CONTROL DEPART	157,030.12	1,828.51	78,703.09	50.12	0.00	78,327.03
550-MUNICIPAL COURT DEPT.	188,836.24	1,391.39	71,687.84	37.96	0.00	117,148.40
602-AIRPORT DEPARTMENT	92,100.00	0.00	47,473.86	51.55	0.00	44,626.14
603-STREETS DEPARTMENT	929,778.86	10,555.41	462,964.41	75.46	238,644.04	228,170.41
650-LIBRARY DEPARTMENT	276,791.48	5,194.59	154,678.46	55.88	0.00	122,113.02
660-MUSEUM DEPARTMENT	162,945.12	1,297.40	50,393.66	30.93	0.00	112,551.46

*** TOTAL EXPENDITURES ***	9,002,608.14	142,954.02	4,659,115.84	54.47	244,597.90	4,098,894.40
=====						
** REVENUES OVER (UNDER) EXPENDITURES **	(189,599.14)	(137,125.52)	635,170.84	206.00-	(244,597.90)	(580,172.08)
=====						

C I T Y O F G O N Z A L E S
 FINANCIAL STATEMENT
 AS OF: MAY 31ST, 2020

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	643,143.00	1,950.00	217,500.10	33.82	0.00	425,642.90
406-MISCELLANEOUS REVENUE	7,968.00	0.00	0.00	0.00	0.00	7,968.00
*** TOTAL REVENUES ***	651,111.00	1,950.00	217,500.10	33.40	0.00	433,610.90
EXPENDITURE SUMMARY						
203-JB WELLS PARK	705,673.72	7,296.71	289,841.11	41.07	0.00	415,832.61
*** TOTAL EXPENDITURES ***	705,673.72	7,296.71	289,841.11	41.07	0.00	415,832.61
** REVENUES OVER (UNDER) EXPENDITURES **	(54,562.72)	(5,346.71)	(72,341.01)	132.58	0.00	17,778.29

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: MAY 31ST, 2020

210-ELECTRIC FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
710-ELECTRIC DEPARTMENT	10,939,850.00	164,064.21	5,595,901.12	51.15	0.00	5,343,948.88
750-REVENUE COLLECTION	221,727.00	25.00	119,190.61	53.76	0.00	102,536.39
809-HYDRO PLANT CONST.	100.00	0.00	85.84	85.84	0.00	14.16
*** TOTAL REVENUES ***	11,161,677.00	164,089.21	5,715,177.57	51.20	0.00	5,446,499.43
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	10,753,843.73	5,822.23	4,683,541.25	44.01	48,757.00	6,021,545.48
750-REVENUE COLLECTIONS	257,769.48	5,426.70	151,743.28	58.87	0.00	106,026.20
809-HYDRO PLANT CONST.	328,400.00	0.00	321,316.70	97.84	0.00	7,083.30
*** TOTAL EXPENDITURES ***	11,340,013.21	11,248.93	5,156,601.23	45.90	48,757.00	6,134,654.98
** REVENUES OVER(UNDER) EXPENDITURES **	(178,336.21)	152,840.28	558,576.34	285.88-	(48,757.00)	(688,155.55)

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: MAY 31ST, 2020

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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						
300-CAPITAL PROJECTS-BUS	0.00	0.00	0.00	0.00	0.00	0.00
720-WATER PRODUCTION DEPT	2,166,600.00	1,195.00	1,105,997.26	51.05	0.00	1,060,602.74
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	2,166,600.00	1,195.00	1,105,997.26	51.05	0.00	1,060,602.74
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	2,151,712.60	8,311.79	964,539.81	45.74	19,612.96	1,167,559.83
722-SERIES 2011 DEBT SERV	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	2,151,712.60	8,311.79	964,539.81	45.74	19,612.96	1,167,559.83
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	14,887.40	(7,116.79)	141,457.45	818.44	(19,612.96)	(106,957.09)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: MAY 31ST, 2020

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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	1,454,000.00	2,870.00	702,987.33	48.35	0.00	751,012.67
*** TOTAL REVENUES ***	1,454,000.00	2,870.00	702,987.33	48.35	0.00	751,012.67
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,523,927.56	12,974.75	723,793.90	47.50	0.00	800,133.66
*** TOTAL EXPENDITURES ***	1,523,927.56	12,974.75	723,793.90	47.50	0.00	800,133.66
** REVENUES OVER(UNDER) EXPENDITURES **	(69,927.56)	(10,104.75)	(20,806.57)	29.75	0.00	(49,120.99)

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: MAY 31ST, 2020

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	908,850.00	250.00	520,675.45	57.29	0.00	388,174.55
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	908,850.00	250.00	520,675.45	57.29	0.00	388,174.55
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	864,354.24	2,366.63	429,110.39	49.65	0.00	435,243.85
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	864,354.24	2,366.63	429,110.39	49.65	0.00	435,243.85
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	44,495.76	(2,116.63)	91,565.06	205.78	0.00	(47,069.30)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: MAY 31ST, 2020

300-CAPITAL PROJECTS-BUSINESS

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

REVENUE SUMMARY						
300-CAPITAL PROJECTS-BUS	125,000.00	0.00	44,865.72	35.89	0.00	80,134.28
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	125,000.00	0.00	44,865.72	35.89	0.00	80,134.28
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
301-STREETS	2,194,800.00	0.00	102,142.46	4.65	0.00	2,092,657.54
302-WASTEWATER	1,134,000.00	0.00	52,147.50	4.60	0.00	1,081,852.50
303-ELECTRIC	0.00	0.00	0.00	0.00	0.00	0.00
304-WATER	2,367,629.00	29,141.00	561,621.29	23.72	0.00	1,806,007.71
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	5,696,429.00	29,141.00	715,911.25	12.57	0.00	4,980,517.75
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	(5,571,429.00)	(29,141.00)	(671,045.53)	12.04	0.00	(4,900,383.47)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: MAY 31ST, 2020

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.	1,047,510.00	0.00	928,291.47	88.62	0.00	119,218.53
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,047,510.00	0.00	928,291.47	88.62	0.00	119,218.53
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	1,046,860.00	0.00	779,585.00	74.47	0.00	267,275.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	1,046,860.00	0.00	779,585.00	74.47	0.00	267,275.00
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	650.00	0.00	148,706.47	877.92	0.00	(148,056.47)
	=====	=====	=====	=====	=====	=====

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: MAY 31ST, 2020

500-RESTRICTED USE FUNDS

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

REVENUE SUMMARY						
410-TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL/MOTEL	360,000.00	45.19	219,541.98	60.98	0.00	140,458.02
812-MEMORIAL MUSEUM	12,440.00	0.00	25,201.83	202.59	0.00	(12,761.83)
813-FORFEITURES	10,650.00	0.00	2,057.68	19.32	0.00	8,592.32
814-MUNICIPAL COURT	6,600.00	128.12	2,191.92	33.21	0.00	4,408.08
815-ROBERT L BROTHERS	93,745.00	0.00	9,594.93	10.24	0.00	84,150.07
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	483,435.00	173.31	258,588.34	53.49	0.00	224,846.66
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL MOTEL	480,195.12	2,275.56	207,597.85	43.23	0.00	272,597.27
812-MEMORIAL MUSEUM	25,000.00	0.00	2,448.29	9.79	0.00	22,551.71
813-FORFEITURES	17,000.00	0.00	3,000.00	17.65	0.00	14,000.00
814-MUNICIPAL COURT	19,000.00	0.00	0.00	0.00	0.00	19,000.00
815-ROBERT L BROTHERS	43,700.00	0.00	16,214.81	37.10	0.00	27,485.19
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	584,895.12	2,275.56	229,260.95	39.20	0.00	355,634.17
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	(101,460.12)	(2,102.25)	29,327.39	28.91-	0.00	(130,787.51)
	=====	=====	=====	=====	=====	=====

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: MAY 31ST, 2020

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	1,033,000.00	0.00	587,189.32	56.84	0.00	445,810.68
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,033,000.00	0.00	587,189.32	56.84	0.00	445,810.68
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,323,216.12	1,011.20	423,664.96	32.02	0.00	899,551.16
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	1,323,216.12	1,011.20	423,664.96	32.02	0.00	899,551.16
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	(290,216.12)	(1,011.20)	163,524.36	56.35-	0.00	(453,740.48)
	=====	=====	=====	=====	=====	=====

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>100-GENERAL FUND</u>			
=====			
<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	929,093.74	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	62,044.51	
100 1-101.702	CASH - IND PARK IMPT OIL	0.00	

	TOTAL CASH	991,138.25	
<u>INVESTMENTS</u>			
100 1-103.409	RBFCU-SAVINGS ACCOUNT		0.00
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		277,725.89
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		14,351.83
100 1-103.419	LIBRARY RESTRICTED USE-DONATIO		0.00
100 1-103.702	IND PARK IMPROVE OIL - INVEST.		0.00

	TOTAL INVESTMENTS		292,077.72
<u>POOLED INVESTMENTS</u>			
100 1-104.000	TEXPOOL - GENERAL FUND		0.00
100 1-104.002	TEXPOOL- GENERAL FUND		1,270,458.77
100 1-104.604	TEXPOOL - ARMORY LEASE		0.00
100 1-104.702	TEXPOOL - IND PARK IMPT OIL		0.00
100 1-104.703	TEXPOOL - LEWIS PROPERTY		0.00

	TOTAL POOLED INVESTMENTS		1,270,458.77

	TOTAL 100-GENERAL FUND	991,138.25	1,562,536.49
<u>203-JB WELLS FUND</u>			
=====			
<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	(213,863.49)	

	TOTAL CASH	(213,863.49)	

	TOTAL 203-JB WELLS PARK FUND	(213,863.49)	0.00
<u>210-ELECTRIC FUND</u>			
=====			
<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	1,643,648.64	
210 1-001.499	CASH -HYDRO CO'S	0.00	
210 1-001.500	CASH - HYDRO BOND I & S	0.00	
210 1-001.600	CONFIDENTIALITY FEE	0.00	

CASH & INVESTMENTS BY FUND

AS OF: MAY 31ST, 2020

MAY 31ST, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
210 1-001.606	CASH CUSTOMER METER DEPOSIT	178,075.41	
TOTAL CASH		1,821,724.05	
<u>INVESTMENTS</u>			
210 1-103.000	AGENCY SECURITIES - ELECTRIC		0.00
210 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
210 1-103.410	CERT OF DEP - SOUTH STAR BANK		272,355.52
210 1-103.411	CERT OF DEPOSIT - RBFCU		0.00
210 1-103.606	CUSTOMER METER DEPOSITS - INVT		0.00
210 1-103.706	ELEC CAPITAL IMPROVEMENT-INST.		0.00
TOTAL INVESTMENTS			272,355.52
<u>POOLED INVESTMENTS</u>			
210 1-104.000	TEXPOOL- UNDESIGNATED		0.00
210 1-104.001	TEXPOOL-HYDRO CO'S		0.00
210 1-104.002	TEXPOOL- ELECTRIC FUND		1,779,217.03
210 1-104.606	TEXPOOL - CUSTOMER METER DEP		0.00
210 1-104.706	TEXPOOL - JOHNSON ST PROP		0.00
TOTAL POOLED INVESTMENTS			1,779,217.03
TOTAL 210-ELECTRIC FUND		1,821,724.05	2,051,572.55
<hr/>			
220-WATER FUND			
=====			
<u>CASH</u>			
220 1-001.000	CASH - WATER FUND	646,389.96	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	16,154.00	
TOTAL CASH		662,543.96	
<u>INVESTMENTS</u>			
220 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
220 1-103.411	CERTIFICATE OF DEPOSIT-SAGE		0.00
220 1-103.606	CUSTOMER METER DEPOSITS - INVT		0.00
TOTAL INVESTMENTS			0.00
<u>POOLED INVESTMENTS</u>			
220 1-104.000	TEXPOOL - WATER FUND		0.00
220 1-104.001	TEXPOOL CONSTRUCTION		0.00
220 1-104.002	TEXPOOL- WATER FUND		101,669.60
220 1-104.606	CUSTOMER METER DEPOSIT - TXPOL		0.00
TOTAL POOLED INVESTMENTS			101,669.60
TOTAL 220-WATER FUND		662,543.96	101,669.60

CASH & INVESTMENTS BY FUND

AS OF: MAY 31ST, 2020

MAY 31ST, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>230-WASTEWATER FUND</u>			
=====			
<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	325,660.47	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	0.00	

TOTAL CASH		325,660.47	
<u>INVESTMENTS</u>			
230 1-103.000	INVESTMENTS AGENCY SECURITIES		0.00
230 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
230 1-103.411	CERT. OF DEP - SOUTH STAR BANK		274,166.37

TOTAL INVESTMENTS			274,166.37
<u>POOLED INVESTMENTS</u>			
230 1-104.000	TEXPOOL - WASTEWATER		0.00
230 1-104.002	TEXPOOL- WASTEWATER FUND		508,347.80

TOTAL POOLED INVESTMENTS			508,347.80
		-----	-----
TOTAL 230-WASTEWATER FUND		325,660.47	782,514.17
<u>240-SOLID WASTE</u>			
=====			
<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	128,897.63	
240 1-001.606	CASH CUSTOMER GARBAGE DEP	0.00	

TOTAL CASH		128,897.63	
<u>INVESTMENTS</u>			
240 1-103.000	INVESTMENTS AGENCY SECURITIES		0.00
240 1-103.402	INVESTMENTS - I & S REVENUE BD		0.00
240 1-103.403	INVESTMENTS - I & S BOND RES		0.00

TOTAL INVESTMENTS			0.00
<u>POOLED INVESTMENTS</u>			
240 1-104.000	TEXPOOL - SOLID WASTE FUND		0.00
240 1-104.100	TEXASTERM		0.00
240 1-104.402	TEXPOOL - I & S REVENUE BOND		0.00
240 1-104.403	TEXPOOL - I & S BOND RESERVE		0.00

TOTAL POOLED INVESTMENTS			0.00
		-----	-----
TOTAL 240-SOLID WASTE FUND		128,897.63	0.00

CASH & INVESTMENTS BY FUND

AS OF: MAY 31ST, 2020

MAY 31ST, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>250-DSF PROPRIETARY</u>			
=====			
<u>CASH</u>			
250 1-001.000	CASH-DSF PROPRIETARY	0.00	

TOTAL CASH		0.00	

TOTAL 250-DSF PROPRIETARY		0.00	0.00
<u>300-CAPITAL PROJECTS-BUS</u>			
=====			
<u>CASH</u>			
300 1-001.000	CASH CONTROL - CAPITAL PROJ	0.00	
300 1-101.301	BOND - CIP	0.00	

TOTAL CASH		0.00	
<u>POOLED INVESTMENTS</u>			
300 1-104.101	CASH-CO SERIES 2019 CIP STREET		2,115,040.64
300 1-104.102	CASH-CO SERIES 2019 CIP W/W		1,093,377.24
300 1-104.103	CASH-CO SERIES 2019 CIP WATER		1,844,270.37
300 1-104.104	CASH-CO SERIES 2019 CIP GEN.		84,326.10

TOTAL POOLED INVESTMENTS			5,137,014.35

TOTAL 300-CAPITAL PROJECTS-BUSINESS		0.00	5,137,014.35
<u>400-DSF GOVERNMENTAL ACTI</u>			
=====			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCT	0.00	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	207,881.69	

TOTAL CASH		207,881.69	

TOTAL 400-DSF GOVERNMENT ACTIVITIES		207,881.69	0.00
<u>500-RESTRICTED USE FUNDS</u>			
=====			
<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCT	2,132.22	
500 1-001.501	CASH - TEXAS CAPITAL	0.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	796,651.37	
500 1-001.503	CASH - MUSEUM FUNDS	40,723.38	

CASH & INVESTMENTS BY FUND

AS OF: MAY 31ST, 2020

MAY 31ST, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
500 1-001.504	CASH - FORFEITURES	25,907.26	
500 1-001.505	CASH - MUN CRT CHILD SAFETY	16,827.04	
500 1-001.506	CASH - MUN CRT SECURITY	26,853.93	
500 1-001.507	CASH - MUN CRT TECH	4,656.52	
500 1-001.508	CASH - SPECIAL EXPENSE	6,640.26	
500 1-001.509	CASH - AIRPORT IMPT	0.00	
500 1-001.510	PEG FRANCHISE (RESTRICTED USE)	0.00	
500 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	109,637.02	
TOTAL CASH		1,025,764.56	
TOTAL 500-RESTRICTED USE FUNDS		1,025,764.56	0.00

700-COMPONENT UNIT

=====

CASH	
700 1-001.000	CASH - CONTROL ACCOUNT (4.00)
700 1-001.101	CASH - ECONOMIC DEV CORP 2,972,433.50
TOTAL CASH 2,972,429.50	

INVESTMENTS

700 1-103.411	CERT OF DEPOSIT -FNB GONZALES	0.00
700 1-103.412	CERT OF DEPOSIT-SAGE CAPITAL	0.00
700 1-103.419	RBFCU- BASIC BUSINESS CHECKING	0.00
700 1-103.420	RBFCU - MONEY MARKET ACCT	0.00
700 1-103.430	SAVINGS ACCT - RBFCU	0.00
TOTAL INVESTMENTS		0.00

POOLED INVESTMENTS

700 1-104.000	TEXPOOL - ECONOMIC DEV	0.00
TOTAL POOLED INVESTMENTS		0.00
TOTAL 700-GONZALES ECONOMIC DEV		2,972,429.50

FUND TOTAL OTHER INVESTMENTS	838,599.61
FUND TOTAL POOLED INVESTMENTS	8,796,707.55

TOTAL CASH AND INVESTMENTS	7,922,176.62	9,635,307.16
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*** END OF REPORT ***

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution # 2020-46 Authorizing the City Manager to defer all hotel occupancy tax payments for the second quarter of FY2019-2020 for a minimum of 90 days, with penalties waived, based on the recommendation from the Gonzales Convention and Visitor Bureau.

DATE: May 14, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Hotel Occupancy Taxes (HOT) are collected by both the State of Texas and City of Gonzales from lodging properties located within the city limits of Gonzales, Texas. Lodging property owners collect the monies and submit them to the City of Gonzales in the form of a quarterly payment, with some properties electing to submit monthly.

Due to unprecedented economic impacts upon the Tourism & Hospitality industry from the COVID-19 pandemic, local Gonzales lodging owners have seen significant decreases in occupancy rates and are experiencing severe revenue shortfalls. Most have faced the challenge of employee furloughs and layoffs, with some even having to close their properties.

The Gonzales Convention and Visitors Bureau presents this recommendation to the Gonzales City Council in an effort to ease the heavy burden upon local lodging partners by providing additional time for payment of HOT, in an effort to help them sustain operations and retain employees. The objective is to avoid permanent closure of our local lodging properties, which would be detrimental to the recovery of the destination.

POLICY CONSIDERATIONS:

The deferral of HOT payments will impact the overall fund balance of 500.811 temporarily. The financial responsibilities of this fund include the salary of the Tourism Director, 50% of debt service payments for the J.B. Wells Expo Center and funding assistance for local attractions and partners. Due to the current balance of available funds within this department, the GCVB felt comfortable making this recommendation in an effort to assist local lodging properties during this time of public health and economic crisis.

FISCAL IMPACT:

Approximately \$61,000 in delayed HOT payments for the second quarter of FY2019-2020.

ATTACHMENTS:

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2020-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING THE RECOMMENDATION OF GONZALES CONVENTION & VISITOR BUREAU TO DEFER HOTEL OCCUPANCY TAX PAYMENTS FOR ALL GONZALES LODGING PROPERTIES FOR THE SECOND QUARTER OF FISCAL YEAR 2019-2020 FOR 90 DAYS, AS WELL AS WAIVE ALL PENALTIES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, President Trump declared a national emergency on March 13, 2020 in regards to the Coronavirus disease (COVID-19); and

WHEREAS, Governor Greg Abbott declared a public health disaster on March 13, 2020; and

WHEREAS, City of Gonzales Mayor Connie Kacir issued a Declaration of Public Health Emergency on March 15, 2020; and

WHEREAS, the City of Gonzales City Council extended the Declaration of Local Disaster on March 16, 2020; and

WHEREAS, in March of 2020, counties across Texas began implementing shelter-in-place and/or stay-at-home orders, prohibiting all non-essential travel within the restricted areas in an effort to mitigate the spread of COVID-19 throughout Texas; and

WHEREAS, Governor of Texas Greg Abbott issued an Executive Order on March 31, 2020 mandating the restrictive measures of social distancing, avoidance of social gatherings and interactions, telework for non-essential employees and closure of all non-essential businesses in an effort to mitigate the spread of COVID-19 throughout Texas; and,

WHEREAS, in late March of 2020, the Texas Comptroller granted 90-day extensions on state taxes due by businesses and individuals, as well as payment agreements and waiver of all penalties and interest in most instances; and,

WHEREAS, U.S. hotel profits fell 101% in March; and,

WHEREAS, as of April 28, 2020, nearly 300,000 hotel-related jobs have been lost in Texas due to the COVID-19 pandemic; and,

WHEREAS, over \$18 billion in hotel room revenue has been lost among United States hotel properties during the COVID-19 pandemic; and,

WHEREAS, most United States hoteliers, including hoteliers within the city limits of Gonzales, have reported single-digit occupancy during the COVID-19 pandemic; and,

WHEREAS, local hotel performance reports indicate over 70% daily decreases in year-over-year occupancy rates among Gonzales lodging properties since March 15, 2020; and,

WHEREAS, *Tourism Economics* declares COVID-19's impact to the U.S. travel industry to be 9x worse than the 9/11 terrorist attack; and,

WHEREAS, CBRE is projecting revenue losses of 80% for the second quarter of 2020 for U.S. hotel properties; and,

WHEREAS, 70% of direct lodging employees in the U.S. have been laid off or furloughed due to the COVID-19 pandemic.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales, Texas hereby approves the Gonzales Convention and Visitor Bureau's recommendation to defer Hotel Occupancy Tax payments for the second quarter of Fiscal Year 2019-20 (Jan-Mar 2020) for all lodging properties located within the city limits of Gonzales, for a minimum of 90 days from the due date of April 15, 2020 and to waive all penalties to lodging properties so long as the balance of hotel occupancy taxes due to the City of Gonzales are paid within the timeframe set forth by the City Council of Gonzales, Texas.

Section 3. That it is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 4. This Resolution shall be effective upon its approval.

Section 5. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 14th day of May, 2020.

CITY OF GONZALES

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, Interim City Secretary

COVID-19 IMPACT ON LOCAL LODGING PERFORMANCE

All variances are a Year over Year comparison (%)

WEEK OF:	OCCUPANCY	ADR	REVPAR
8-Mar-20	10.2	-1.8	8.2
15-Mar-20	7.4	6	1
22-Mar-20	-15	-9.5	-22
29-Mar-20	-54	-11.5	-59
5-Apr-20	-56	-16	-62.5
12-Apr-20	-46	-13.5	-53



April 14, 2020

Via E-Mail ASimper@gonzales.texas.gov

Ashley Simper
Tourism Director
City of Gonzales

Dear Director Simper,

I operate the Best Western Regency Inn & Suites at 1811 E Sarah Dewitt Drive, Gonzales, Texas. Prior to the COVID-19 pandemic, which has had a devastating effect on my hotel, my associates, my family and my community, we employed 8 citizens and taxpayers who you have a duty and responsibility to represent and to ensure their best interests are protected – to include their employment opportunities.

My hotel has always supported this community as a driver of revenue, employment and local business activity. Additionally, regarding taxes, I have always paid them as a responsible businessperson. I recognize the need to support our local commerce, infrastructure and my fellow citizens.

Noting the terrible impact COVID-19 has had on the hospitality industry and my hotel, I am respectfully requesting that you waive the remittance of Hotel and Motel Occupancy Tax and grant those funds to my hotel for the period of the first quarter ending on March 31, 2020. Waiving this tax will help ensure the long-term health and sustainability of the area's diverse lodging community. It will allow our hotels to maintain operations, even if at a reduced capacity, that will enable us to employ associates. Their employment is a benefit to the community in that it reduces the number of those seeking unemployment benefits – allowing others to take advantage of a system already stressed by the ever-increasing number of unemployed who are in desperate need of financial assistance. Just as importantly, doing the right thing and waiving this tax during the crisis will allow our associates to continue to work while holding their heads high with dignity and honor as we continue to fight this terrible scourge together.

A person's self-worth and dignity are worthy of your attention and action.

Regency Inn & Suites

1811 E. Sarah Dewitt Dr., Gonzales, TX 78629 P: (830) 672-5555 Reservations: 1 (800) 780-7234 bestwestern.com

Wherever Life Takes You, Best Western Is There. May 14, 2020 Council Agenda 87 of 93

Each Best Western® branded hotel is independently owned and operated.



My hotel wants to do its part in supporting the fight against this terrible virus by continuing to do business in the community. But your hoteliers need your help.

My request is simple, please waive the remittance of Hotel and Motel Occupancy Tax and grant those funds to my hotel for the period of the first quarter ending on March 31, 2020. It is the right thing to do for the greater good of our community and those who need your help – your citizens who want to work and support our community.

As a hotelier who wants to be a part of our business community for years to come, I am available if you have any questions at the following telephone number and email address:

Telephone: 916-606-9641

Email Address: nileshrp916@gmail.com

Thank you for considering this humble request. It is the right thing to do for the greater good.

Sincerely,

A handwritten signature in blue ink, appearing to read "Niles R. Patel", with a horizontal line underneath.

Niles R. Patel
Owner and Operator

cc: Mayor Connie Kacir (via email)

Regency Inn & Suites

1811 E. Sarah Dewitt Dr., Gonzales, TX 78629 P: (830) 672-5555 Reservations: 1 (800) 780-7234 bestwestern.com

Wherever Life Takes You, Best Western Is There.®

Each Best Western® branded hotel is independently owned and operated.

THE TEXAS LODGE

April 14, 2020

Via E-Mail ASimper@gonzales.texas.gov

Ashley Simper
Tourism Director
City of Gonzales

Dear Director Simper,

I operate the The Texas Lodge at 1821 E Sarah Dewitt Drive, Gonzales, Texas. Prior to the COVID-19 pandemic, which has had a devastating effect on my hotel, my associates, my family and my community. My hotel has always supported this community as a driver of revenue, employment and local business activity. Additionally, regarding taxes, I have always paid them as a responsible businessperson. I recognize the need to support our local commerce, infrastructure and my fellow citizens.

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THE TEXAS LODGE

My hotel wants to do its part in supporting the fight against this terrible virus by continuing to do business in the community. But your hoteliers need your help.

My request is simple, please waive the remittance of Hotel and Motel Occupancy Tax and grant those funds to my hotel for the period of the first quarter ending on March 31, 2020. It is the right thing to do for the greater good of our community and those who need your help – your citizens who want to work and support our community.

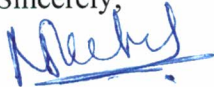
As a hotelier who wants to be a part of our business community for years to come, I am available if you have any questions at the following telephone number and email address:

Telephone: 916-606-9641

Email Address: nileshrp916@gmail.com

Thank you for considering this humble request. It is the right thing to do for the greater good.

Sincerely,



Niles R. Patel

Owner and Operator

cc: Mayor Connie Kacir (via email)

OXFORD ECONOMIC STUDY DATA

STATE BY STATE BREAKDOWN: JOB LOSS FIGURES FOR HOTEL INDUSTRY FROM CORONAVIRUS PANDEMIC

Study Showcases Potential Negative Impact Of Coronavirus Pandemic on Hotel Industry Employment

The hotel industry is facing an abrupt and unprecedented drop in hotel demand that is gaining pace and getting progressively deeper and more severe week by week.

The hotel industry supports nearly 8.3 million jobs total (direct hotel operations, guest spending, indirect supply-chain and induced), but drastic declines in occupancy rates will lead to massive job losses for individuals across the industry. Hotel owners are already reporting facing massive, unavoidable layoffs and furloughs.

Nearly 4 Million Employees Who Work In Or For The Hotel Industry Are Projected To Lose Their Jobs In The Coming Weeks, Or Have Already Been Furloughed.

STATE	Total Hotel Supported Jobs	Total Hotel Supported Job Loss
ALABAMA	82,164	(36,974)
ALASKA	33,674	(15,153)
ARIZONA	200,886	(90,399)
ARKANSAS	48,090	(21,640)
CALIFORNIA	1,014,600	(456,570)
COLORADO	176,034	(79,215)
CONNECTICUT	76,737	(34,532)
DELAWARE	14,877	(6,695)
DISTRICT OF COLUMBIA	40,824	(18,371)
FLORIDA	747,705	(336,467)
GEORGIA	255,767	(115,095)
HAWAII	140,093	(63,042)
IDAHO	40,978	(18,440)
ILLINOIS	292,588	(131,665)
INDIANA	109,908	(49,459)
IOWA	64,592	(29,066)
KANSAS	51,939	(23,373)
KENTUCKY	90,722	(40,825)
LOUISIANA	120,404	(54,182)
MAINE	42,468	(19,111)

MARYLAND	103,799	(46,709)
MASSACHUSETTS	163,678	(73,655)
MICHIGAN	193,432	(87,044)
MINNESOTA	131,048	(58,972)
MISSISSIPPI	80,978	(36,440)
MISSOURI	123,610	(55,625)
MONTANA	38,443	(17,299)
NEBRASKA	42,241	(19,009)
NEVADA	395,492	(177,971)
NEW HAMPSHIRE	36,778	(16,550)
NEW JERSEY	197,058	(88,676)
NEW MEXICO	54,079	(24,336)
NEW YORK	528,618	(237,878)
NORTH CAROLINA	216,178	(97,280)
NORTH DAKOTA	21,896	(9,853)
OHIO	192,378	(86,570)
OKLAHOMA	105,527	(47,487)
OREGON	114,338	(51,452)
PENNSYLVANIA	234,088	(105,340)
RHODE ISLAND	19,548	(8,796)
SOUTH CAROLINA	129,364	(58,214)
SOUTH DAKOTA	31,841	(14,328)
TENNESSEE	161,404	(72,632)
TEXAS	658,637	(296,387)
UTAH	86,463	(38,908)
VERMONT	36,959	(16,632)
VIRGINIA	192,936	(86,821)
WASHINGTON	190,566	(85,755)
WEST VIRGINIA	30,669	(13,801)
WISCONSIN	118,461	(53,307)
WYOMING	31,056	(13,975)
UNITED STATES	8,306,612	(3,737,975)
<i>Source: Oxford Economics (End of March, 2020)</i>		

* total jobs, including supply chain; Note: figures represent proportionate impacts of US hotel industry based on historical performance (each 10 percentage point decline in occupancy is shown as having the same successive impact for illustrative purposes). Economic impacts are based on Oxford Economics research for AHLA.

COVID-19 DEVASTATING HOTEL INDUSTRY

Low to zero hotel revenue driving unprecedented job loss

HISTORIC LOW OCCUPANCY

Impact to travel industry **9x worse** than 9/11. (Tourism Economics)

(Tourism Economics)

Nearly **50% revenue decline** in 2020, **\$124B**

lost off \$270B total (Oxford Economics)

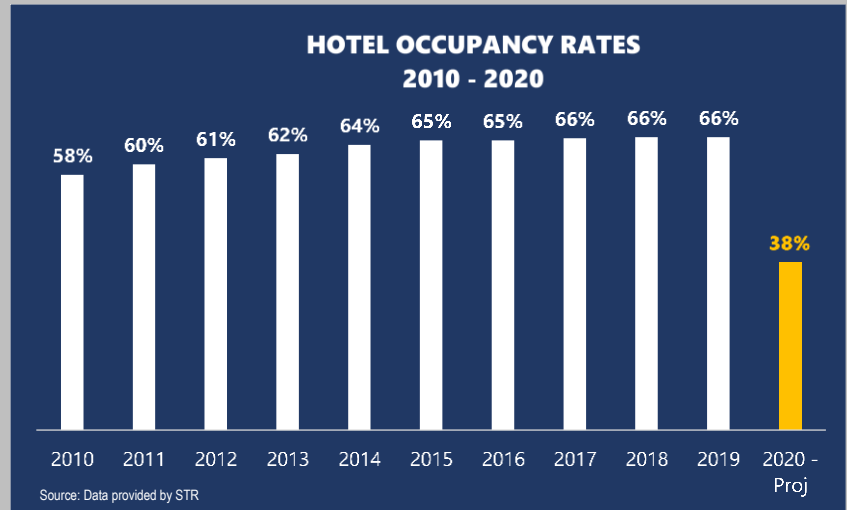
Eight in 10 hotel rooms are empty. (STR)

2020 is projected to be the **worst year on**

record for hotel occupancy. (CBRE)

Forecasted occupancy rate for 2020 **worse than**

1933 during Great Depression. (CBRE)



STAGGERING JOB LOSS

70% of hotel employees have been laid off or furloughed. (Oxford Economics and Hotel Effectiveness)

(Oxford Economics and Hotel Effectiveness)

Nearly **1.6 million** hotel employees out of work and

\$2.4 billion in weekly lost wages due to the crisis (Oxford Economics and Hotel Effectiveness)

(Oxford Economics and Hotel Effectiveness)

Nearly **3.9 million** total hotel-supported jobs have been lost

since the crisis began (Oxford Economics)



COMPARISON TO OTHER FINANCIAL CRISES

