

**CITY OF GONZALES, TEXAS**  
**CITY COUNCIL MEETING**  
**GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET**  
**VIA TELEPHONE CONFERENCE**  
**LIMITED IN PERSON ATTENDANCE AVAILABLE**  
**AGENDA –NOVEMBER 12, 2020 6:00 P.M.**  
**AMENDED**

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, November 12, 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](http://www.gonzales.texas.gov).

In accordance with Governor Abbott's Executive Order 29 issued on July 2, 2020 every person attending the meeting shall wear a face covering over the nose and mouth unless the person is under 10 years of age or has a medical condition or disability that prevents wearing a face covering.

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

*In person attendance by the public will be limited to 14 which is 50% capacity of the room less Council Members and required staff and should be separated by at least six (6) feet from other groups attending the meeting together. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.*

*Citizens wishing to offer comments on the posted agenda items may email their comments at least two hours prior to the start of the meeting and the comments will be read into the record during the time allocated for citizen comments. Emails may be sent to [citysecretary@gonzales.texas.gov](mailto:citysecretary@gonzales.texas.gov) and must include the name of the citizen*

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

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

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

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

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

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

### **CITY EVENTS AND ANNOUNCEMENTS**

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor
- Recognition of actions by City employees
- Recognition of actions by community volunteers

### **HEARING OF RESIDENTS**

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes. Individuals not able to attend due to space limitations may email the City Secretary at least two (2) hours prior to the meeting.

### **PRESENTATION**

- 1.1 Receive an Annual Update from Victoria College

### **CONSENT AGENDA ITEMS**

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

- 2.1 **Minutes** - Approval of the minutes for the following meetings:
  - a. October 8, 2020 Regular Meeting
  - b. October 16, 2020 Special Meeting
- 2.2 Discuss, Consider & Possible Action on **Resolution #2020- 109** Approving the Purchase of a 2020 Genie GTH-844 Extended Reach Forklift.
- 2.3 Discuss, Consider & Possible Action on **Resolution #2020-110** Approving the 2020 Final Tax Roll for the City of Gonzales.
- 2.4 Discuss, Consider & Possible Action on **Resolution #2020-111** Authorizing the Payment of Longevity Pay for Fiscal Year 2020-2021.
- 2.5 Discuss, Consider and Possible Action on **Resolution #2020-112** Authorizing the City Manager to execute an agreement with Gonzales County Restoration Association for the Pioneer Village Living History Center.
- 2.6 Discuss, Consider and Possible Action on **Resolution #2020-113** Authorizing the City Manager to execute an agreement with Preservation Gonzales regarding restricted use funds for the Gonzales County Jail Museum.

- 2.7 Discuss, Consider and Possible Action on **Resolution #2020-114** Authorizing the City Manager to execute an agreement with Gonzales Chapter Daughters of the Republic of Texas for the J.B. Wells House Museum.
- 2.8 Discuss, Consider & Possible Action on **Resolution #2020-115** Approving Work Order #67 in the amount of \$100,000 with for Engineering, Surveying and Project Management of the 2021 Water and Wastewater Improvement Projects and Authorizing the City Manager to Execute a Contract.
- 2.9 Discuss, Consider & Possible Action Approving **Resolution #2020-116** Authorizing the City Manager to Execute a Professional Services Agreement with Tank Industry Consultants for Professional Services Associated with the Rehabilitation of Tank No. 1 in an Amount Not to Exceed \$135,000.
- 2.10 Discuss, Consider & Possible Action on **Resolution #2020-117** Authorizing the Use of Downtown Square including the Parking Lot, and Designated Street Closures for the additional day of Friday, December 4<sup>th</sup>, for the Annual Winterfest Celebration.
- 2.11 Discuss, Consider & Possible Action on **Resolution #2020-118** Declaring Certain City Property Surplus and Authorizing the Sale, Donation or Destruction of Said Property in the manner most advantageous to the City of Gonzales.

#### **PUBLIC HEARING**

- 3.1 Conduct a public hearing and consider a recommendation to the City Council regarding **Ordinance #2020-23** approving a request to rezone a tract of land from R-1 Residential to R-2 Residential.

*Note: Individuals will be able to speak during the public hearing via teleconference. Please email [citysecretary@gonzales.texas.gov](mailto:citysecretary@gonzales.texas.gov) to participate.*

**PROPERTY OWNER:** Verle and Mary Williams  
**LEGAL DESCRIPTION:** Lot 2, Henry C. Schmidt, III Subdivision  
**PARCEL:** 28627

#### **RESOLUTIONS, ORDINANCES AND COUNCIL ACTION**

- 4.1 Discuss, Consider & Possible Action on **Resolution #2020-119** Approving the 2021 Insurance Provider for Health, Dental, Vision and Life.
- 4.2 Discuss, Consider & Possible Action on **Resolution #2020-120** Authorizing Gonzales Main Street, Inc. to add dedicated benches to Texas Hero Square and benches throughout the downtown.
- 4.3 Discuss, Consider & Possible Action on **Resolution #2020-121** Approving the Recommendation of the Gonzales Convention & Visitor Bureau to Approve Funding for the Design, Fabrication, and Installation of Eight Interpretive Panels, Under the Advisement of Preservation Gonzales, Inc., on the Historic Downtown Square, Not to Exceed the Amount of \$8,610.00.

- 4.4 Discuss, Consider & Possible Action on **Resolution #2020-122** Approving to Contract out Sweep Across Texas to Sweep all City Streets and Consider Frequency Options of Street Sweeping.
- 4.5 Discuss, Consider & Possible Action on **Resolution #2020-123** Approving an Airport Courtesy Car Use Policy and Authorizing the Use of a City Owned Vehicle as a Courtesy Car.
- 4.6 Discuss, Consider & Possible Action Approving **Resolution #2020-124** Authorizing Appointments to the Main Street Advisory Board.
- 4.7 Discuss, Consider & Possible Action on **Resolution #2020-125** Approving Annex K – Public Works and Engineering and Annex P – Hazard Mitigation for the Gonzales Independent School District Hazard Mitigation Plan.
- 4.8 Discuss, Consider & Possible Action Approving **Ordinance #2020-24** Closing and Abandoning to the abutting property owner, Marilyn Schmidt Portions of an unopened city street (Center Street) generally located east of Moore Street Approximately 150 feet North of St. Lawrence and Authorizing the City Manager to Execute the Real Property Contract.
- 4.9 Discuss, Consider & Possible Action Approving **Resolution #2020-126** Authorizing an Expenditure by the Gonzales Economic Development Corporation in an Amount Not to Exceed \$45,000.00 for Roof Repairs and Improvement to the Lynn Theater.
- 4.10 Discuss, Consider & Possible Action Approving **Resolution #2020-127** Authorizing an Appointment to the Gonzales Housing Authority.
- 4.11 Discuss, Consider & Possible Action on **Ordinance #2020-25** on Amendments to the City of Gonzales Code of Ordinances Article 9.500 – Code of Ethics and Conduct for City Officials and Employees.
- 4.12 Discuss, Consider & Possible Action on Resolution #2020-127 Authorizing the City Manager to Negotiate Outside Counsel for Edison Electric Institute (EEI) Agreement.

#### **STAFF/BOARD REPORTS**

- 5.1 Financial Report for the month of September 2020 and the quarter ending September 2020.
- 5.2 City Manager, Tim Patek will update the City Council on the following:
- Update on District 1 Clean Up
  - Rate Study Update
  - Country Village/Harrell Addition Update
  - Update on Christmas Party

#### **CLOSED SESSION**

- 6.1(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

(b) Pursuant to Section 551.086 of the Texas Government Code, to deliberate, vote or take final action on a competitive matter related to certain public power utilities

1. Consider matters related to contracts for electric service

### **RETURN TO OPEN SESSION**

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

### **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 ~~4:45:00~~ 4:45:00 p.m. on November 9, 2020. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.



Kristi Gilbert, Administrative Services Director/City Secretary