

**CITY OF GONZALES
CITY COUNCIL MEETING
JANUARY 9, 2018 MINUTES**

The City Council convened the council meeting at 6:00 p.m., January 9, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Tommy Schurig, Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Sean Lally, City Secretary- Kristina Vega, City Attorney- Sarah Griffin

Staff Present: Todd Remschel, Laura Zella, Micaela Estrada, Barbara Friedrich, Genora Young, Ryan Wilkerson, Marty Ficken, Cling Hille, Anne Dollery, Tim Patek, Tim Crow

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Jackie Mikesh, Victoria College, 424 E. Sarah Dewitt Drive, Gonzales, Texas, it is a pleasure to bring you some very good news tonight. We are notified every December of a particular foundation that offers grants to local entities and the Victoria College, Gonzales Center was awarded \$145K yesterday. We will be doing a news release on it. We will be getting \$25K to purchase our own trailer for our CDL program, we borrow back and forth a trailer from main campus, so we will be getting our trailer, and it will be shrink wrapped. Our marketing department will be paying for the shrink wrap. We will also be getting \$10,500 to update our HVAC lab. There's a few things we want to do, we want to build a wall and add a few things to our HVAC program, which is booming by the way. Then we also got \$30K to purchase a forklift. We have been borrowing a forklift from Gonzales Building Center. The icing on the cake was \$80K in scholarship money for Gonzales County and some Lavaca County students, so we can use that for workforce development. With that we are also going to offer two new programs, trying to meet the need of some of our area communities that were hurt by Hurricane Harvey. We will be offering a drywall class and also a basic carpentry; we are adding those to our schedule this spring. We will be moving forward and as always Victoria College is pleased and proud to be a part of the community and I was so pleased to bring you this good news.

Ruby Hamilton, 8th Grader at Gonzales Jr High School, I would like to share some stats with you. One in four students report being bullied. A nationwide survey reported 73% of kids get verbally harassed, 28% get physically abused and 23% of kids said they have been harassed online. Kids stay home from school for fear of being bullied, which causes lost time learning. Boys and girls who are bullied think it's their fault. Skip what they love to do and even hurt themselves. Although our school district has a strong stance on bullying, I have witnessed and experienced some of these things personally. Last November, my mom and I were volunteering with Mayor Kacir and I at the Youth Center. The Mayor said she believed that there may be funding available for anti-bullying program and wanted me to be the student ambassador on this project. As a 13 year old, I have been bullied, witnessed bullying and honestly been a bully. In fact, I challenge everyone here tonight to think about a time when they have been bullied, witnessed bullying happening and didn't stop it or maybe bullied someone themselves. Is there anyone in this room that hasn't experienced one of those three? The bullying needs to stop and it needs to start with my generation. That's why I'm here tonight, to tell you how important it is to fund anti bullying programs. At my school, we currently have anti bullying programs, but would appreciate additional funds from the Gonzales City Council to continue to support them.

Billy Bob Low, President of the Advisory Board of JB Wells, I am here to encourage you to do everything we can to keep all of these final rodeos here in Gonzales. Probably not anything has a bigger impact than JB Wells has year in and year out on visitors. TYRA finals are coming up and I think that's on your agenda tonight. Jr High Finals is coming up to vote, and we have several cities after us and they are going to try to take them away from us. Waco passed a \$40 million bond to redo their deal, Abilene is put a \$60 million bond I believe. I don't think they are going to come after Jr. High but you better bet Waco is. This weekend they have a Jr. High, High School finals, plus there's going to be a team roping Friday night which is probably going to be so big that they are going to have to push the start of the rodeo. I encourage you to do everything you can to keep all these finals here.

Steve Fischer, I live back in Lou's Garden and I became aware of something and would like to get some verification. They are now selling the lots out there individually. There are seven of them. I called two different real estate companies that are advertising them to find out the building restrictions. One of them told me there were no restrictions at all, that if you buy the lot you can do anything you want. The other one said the plans have to be submitted. I would like some clarification on that at some point. I would sure hate to see a double wide put on the lot next to me.

PUBLIC HEARING

Mayor Kacir read Item #1; The City of Gonzales is considering an Ordinance that will amend:

Section 13.211 Disconnection of Service for Nonpayment

(2) If any bill is not paid by or before that date, a second bill will be mailed on the day following the initial due date, containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and

Section 13.212 Resumption of Service

Any consumer of the utility services furnished by the city whose utility services have been disconnected or terminated for the nonpayment of the rates and charges therefor may have such utility services resumed by paying all rates, charges, deposits and penalties due by the customer to the city plus a reconnection fee set by the city from time to time. The amount due shall not include any amounts for which a bill has not yet been received by the customer.

No comments were made during the Public Hearing.

The Mayor stated as point of information the policy was recently reviewed with Council to be in compliance with the current statutes as reflected.

APPROVAL OF MINUTES

Item #2 and #3, The Mayor stated Council we'll call for approval of the December 5, 2017 minutes only at this meeting. December 20, 2017 will be placed on our next agenda. The Mayor asked for a motion to approve the minutes as reflected and or with amendments. Councilman O'Neal made a motion to approve minutes of the December 5, 2017 Regular City Council Meeting Minutes, and table the minutes of the December 20, 2017 Special Called Meeting. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

RESOLUTIONS

Item #4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-1 Authorizing the City Manager to Execute an Agreement with Texas Youth Rodeo Association (TYRA). Council in your packet we have a copy of the contract as revised by legal counsel. The rodeo board has met and has agreed to the next five years and they have been awaiting a contract since September. We have had counsel review that with the noted amendments contained within. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-1 Authorizing the City Manager to Execute an Agreement with Texas Youth Rodeo Association (TYRA). Councilman Schurig seconded the motion. The Mayor called for

discussion and added this rodeo brings in approximately 350 contestants from the central and south Texas area to rodeo in Gonzales. They have been with us for the past 13 years and are very pleased with our current staff and leadership of that facility. It does bring a large economic impact with it. For the record I would like to request that we have an agenda item placed on the next EDC board meeting to consider an economic impact on the JB Wells facility. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-2 Declaring the Golf Equipment (Vert-Drain Level Spike) as Surplus and Authorizing the Sale or Exchange of Said Property. Council in your packet we have a brief where staff has discussed the negotiation for the exchange of that equipment. We do meet all statutory requirements. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018- 2 Declaring the Golf Equipment (Vert-Drain Level Spike) as Surplus and Authorizing the Sale or Exchange of Said Property. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye". The Mayor commended the staff for utilizing that equipment to the highest and best use and to the best use of the City benefiting our golf course.

Item #6, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-3 Authorizing the Appointment of a Member to the Gonzales Economic Development Corporation. Council you have in your packet two applications for that position and as point of information, applicant Wilburn has requested we keep his application on file for the term of one year, however he is unable to serve at this time. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-3 Authorizing the Appointment of James M. Hamilton as a Member to the Gonzales Economic Development Corporation. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye." Mayor Kacir stated with that we welcome James Hamilton, he is in the audience this evening, he is well qualified and has past experience serving on the City Council of Weatherford and also Economic Development Board. Thank you for serving.

ORDINANCES

Item #7, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Ordinance #2018-1 Adopting a Budget Amendment for the 2017-2018 Fiscal Year by Decreasing Capital Expenditures in the Solid Waste Fund. Council at the last Council meeting we had discussed having our budget comply with our financial policy and we made the amendments across the board reducing transfers from three of our enterprise funds. Our finance director has now made the final amendment that was required for that particular request and come in compliance with the reduction in that fund that was

made through reducing expenditures on heavy equipment purchases. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve Ordinance #2018-1 Adopting a Budget Amendment for the 2017-2018 Fiscal Year by Decreasing Capital Expenditures in the Solid Waste Fund. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #8, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Ordinance #2018-2 Amending the Code of Ordinances Chapter 13, Utilities, Article 13.200 Utility Regulations, Division 2 Rates and Charges, Section 13.211 Disconnection of Service for Nonpayment and 13.212 Resumption of Service. This agenda item was vetted with staff and legal counsel to ensure compliance with the statute and any changes thereof. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve Ordinance #2018-2 Amending the Code of Ordinances Chapter 13, Utilities, Article 13.200 Utility Regulations, Division 2 Rates and Charges, Section 13.211 Disconnection of Service for Nonpayment and 13.212 Resumption of Service. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #9, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Ordinance #2018-3 Ordering a General Municipal Election to be Held on May 5, 2018, for the Purpose of Electing One City Councilmember for Single Member District No. 1 and One City Councilmember for Single Member District No. 2. Mayor Kacir asked for a motion to call the election. Councilman O'Neal made a motion to approve Ordinance #2018-3 Calling the City Election for the purpose of Early Voting providing for other matters relating to the election and providing an effective date of January 9, 2018. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #10, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Ordinance #2018-4 Closing and Abandoning to the Abutting Property Owners Portions of Certain Unimproved Streets. Councilmen in your packet we have discussed with legal counsel at length and meet all the statutory requirements of the Charter to sell the unimproved and unopened city streets within the county. Mayor Kacir asked for a motion that will allow us to abandon such streets. Councilman Schurig made a motion to approve Ordinance #2018-4 Closing and Abandoning to the Abutting Property Owners Portions of Certain Unimproved Streets. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

BOARD/STAFF REPORTS

Item #11, Mayor Kacir stated that the Financial Report for the month of December 2017 is available for review and asked the Council if they had any questions.

The Mayor stated under staff reports; she would call on Mr. Tim Patek to give an update and status on our public water supply.

Public Works Director, Tim Patek stated just to let you know TCEQ is here today, they have been in our water plant since one o'clock and we've been going over things with them. Ryan Wilkerson our plant operator has been talking with them and they basically are going to be doing a special performance evaluation. Today they did orientation of the plan and given a tour, facility description, treatment components, and then processing monitoring. They are coming back tomorrow at eight o'clock and we are going to pick up some other things. They will be here all the way until Friday and then they are going to give us their recommendations of things we can improve on from there. I would like to let you know, our staff has been working very hard and very diligent on the issue that we have on our storage tank number two with the baffles and so forth. The utility billing ladies have been doing a great job of collecting calls. We've been communicating with our water department where they have been going out and flushing hydrants. The wastewater and water plant staff has been very diligent in taking samples, checking and double checking and doing everything that we can to try to eliminate this problem. Hopefully when TCEQ gets through we will be able to come up with a solution to be able to see what we need to do. We have an idea, but we are wanting to get their opinion from them. One person is from Corpus and the other three are from Austin. That is the process we are doing, I will be glad to make you a copy of this evaluation that they are doing. It goes day by day. If anyone wants to come down when we are at the plant with TCEQ they are more than welcome to, but our staff has been working very hard and very diligent on this. Taking samples, doing testing at people's houses, getting samples and sending them to GBRA. We do that on a monthly basis, we have twelve sites that we do, we do ten of them and alternate some of them, so we are trying to get a feel on what's going on with the sampling. We are working very hard on trying to solve the problem we are faced with right now.

Mayor Kacir stated for the record, can you state that we have met the TCEQ guidelines as far as providing the citizenry with a safe public water supply?

Mr. Patek stated yes ma'am, also I believe you are aware but they gave us a MSDS on the actual baffles and on there it states that the information was that the black flakes was coming from the baffles. They are polypropylene is what they are made of. It is classified as non-toxic and not harmful. Also if you do swallow or ingest it, it is not going to do anything to you. So we have that down and that is why TCEQ understands where we are at and what we are doing and trying to solve the problem.

Councilman Schurig stated, Tim so you know the people in the Harrell addition are really appreciative of that because I believe that's where all of this started was on Tanglewood and the flushing of the fire hydrants is causing another problem. They would like for the street crew to come back in and put some asphalt.

Mr. Patek stated he would get with Todd and will take a look at that. Also, to give you an example Ryan and his staff noticed that the Moulton tower had some black flakes so what we did was drain the tank, cleaned it and put it back in operation, so we are taking the proactive part of it and doing things as we find things out and if anybody in the community can help us then we will be glad to get that information and do whatever we can to make it right.

Councilman Blakemore, to follow up with what Tommy said, Todd had a conversation with me and we are getting a lot of complaints about potholes and everything. We just need to let everyone know that there is a temperature at which that can be done and done properly and we hadn't really had that. So the potholes may be rough right now and I know that we have some, but we also haven't had a warm enough weather as I understand for it to be practical or feasible to patch as we go into that and improve I hope that we will see that pick up because we do have several problems around the city.

Mr. Patek stated with the weather changing we have had a lot of breaks, main breaks and so forth and the patch truck that is in the street department is being used by the water department because they do not have a dump truck and so when you do that, you take away from the street department being able to go out and do their job of patching, but we are working together with that and hopefully they will things under control with the breaks and Todd will be able to go back out and start patching with the patch truck.

Mayor Kacir stated on behalf of the Council I would like to thank the Public Works Director for all of his hard work and the water department, Ryan. I know that TCEQ has called me on Saturday and after hours and I just commend you. I relay on their behalf that our staff has done an excellent job and has performed and I use their words, have taken very proactive measures in ensuring a safe and quality water supply.

Item #12, City Manager Report, Sean Lally stated Tim pretty much stole my thunder on the water issues those were things I was going to talk about today. I want to commend staff and thank them for their due diligence and their efforts in making this safe drinkable potable water for this city; they have really stepped up to the plate with that. One of the things I wanted to talk to you about that is really exciting. Staff and I have been working on bringing a Starving Arts Festival to the City on April the 27th through the 29th; it will be an opportunity for us to showcase the City, kind of a festival similar to Come & Take It. The Gonzales Inquirer has been an active participant in these discussions and they are offering both financial and advertising support. If we can get this off of the ground, we have been trying to line up vendors and artists and we are putting the package together to have something really nice this spring. Other than that I don't have much to report on, the water was the biggest issue.

EXECUTIVE SESSION

Item #13, At 6:38 p.m. the Mayor asked for a motion to move into Executive Session Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or

contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter", to include the following matters:

a. Cause No. OTH17-9886, in Re-Estate of J.B. Wells, Jr., Deceased, in the County Court of Gonzales County, Texas

2) 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.

a. Annual Performance Evaluation and Consideration on Renewal of the City Manager Contract

Councilman O'Neal made a motion to move into Executive Session. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

RETURN TO OPEN SESSION

At 10:03 p.m. the Council returned to Open Session.

Item #14, The Mayor asked for a motion resulting from Executive Session as Necessary. Councilman Blakemore made a motion to accept the resignation of Sean Lally as City Manager of the City of Gonzales to do so under his agreement I make a motion to enter into a mutual voluntary separation and release agreement as approved by Mr. Lally and our legal counsel under section 5.1 (a) of his agreement as further part of the motion as provided by City Charter section 4.01 (b) to appoint Tim Patek as Interim City Manager. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

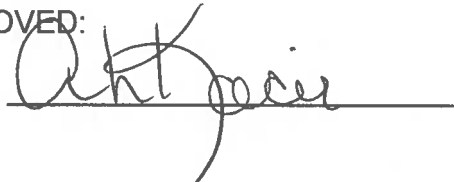
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schroeder seconded the motion and the meeting adjourned at 10:05 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CITY COUNCIL MEETING
FEBRUARY 6, 2018 MINUTES**

The City Council convened the council meeting at 6:02 p.m., February 6, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Tommy Schurig, Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: Interim City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney-T. Daniel Santee

Staff Present: Angie Kessler, Laura Zella, Todd Remschel, William Ince, Tim Crow, Anne Dollery, Keith Schmidt

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Steve Fischer stated, I was here last month and I raised some questions about Lou's Garden. I just want to thank Tommy and the panel because by Friday I had a sit down meeting with the City and all of my questions were answered. I just wanted to say thank you to all of you. It's far too easy for us to come in here and complain.

Keith Schauer stated, I am this year's Chairman of the Come & Take It Committee. I am here to speak in favor of Item #12 on the agenda. As you know Come & Take It is the City's signature event of the year. It provides fund raising opportunities for many of our local non-profits. It fills our hotel rooms that weekend and I believe it's the best weekend for most of the downtown bars and restaurants as well. I would like to thank the CVB board for recommending the funding this year. It's been with the help of this funding for the past several years that we've managed to grow this event and make it very successful. We would like to continue that trend. I'd really like to thank the city staff and the department heads for helping set this event up every year. Their help is invaluable to us. It's greatly appreciated. We would not put this on if it were not for the city employees that help us set up that whole week before. I would like to thank you all for your support and consideration for funding. Most of this funding is going towards entertainment. Good entertainment is what draws the crowds, so we hope to have a successful event again this year. If there are any questions, I will be happy to answer them.

Loretta Shirley stated on behalf of the Gonzales Noon Lions Club foundation, I wanted to give you a little update on the progress of the splash pad project. As you can see by driving by there, is that the splash pad is completed. Last week we had eight feet of concrete added to each side, four feet added across the back, and we installed the sidewalk from the splash pad to the pavilion and the restrooms. The next step will be installing our benches, picnic tables, then installing signage and hopefully we will be opening that sometime in March. Would like to open for Spring Break but it depends on the weather. We would also like to thank the city staff who helped us make sure everything was done properly and to code. Anytime I've called anybody they've answered quickly and have been extremely helpful.

The Mayor stated there was a presentation that she would like to make before we get into the meeting portion of the Council Meeting. Kristina would you come forward. Kristina Vega on behalf of the Office of the Mayor and the Office of each Councilman I am proud to present to you an award in recognition for your service and for your exemplary role model to all of our employee base. To not only represent the City at the minimum standard, but to go above and beyond to excel in every way and to foster a spirit amongst the employee base that too motivates them to serve at your level. You have completed your course and this is the highest level of recognition that one can acquire in the State of Texas in your profession as City Secretary. Kristina in recognition of your completion of the Texas Municipal Clerks Certification Program, graduating January 25, 2018 from the University of North Texas, you have achieved an advance course in study in Municipal Finance, Municipal Law, Election Law, Public Economics, Public Administration, Human Resource Management, Public & Press Relations, Communications, Office Administration, and Municipal Court Administration. This course and certification required over 300 hours of instruction, study and testing. We have a special guest here with us this evening. Dominic Vega, would you please join us for a picture, Dominic you too were a part of this achievement.

PRESENTATION

Item #1, Chief of Police presented to the City Council the Gonzales Police Department's Annual Report and Five Year Strategic Plan.

APPROVAL OF MINUTES

Item #2 and #3, The Mayor stated Council we'll call for approval of the December 20, 2017 Special Called Council Meeting Minutes and the January 9, 2018 Regular Council Meeting Minutes. The Mayor asked for a motion to approve the minutes. Councilman Schurig made a motion to approve minutes of the December 20, 2017 Special Called Council Meeting Minutes and the January 9, 2018 Regular Council Meeting Minutes. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

RESOLUTIONS

Item #4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-4 Authorizing the Interim City Manager to Execute an Interlocal Agreement with the Housing Authority of the City of Gonzales for the Placement of Three (3) Bus Shelters. Councilmen in your packet we have an interlocal agreement with three governmental agencies. Those being, one located at 921 Water Street, 1200 Block of Cavett and the 900 Block of Robertson Street. In order for the project to move forward permanent easements must be approved by the Housing Authority, which they were at a previous meeting. These bus shelters will serve as a public purpose by benefiting the surrounding neighborhoods and protecting the children and adults from the elements while waiting for the school bus or any other form of public transportation. This is a joint collaboration with the Noon Lions Club. We would also want to mention our School District for their participation, and Victoria College for the welding those shelters. For transparency staff has estimated the City's cost for labor and equipment would be approximately \$1,250.00 per shelter, for professional services, engineering and legal work we add \$2,000.00 to that amount. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-4 Authorizing the Interim City Manager to Execute an Interlocal Agreement with the Housing Authority of the City of Gonzales for the Placement of Three (3) Bus Shelters. Councilman Blakemore seconded the motion. The Mayor called for discussion The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-5 Adopting the FEMA Approved Gonzales County, Texas Multi-Jurisdiction Hazard Mitigation Plan. Council this was approved in 2015, it is about 252 pages. It is a plan that encompasses the City of Gonzales, the City of Nixon, the City of Smiley, the City of Waelder as well as Gonzales County. It will provide us opportunity for grant funding in regards to flood mitigation. Those grants are a 25 match leverage funds on behalf of the City. The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018- 5 Adopting the FEMA Approved Gonzales County, Texas Multi-Jurisdiction Hazard Mitigation Plan. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #6, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-6 Authorizing Gonzales Main Street's Use of Confederate Square for the 2nd Annual City Wide Yard Sale on April 14, 2018. Council we have in your packet we have an event information sheet outlining the needs of the event and this follows suit with what was done last year. The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018-6 Authorizing Gonzales Main Street's Use

of Confederate Square for the 2nd Annual City Wide Yard Sale on April 14, 2018. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #7, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-8 Authorizing the Use of Texas Heroes Square Including the Parking Lot for the Gonzales Master Gardeners Annual Spring Plant Sale on March 24, 2018. Again, Council we have the event form outlining the needs of the event and the structure and the structure this follows suit with what has been done in the past. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-8 Authorizing the Use of Texas Heroes Square Including the Parking Lot for the Gonzales Master Gardeners Annual Spring Plant Sale on March 24, 2018. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #8, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-9 Authorizing the Appointment of a Member to the Planning & Zoning Commission. Council we have in our packet an application from James M. Hamilton, we appointed him to the EDC board last meeting. He has municipal experience as a policy maker serving as Mayor Pro-Tem and Council member in Wetherford. The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018-9 Authorizing the Appointment of James Hamilton as a Member to the Planning & Zoning Commission. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #9, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-10 Accepting the Communication's Grant Award from the Golden Crescent Regional Planning Commission to the Gonzales Fire Department for the Acquisition of Motorola APX 7000XE Digital Portable Radios. Council this was a 100% grant, it required no leverage funding on behalf of the City. It was in the amount of \$33,987.60. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-10 Accepting the Communication's Grant Award from the Golden Crescent Regional Planning Commission to the Gonzales Fire Department for the Acquisition of Motorola APX 7000XE Digital Portable Radios. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #10, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-11 Authorizing the Regular Scheduled City Council Meeting for Tuesday, March 6, 2018 to be rescheduled to Monday, March 5, 2018. Council as your brief stated, this action is required to move our council meeting in light of City Hall being

a polling place that Tuesday. The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018-11 Authorizing the Regular Scheduled City Council Meeting for Tuesday, March 6, 2018 to be rescheduled to Monday. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #11, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-12 Declaring Certain City Property Surplus and Authorizing the Sale of Said Property. Council in our packet, we have an inventory list of that property. The last list of surplus property that the City approved, we did receive revenue of \$34,568. The items listed in surplus today are estimated at approximately \$4,000 in value. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-12 Declaring Certain City Property Surplus and Authorizing the Sale of Said Property. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #12, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-13 Approving the Recommendation of Gonzales Convention & Visitor's Bureau for the Expenditure of Funds to the Come & Take It Committee in the amount of \$9,000.00. Councilmen in our packet we have received the information where the CVB board did approve this funding request in the total amount of \$9,000 on January 18, 2018, \$1,000 being requested for advertising and \$8,000 being requested for their bands. The expenses will promote Tourism and the Convention and Hotel industry, including advertising and promotional programs that attract tourists to the municipality or its vicinity and encourage promotion improvement and application of the arts including instrumental or vocal music. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-13 Approving the Recommendation of Gonzales Convention & Visitor's Bureau for the Expenditure of Funds to the Come & Take It Committee in the amount of \$9,000.00. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #13, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-14 Receiving the Annual Racial Profiling Report from the Gonzales Police Department. Council in your packet and as required by law, we have received the Racial Profiling Report for action and approval at this time. The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018-14 Receiving the Annual Racial Profiling Report from the Gonzales Police Department. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #14, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-15 Authorizing Amendments to the City of Gonzales Personnel Manual. Council in your packet we are requesting to amend our current Personnel Policy manual and change Section 5.08 (a) and 7.01 (a) regarding the pay for holidays and hours worked as well as Section 8.07 Sexual and other types of harassment. Under the holiday section under overtime, compensatory time and time management we are just clarifying that holiday pay are not included in hours worked for the purposes of determining eligibility for overtime. That was not clear in the prior policy. Also, under section 8.07 Sexual and other types of harassment, we have added the verbiage to the current complaint procedure, if the City Manager is involved in the harassment incident; you may notify the Mayor or any other member of the City Council. The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018-15 Authorizing Amendments to the City of Gonzales Personnel Manual. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

ORDINANCES

Item #15, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Ordinance #2018-5 Adopting a Budget Amendment for the 2017-2018 Fiscal Year by Increasing Hotel/Motel Tax Expenses by \$5,000.00 to Fund the Gonzales Memorial Museum. Council on that agenda item, we do reflect that the \$5,000 being expended will come from the fund balance. Again as point of clarification, those moneys were appropriated in the prior fiscal year's budget, but not expensed, the Museum Board had not received their invoice, so that \$5,000 did go into the fund balance this year, but I did want to clarify why the funds were being expended from the fund balance. Currently, just point of information, our Museum Board has raised approximately \$12,000 since they were organized last year through their fund raising efforts and donations. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve Ordinance #2018-5 Adopting a Budget Amendment for the 2017-2018 Fiscal Year by Increasing Hotel/Motel Tax Expenses by \$5,000.00 to Fund the Gonzales Memorial Museum. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #16, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Ordinance #2018-6 Amending the City of Gonzales Code of Ordinances Chapter 5, Fire Prevention and Protection, Article 5.3 Fire Department, Section 5.304 Officers and Duties for Paid Personnel and Volunteer Firefighters; Chain of Command. Council I would just brief you, but these changes are being made to address the current and future concerns with the development, advancement and retention of our paid and Volunteer Fire Fighters. It will provide for volunteers to assist the Chief or Chiefs elected by the Volunteer membership, approved by the City Manager. Officers of the

Fire Department will follow that chain of command for combat operations involving paid personnel and volunteers. It also allows for paid career Battalion Chief or Chiefs appointed by the Fire Chief approved by the City Manager. Paid career Fire Marshal or Fire Marshals appointed by the Fire Chief and approved by the City Manager. Allowing for paid career and volunteer Captains appointed by the Fire Chief and approved by the City Manager. Paid career and volunteer Lieutenants appointed by the Fire Chief and approved by the City Manager. Career Fire Fighters and volunteer Fire Fighters appointed by the Fire Chief and approved by the City Manager. Chief Schmidt, Fire Chief, as the Mayor just said that's basically what we're after. It's been a little while since we changed our chapter 5 Code of Ordinances, but we've seen that we probably limited ourselves on what some of the volunteers can do and what they can't do currently. Our Code of Ordinances says that a volunteer can't go from basically from a volunteer Fire Fighter to Assistant Chief position. There is no way to promote to a Lieutenant and then maybe to a Captain. Typically my guys go from a Fire Fighter to as Assistant Chief position, so what we are wanting to do is allow them now, if they meet their qualifications, we are going to allow some of them to be Lieutenants, some Captains, so their beginning to grow and beginning to be leaders, so that when the times comes for them to become Assistant Chief they have already been in a leadership role, and the same for the career staff. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve Ordinance #2018-6 Amending the City of Gonzales Code of Ordinances Chapter 5, Fire Prevention and Protection, Article 5.3 Fire Department, Section 5.304 Officers and Duties for Paid Personnel and Volunteer Firefighters; Chain of Command. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

BOARD/STAFF REPORTS

Item #17, Financial Report for the Month of January 2018. Mayor Kacir stated that the Financial Report for the month of January 2018 is available for review and asked the Council if they had any questions.

Item #18, Interim City Manager, Tim Patek presented the departmental monthly report for the Month of January 2018 to the City Council.

Item #19, City Secretary, Kristina Vega gave a report to the City Council on the Municipal Court restricted and the permissible uses of the funds with an emphasis on the Child Safety Fund.

EXECUTIVE SESSION

Item #20, At 7:22 p.m. the Mayor asked for a motion to move into Executive Session Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to

the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:

- a. Provide legal guidance related to the Fair Labor Standards Act
- b. In Re Estate of J.B. Wells litigation update

2) 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.

- a. Discussion Regarding the Position of Interim City Manager

Councilman O’Neal made a motion to move into Executive Session. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O’Neal, Blakemore, Schurig, Schroeder and the Mayor all voted “aye”.

RETURN TO OPEN SESSION

At 9:10 p.m. the Council returned to Open Session.

Item #21, The Mayor asked for a motion resulting from Executive Session as Necessary. No motion was made.

ACTION ITEMS

Item #22, The Mayor read Discuss, Consider & Possible Action to Ratify the Appointment of and Set the Compensation for the Interim City Manager. The Mayor asked for a motion. Councilman O’Neal made a motion to appoint Tim Patek as Interim City Manager with a base salary of \$85K per year. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O’Neal, Blakemore, Schurig, Schroeder and the Mayor all voted “aye”.

Item #23, The Mayor read Discuss, Consider & Possible Action to Approve a Job Description and Process for Filling the Position of City Manager. The Mayor asked for a motion. Councilman O’Neal made a motion to place this item on a future agenda. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O’Neal, Blakemore, Schurig, Schroeder and the Mayor all voted “aye”.

Item #24, Discuss, Consider & Possible Action to Approve a Job Description and Process for Filling the Position of Human Resources Director or the possibility of a Human Resources Practices Audit. The Mayor asked for a motion. Councilman O’Neal made a motion to authorize the Interim City Manager to engage in consulting services contract for a Human Resources audit. Councilman Blakemore seconded the motion.

The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye.

Item #25, Discuss, Consider & Possible Action to Approve the Retention of Consultant Services on Finance and Management Services until Such Time as a City Manager is hired. The Mayor asked for a motion. Councilman O'Neal made a motion to authorize the Interim City Manager to engage in professional consulting services until such time a City Manager is hired. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye.

Item #26, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2017-7 Designating the Interim City Manager as an Authorized Signatory with Financial Institutions. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-7 Designating the Interim City Manager, Tim Patek as an Authorized Signatory with Financial Institutions. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye.

ADJOURN

The Mayor asked for a motion to adjourn. Councilman Schurig made a motion to adjourn and Councilman O'Neal seconded the motion and the meeting adjourned at 9:18 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CITY COUNCIL MEETING
MARCH 5, 2018 MINUTES**

The City Council convened the council meeting at 6:01 p.m., March 5, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Tommy Schurig, Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: Interim City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney-T. Daniel Santee

Staff Present: Laura Zella, Barbara Friedrich, Genora Young, Clint Hille, Anne Dollery, Tammy West

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Get-A-Grip players-Dakota Mammarella, Dory Gonzales, Kaiya Mammarella, Alexis Ontiveros and Kyndall Banda spoke in favor of the agreement between the City of Gonzales and the Get-A Grip for the use of the Quadraplex facility.

Barbara Friedrich, Main Street Administrator- shared good news from the Texas Main Street office, Gonzales will be recognized as nationally accredited Main Street City in the upcoming National Main Street conference in Kansas City on March 26-28th. Every year we are required to do a report on the 10 criteria and this criteria is what specifies if we receive this national recognition. We have to submit this report in order to remain a Main Street City. There were 68 cities that have received this recognition. Gonzales has received this recognition since 2000. The progress report focusses on planning, partnerships, staffing, volunteer efforts, preservation ethics, training and program assessment. We have to show improvement each year in order to get this recognition, and our strongest part is our volunteers and the preservation ethics.

Clint Hille-just wanted to briefly speak about the upcoming festival we are planning, the Come and Taste It celebration April 27th and 28th , basically a festival promoting Texas Wines, arts and showing of classic cars. It's being held at the same time and same location as the Beer Festival being put on by the Inquirer. Both parties realize the value of marketing together as one festival because our advertising dollars can be leveraged and we can reach out to many more people and be much more effective. The overall goal is to create an event that will hopefully in time come to be the spring version of

Come & Take It as much as filling up the hotels, increasing our tax revenues, promoting our local businesses and showcasing Gonzales as a Tourist destination. This event is very different than any other event that has traditionally been put on in Gonzales. This type of event is very successful in many cities larger and smaller than Gonzales and we feel like we have the potential to make it very successful here as well. Again, this appeals to a new group of folks who would not otherwise think of visiting Gonzales. We also realize that blocking off parking downtown is an inconvenience to those downtown businesses located on the square. That is why we feel like it is very vital to work closely with those businesses to create an environment that will drive customers into their door. Exposing those businesses to new people will hopefully benefit all in the long run.

Loretta Shirley, on behalf of the Gonzales Noon Lions Club, I would like to invite you to come to the opening of the Splash Pad. We are going to have a celebration on Friday night we have invited our donors and city staff and their families and City Council. We wanted to show our appreciation to all of you. On Saturday morning we would like you to come back at 10 a.m. to the Grand Opening of the Splash Pad.

Terry Fitzwater, Publisher Gonzales Inquirer, here tonight to answer any questions about the craft beer, about the Come & Taste It that we put together.

APPROVAL OF MINUTES

Item #1, The Mayor stated Council we'll call for approval of the February 6, 2018 Regular Council Meeting Minutes. The Mayor asked for a motion to approve the minutes as stated or with correction. Councilman Schurig made a motion to approve minutes of the February 6, 2018 Regular Council Meeting Minutes. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

PRESENTATION

City Attorney, T Daniel Santee to update the City Council on a Planning & Zoning matter involving prior zoning actions taken by resolution rather than ordinance.

Mr. Santee presented to the Council, the gist of this is that recently when Kristina and I were working on another issue she discovered another issue that took place quite some time ago in 2012, but it is something that we are going to need to fix. Just running through it very quickly, zoning in general, I don't know how often you all have these cases come through to fully understand the purpose and what you're doing it for. Real simply, dividing uses amongst your properties. Once you're in the city you have designated uses that falls into different zones, it has to go through your Planning & Zoning Commission and come to this Council. It's a function of your police power. These are the purposes that it serves: lessen congestion, secure safety, adequate light and air, prevent overcrowding of land and also promote health and general welfare, because what you are trying to do is make sure that you have compatible uses beside

each other and that's what helps your economic development, what helps when your visitors come into town, they enjoy seeing Gonzales, that everything is orderly. It makes sense, the progression of uses through your town. The way you do that is zoning. These are the things you can regulate: the height, number of stories, size of buildings, percentage of a lot that may be occupied, size of yards, courts or other open spaces, population density, by that I mean whether it's multi-family, single family, things such as that, location, use of buildings, your historical and cultural architectural importance and the bulk of buildings. In your zoning ordinance, this is the process that you go through when someone comes in and they tell Kristina they want to build a new building, what can they do there. If the zoning is not appropriate on that land that they are wanting to build on, she lets them know that and they start going through this process to have that land zoned so they can use it in the manner that they want to. One of the things that is critical in all of this is the notification process, ultimately they are going to have to have it published in the newspaper, you are also going to have mail outs that are going to go to residents or owners of property within 200 feet of where that zoning is taking place. The reason for that is because, our legislature decided that if you live within 200 feet of a property that is being zoned or rezoned there's a special economic impact on your property, such that you should get notice, outside of that, not so much so you're not required to have notice, but we do publish it in the newspaper. Obviously these always comply with the Open Meetings Act, both at the Planning & Zoning Commission and here, and there's a Public Hearing at both. So you have to have a Public Hearing at you Zoning Commission and they make their findings, and those findings have to be forwarded to the City Council. City Council cannot make a determination until they have those findings from the Planning & Zoning Commission. The Council action, it's the same thing, you repeat the actions here. All the Planning & Zoning Commission can do is make the recommendation to this body, they are only a recommending board. They don't have the authority to actually apply the zoning, only the Council can do that and so you will do the same thing at this level. There is a provision in the Local Government Code that refers to a super majority such as that if more than 20% of the owners within the area being zoned, or the owners of land within the area of land not the owners protest you have to have a super majority of the Council to approve any change at that point. Zoning authority was established through the adoption of the comprehensive land use regulations. That has to be done by ordinance this is the important steps here. Those comprehensive land use regulations typically consist of comprehensive plans, subdivision regulations, that's your platting, setbacks, extension of utilities and your zoning regulations. Within you comprehensive plan cities typically have what you call a future land use plan, and a master thoroughfare plan and the reason why you have those is because the future land use plan, when a zoning application comes in it has to comply with your comprehensive plan, its required. You don't have to have a comprehensive plan, but once you adopt one, Local Government

Code says all zoning decisions must comply with it. So if I want to do something and your future land use plan says that's not what we recognize should go there, I have another step I have to do. I have to go back to the Planning & Zoning Commission and amend that Comprehensive Plan to reflect that, before we can proceed with zoning. That too is adopted by ordinance. All zoning and rezoning of property adopted by ordinance and must comply with Chapter 211 of the Local Government Code in addition to anything you adopt here. These five properties went through this process back in 2012 and I did the best I could to identify them based on the records from 2012. I will be working with Kristina to try and nail down better descriptions and addresses, but this was what was in the Council packets in 2012, and for tonight, it serves the purpose for tonight, this was not formal notice. They were taken through the process and not properly zoned so technically they are not zoned. You cannot place zoning on properties by ordinance. None of these properties were not zoned. So what are we going to do? These were done by resolution the first time they came through, and I don't know why that was done. Everything up to the point it came to Council was done correctly, but for some reason at Council you were presented a resolution. I am not here blaming Council, you rely on me or whomever is your attorney at the time to present you what you need to do to zone property properly. It wasn't done, you passed a resolution. There is no way to fix that other than these properties all have to go back through the process, so I wanted to make you aware of that in a public meeting, so that everybody knows that this is on us, this happened, it shouldn't have but it has to be fixed. Each one has to be taken back through Planning & Zoning, we got to go through the publication process, we have to go through the notification process. I do not recommend this being done at a cost to whoever zoned these properties; they have done everything they need to do. Further, I would not recommend changing the zoning, they believe they had zoning so they have been carrying on land use since 2012 with the belief that they were properly granted zoning which they were not. So what my recommendation is that we contact these property owners, make them aware of what is going on, let them know that we are going to make it right at no cost to them so that they have the zoning in place that they believe they have in place. This is not something that we can adopt an amendment to your zoning map; there is no way to fix this other than running it back through. There's actually an action item on your agenda. The way that your ordinance is written, either the property owner, the Planning & Zoning Commission or the Council can initiate zoning a property, so I need an action from the Council tonight authorizing your staff, your City Manager, Tim and Kristina to initiate the process and reach out to these property owners and get the information we need to move forward with the applications. Then they will come back through P&Z and then back to this Council for actual application of the zoning by ordinance.

Item #2, Authorizing the City to Initiate the Zoning

The Mayor asked for a motion to authorize the zoning actions that were previously taken incorrectly by resolution rather than ordinance to authorize that process initiate. Councilman O'Neal made a motion to initiate the zoning. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

RESOLUTIONS

Item #3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-16 Authorizing the Interim City Manager to execute a Memorandum of Understanding with Gonzales Main Street and the Guadalupe Valley Publishing Company DBA Gonzales Inquirer to participate in the marketing and hosting of the inaugural Come & Taste It Event. Council we have in your packet an MOU which is an initial instrument that outlines the responsibilities of the parties. It clearly states that there are three entities in which the responsibilities of the city, the Inquirer and of Main Street. It also further requires that the Inquirer will comply with the TABC rules and regulations and provide the general liability insurance for \$1M for the event. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-16 Authorizing the Interim City Manager to execute a Memorandum of Understanding with Gonzales Main Street and the Guadalupe Valley Publishing Company DBA Gonzales Inquirer to participate in the marketing and hosting of the Inaugural Come & Taste It Event. Councilman Schroeder seconded the motion. The Mayor called for discussion The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-17 Authorizing the Interim City Manager to Enter into a Service Agreement with Gonzales Main Street. In our packet we have an agreement between the parties named as the City of Gonzales and Gonzales Main Street that is required by statute that the City agrees to provide program support, liability insurance and legal services to Main Street in addition to being the liaison between Main Street and the City preparing their budget, acting as their employer and provide meeting space, office space and provide necessary accounting services. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-17 Authorizing the Interim City Manager to Enter into a Service Agreement with Gonzales Main Street. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-18 Authorizing the Interim City Manager to Enter into a License Agreement with Get-A-Grip for the use of the Gonzales Quadraplex Softball Facility. Council we have a license agreement between Gonzales Get-A-Grip and the City of Gonzales for the quadraplex facility. This will bring in an estimated \$10k in gate fees.

The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018-18 Authorizing the Interim City Manager to Enter into a License Agreement with Get-A-Grip for the use of the Gonzales Quadraplex Softball Facility. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #6, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-19 Authorizing the City Engineer to Seek Competitive Bids/Proposals in the manner most advantageous to the City for the Hydroelectric Dam Project. The Gonzales Hydro Station is a hydroelectric generation plant on the Guadalupe River located off of Water Street in Gonzales. The Hydro Station was originally constructed in the 1920's and renovated in the 1980's. The Hydro Station building has experienced foundation movement primarily due to steel deterioration in the reinforced concrete foundation structure. Plans are being developed to reconstruct a portion of the building damaged do to this movement, and to replace certain portions of the foundation and access apron. In addition, the electrical generating equipment and associated mechanical gear boxes and turbines are in need of renovation to restore the Hydro Stations ability to produce electricity at its fullest capacity. Plans should be complete by the end of March and ready for bidding. The plan is to advertise for competitive sealed proposals, and to select a contractor for the project based on pricing, as well as, qualifications and experience with this type of construction and renovation. The Mayor asked for a motion. Councilman Schroeder made a motion to approve Resolution #2018-19 Authorizing the City Engineer to Seek Competitive Bids/Proposals in the manner most advantageous to the City for the Hydroelectric Dam Project. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #7, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-20 Authorizing the Funding from the Gonzales Convention and Visitor's Bureau to the Guadalupe Valley Publishing Company DBA Gonzales Inquirer for Advertising in the Amount of \$2,499.99. Council, we are asking for approval of this application presented to CVB approved by unanimous vote. The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018-20 Authorizing the Funding from the Gonzales Convention and Visitor's Bureau to the Guadalupe Valley Publishing Company DBA Gonzales Inquirer for Advertising in the Amount of \$2,499.99. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #8, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-21 Authorizing the Funding from the Gonzales Convention and Visitor's Bureau to the Miss Gonzales County Royal Court for Advertising in the Amount

of \$2,000.00. The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018-21 Authorizing the Funding from the Gonzales Convention and Visitor's Bureau to the Miss Gonzales County Royal Court for Advertising in the Amount of \$2,000.00. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #9, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-22 Authorizing the Funding Request from the Gonzales Independent School District for an Anti-Bullying Program to be expended from the Restricted Use Municipal Court Child Safety Fund and asked for this item to be moved to the next agenda.

Item #10, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-23 Authorizing the Street Closures and the Consumption of Alcohol for the Sacred Heart Spring Festival on March 11, 2018. This will approve the street closures and the liability insurance will have to be provided to the City. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-23 Authorizing the Street Closures and the Consumption of Alcohol for the Sacred Heart Spring Festival on March 11, 2018. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #11, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-24 Authorizing the Street Closures and Consumption of Alcohol on City Property for the Sacred Heart Church Festival on June 9, 2018. The Mayor asked for a motion, and asked that the council include in the motion the liability insurance. Councilman O'Neal made a motion to approve Resolution #2018-24 Authorizing the Street Closures and Consumption of Alcohol on City Property for the Sacred Heart Church Festival on June 9, 2018. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

Item #12, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-25 Authorizing the Street Closures, Partial Use of Confederate Square and the sale and Consumption of Alcohol for the Gonzales Main Street's Come and Taste It Wine and Art Festival. Council just a note on this agreement, we do have the insurance for Main Street. The Mayor asked for a motion. Councilman Schroeder made a motion to approve Resolution #2018-25 Authorizing the Street Closures, Partial Use of Confederate Square and the sale and Consumption of Alcohol for the Gonzales Main Street's Come and Taste It Wine and Art Festival. Councilman Schurig seconded

the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #13, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-26 Authorizing the Street Closures, Partial Use of Confederate Square and the Sale and Consumption of Alcohol for the Guadalupe Valley Publishing Company DBA Gonzales Inquirer's Come & Taste It Beer Festival. The Mayor asked for a motion. Councilman Schroeder made a motion to approve Resolution #2018-26 Authorizing the Street Closures, Partial Use of Confederate Square and the Sale and Consumption of Alcohol for the Guadalupe Valley Publishing Company DBA Gonzales Inquirer's Come & Taste It Beer Festival. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #14, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-27 Authorizing the Gonzales Main Street's Use of Confederate Square for the Annual Main Street Concert Series and Star Spangled Spectacular, Designated Street Closures, and Sale and Consumption of Alcoholic Beverages, and require the bands to execute a hold harmless agreement. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-27 Authorizing the Gonzales Main Street's Use of Confederate Square for the Annual Main Street Concert Series and Star Spangled Spectacular, Designated Street Closures, and Sale and Consumption of Alcoholic Beverages. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #15, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-28 Authorizing the Interim City Manager to Enter into a Four (4) Year Infrared Inspection Agreement with LCRA. The Mayor asked for a motion. Councilman Schurig made a motion to approve Resolution #2018-28 Authorizing the Interim City Manager to Enter into a Four (4) Year Infrared Inspection Agreement with LCRA. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #16, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-29 Authorizing the Interim City Manager to Enter Into a Four (4) Year Visual Inspection Agreement with LCRA. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-29 Authorizing the Interim City Manager to Enter Into a Four (4) Year Visual Inspection Agreement with LCRA. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #17, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-30 Authorizing the Interim City Manager to Execute an Agreement with Jay Hilscher DBA Lone Star Relay, LLC. for the street closures, the consumption of alcohol on public property and the recommendation of funding from the Gonzales Convention and Visitor's Bureau in the amount of \$2,500.00 for the Texas Independence Relay on March 23 and 24, 2018. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-30 Authorizing the Interim City Manager to Execute an Agreement with Jay Hilscher DBA Lone Star relay, LLC. for the street closures, the consumption of alcohol on public property and the recommendation of funding from the Gonzales Convention and Visitor's Bureau in the amount of \$2,500.00 for the Texas Independence Relay on March 23 and 24, 2018.. Councilman Blakemore seconded the motion. The Mayor called for discussion The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #18, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Resolution #2018-31 Reappointing the Commissioners to the Housing Authority of the City of Gonzales and Authorizing the Mayor to Sign Certificates of Appointment. The Mayor asked for a motion. Councilman O'Neal made a motion to approve Resolution #2018-31 Reappointing the Richard Crozier, Mary Anne MacLean and Jo Ann Lewis as Commissioners to the Housing Authority of the City of Gonzales and Authorizing the Mayor to Sign Certificates of Appointment. Councilman Blakemore seconded the motion. The Mayor called for discussion The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

ORDINANCES

Item #19, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving - Ordinance #2018-7 Adopting a Budget Amendment for the 2017-2018 Fiscal Year by Increasing the Line Item for Expansion/Retention of Business in the Amount of \$50,000.00 from the Fund Balance. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve Ordinance #2018-7 Adopting a Budget Amendment for the 2017-2018 Fiscal Year by Increasing the Line Item for Expansion/Retention of Business in the Amount of \$50,000.00 from the Fund Balance. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Item #20, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving Ordinance #2018-8 Adopting a Budget Amendment for the 2017-2018 Fiscal Year. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve Ordinance #2018--8 Adopting a Budget Amendment for the 2017-2018 Fiscal Year. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

BOARD/STAFF REPORTS

Item #21, Financial Report for the Month of February 2018. Mayor Kacir stated that the Financial Report for the month of February 2018 is available for review and asked the Council if they had any questions.

Item #22, Interim City Manager, Tim Patek presented the departmental monthly report for the Month of February 2018 to the City Council.

EXECUTIVE SESSION

Item #23, At 7:41 p.m. the Mayor asked for a motion to move into Executive Session Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter", to include the following matters:

- a. Legal issues with open and concealed carry in multi-use government buildings
- b. In Re Estate of J.B. Wells litigation update
- c. legal ramifications and level of risk for the city due to the fleet not meeting safety inspection standards

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

- a. the lease terms and value of City owned real property
- b. the value and process to divest the City of certain unused real property

Councilman O'Neal made a motion to move into Executive Session. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

RETURN TO OPEN SESSION

At 8:49 p.m. the Council returned to Open Session.

Item #24, The Mayor asked for a motion resulting from Executive Session as Necessary. No motion was made.

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 8:49 p.m.

Kristina Vega

Kristina Vega, City Secretary

APPROVED:

A. H. Kacie

**CITY OF GONZALES
CITY COUNCIL MEETING
APRIL 3, 2018 MINUTES**

The City Council convened the council meeting at 6:00 p.m., April 3, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Tommy Schurig, Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: Interim City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney-T. Daniel Santee

Staff Present: William Ince, Todd Remschel, Marland Mercer, Anne Dollery, Clint Hille, Barbara Friedrich, Laura Zella, Jaime Bazan, Nick DeLeon

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

PROCLAMATION

The Mayor executed a Proclamation designating April as Fair Housing Month.

PUBLIC HEARING

1.1 The City Council of the City of Gonzales will hold a Public Hearing to Consider Amending Section 2.107 Fowl & Livestock of the Code of Ordinances to Prohibit Male Domestic Fowl and the Breeding of Domestic Fowl within the City Limits.

No comments were made.

1.2 The City Council of the City of Gonzales will hold a Public Hearing to review and take input from the public in the benefits and effectiveness of the Curfew Ordinance to determine whether or not it should be renewed.

Chief of Police, Tim Crow stated that he wanted to express his support of the curfew ordinance. This ordinance has made things better for our community as far as assisting our youth and keeping them out of trouble and there is a lot of leniency built into this ordinance for outings and being out with your parents. It does help when you have children under the age of sixteen that are out and their parents don't realize it and we are able to get them to where they need to be. There has been a reduction in juvenile crime referrals to the juvenile probation. This also covers the day time ordinance for our school aged children and from 8 a.m. to 3:30 p.m. It has helped with school attendance when we see a young person walking down the street; it gives us an avenue in which to approach them. I just wanted to express my support for this ordinance.

Gonzales ISD Superintendent, Kim Strozier stated that she wanted to speak in support of the curfew ordinance and tell you that it has a direct effect on positive outcomes for students. We've had a curfew ordinance for many years and so we would just appreciate your support in giving our officers reasonable cause to ask questions if they see someone that may be truant.

HEARING OF RESIDENTS

Joe Riojas, 715 St. Vincent, I wanted to speak on Item 4.6, Resolution 2018-43 Authorizing the Interim City Manager to solicit proposals to provide the day to day operation and maintenance for the City of Gonzales Electric Utility. I have worked for the City of Gonzales for four years, I have been with the Electric Department for 2 ½. To say I like my job is an understatement, I actually love it, I like what I do, I like the individuals I work for, everything we do for the City, I think it's amazing to go home in the evening, come back out at night time and see the lights are still on, it's something that we are able to provide. I understand that there is a lot laying behind this as to reasons why we might want to be going in this direction, but it affects us and it affects us tremendously. A lot of the things that would be bringing it to this point is the safety of the trucks, they're old. We do need a lot more material, we are hoping that it can get turned around so that we can stay here, and I am not saying we are losing our jobs, but it really feels as though we're about to lose them. Some of the things that we have been looking forward to are the schools that we've been getting sent to. I've gone to three schools in the 2 ½ years I have been here, so I feel pretty confident that I will be able to perform those duties pretty well, and we have more schools that we have been looking forward to. Everyone that works for us, we all have families that we provide for and I necessarily apply for this job to give it four years and then go somewhere else. If we do get contracted out and we do have to go somewhere else, we are starting completely over, and if we do happen to get on to the contractors we are still starting over. I put in four years and all that is going towards retirement and I don't feel like starting over every so many years. As far as getting other jobs, this decision here and I understand it can take time and it will take time, but if we are going to go the route where we will get pushed out but if we do lose our jobs, I can't apply now to somewhere else and ask them to please wait for a decision to be made. That's not very professional. At the same time, I can't turn around and ask the City can we please get any answers because there won't be any until the City finds out and whatever decision you guys make. If there is anything that I can ask for, it would be maybe give it a second opinion, maybe just rework some numbers to see if there is another route that we can take.

Gonzales ISD Superintendent, Kim Strozier expressed that she was going to talk to the value of the anti-bullying item that is on the agenda. We are very thankful for Council's consideration of this opportunity to support the ISD with the cost associated with the anti-bullying program. This particular is specific to Gonzales Junior High, we do offer

Character Ed programs throughout the continuum of Pre-K through 12th and at certain levels we have a very strong programming. At Gonzales Junior High, this would give us support in a program that speaks to needs of that particular age student, with a direct focus on particulars that are supported by the new Daniel's Law that put into effect that no longer do we have to have pervasive and persistent misconduct to address it as bullying, and this would actually be a program that would come in and teach children not only the definition but the consequences that bullying has on others in response to the direct correlation to Daniel's Law. Over the years, the City Council has supported Gonzales ISD with programming such as this with funding from the Child Safety Fund. We actually had in my experience, Rachel's Challenge which benefitted us for many years. The program that is before you is not only administratively supported, but what makes it extra special is that we had a group of student leaders at Gonzales Junior High that gave input into the programming that would be purchased and implemented. There are two different proposals, one that would bring us a program that would last three consecutive years grades 5-8, and another would bring a program that would support 7th and 8th grade alone for three years and also bring a guest speaker in that our Student Council leaders saw at a convention and it knocked their socks off and really made an impact on them.

James Griffin, representative with Texas Disposal Systems, I just wanted to take a moment tonight to tell you about a feature on our new website called Waste Wizard. Waste Wizard is something that I think all of you would have enjoyed having like in January during the ice storm. This is a great new feature, it takes just a matter of seconds to go on type in your address and it will pull up your account and you can elect to send yourself alerts via text, email or even an automated phone call. You can select the time that you want to receive that message and will remind you of things like tomorrow is your recycle day. When you have things like, we have three holidays a year where we shift, that's Thanksgiving, Christmas and New Year's, we always get a lot of calls of when the service is going to be. You can type in your address and look at a calendar that is going to show when your service is going to be just for you. You can do this on our Facebook page or on our webpage at texasdisposal.com.

Nick DeLeon, Electric Department stated he is here just to make sure that we get the numbers right and think about this, any situation that I can help make that easier on you guys. Just touching on as far as after-hours calls, what it costs to have somebody in here. I know this is just the beginning and nothing is set in stone. You know we want to of course take care of what we have in the city for the tax payers, for the people here but we've come a long way. We feel we've put our foot in the right direction, so to speak and I am very confident in what we have here now. Although, some things don't always work out the way they are supposed to, but everybody goes through a bit of hard times. You know the trucks are issues, people or whatever, but those are things we can

get over with instead of jumping the gun so to speak. I've been doing this for a while too, myself you know and I love it, of course it's my life. This is not a job for us, it's a career and we continue to hope to do the best for you guys.

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 Councilmember.

The Mayor requested to take individual action on 2.6 and 2.7.

The Mayor read the consent items as follows:

2.1 Minutes - Approval of the minutes for the Regular Meeting of March 5, 2018

2.2 Scheduling a Regular Council meeting for May 10, 2018 and the Cancellation of the May 1, 2018 City Council Meeting. Discuss, Consider & Possible Action scheduling a Regular Council meeting for May 10, 2018 and cancelling the May 1, 2018 City Council Meeting due to Early Voting for the May 5, 2018 General Election and in order to Canvass the Election at the Regular May meeting.

2.3 Resolution #2018-32 – Discuss, Consider & Possible Action Authorizing the Appointment of the Election Judge and Workers for the May 5, 2018 General Election.

2.4 Resolution #2018-33 – Discuss, Consider & Possible Action Approving the Proposed Budget Calendar for Fiscal Year 2018-2019.

2.5 Resolution #2018-34 – Discuss, Consider & Possible Action Authorizing the Funding from the Gonzales Convention and Visitor's Bureau for Marketing and Advertising to Shorty Gorham's American Free Style Bullfighting in the amount of \$2,500.00

The Mayor asked for a motion to approve the consent agenda items. Councilman O'Neal made a motion to approve the consent items removing items 2.6 and 2.7 for separate discussion. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

2.6 The Mayor read Resolution #2018-35 - Discuss, Consider & Possible Action Authorizing the Interim City Manager to Enter Into a Contract with Precision Pump Systems to Install a New Raw Water Intake Pump and Controller at the Intake Structure North of the Dam. The Mayor stated this is an approved budget item, it was approved during budget session. Basically our engineer is requesting that we go ahead and replace this one pump at this time and then later we will pull the two pumps from the

apron and replace those. There were a total of three that were budgeted. He also will be moving forward to advertise for RFQ's to reconstruct the cracked walls in the apron and the bank re-stabilization in concert with a RFQ for Electrical Contract for the Hydro. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-35** Authorizing the Interim City Manager to Enter Into a Contract with Precision Pump Systems to Install a New Raw Water Intake Pump and Controller at the Intake Structure North of the Dam. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

2.7 The Mayor read **Resolution #2018-36** - Discuss, Consider & Possible Action Authorizing the Expenditure of City Funds for the Labor, Equipment and Engineering Costs Associated with the Construction of the Foundation and erection of the framework for the Lions Club Bus Shelter Project located at 2405 Church Street. Council this is the fourth bus shelter, we do have labor and equipment estimated at \$3,000, there were engineering fees at \$320.00. Previous meeting I stated the estimated total cost to the City for the shelters would be \$8,000 and I understated this particular cost on this shelter. It is twice the size of the other two, with that being said the total outlay from the City would be approximately \$10,100.00 that would include the fifth shelter. Since this was not budgeted in our budget, that is why we pulled it from the consent agenda. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-36** Authorizing the Expenditure of City Funds for the Labor, Equipment and Engineering Costs Associated with the Construction of the Foundation and erection of the framework for the Lions Club Bus Shelter Project located at 2405 Church Street. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

PRESENTATION

3.1 The Mayor read Discuss, Consider & Possible Action approving Resolution **#2018-37** Acknowledging Receipt and Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ending September 31, 2017. Jon Watson of BrooksWatson & Co., PLLC presented the Comprehensive Annual Financial report ending September 30, 2017. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-37** Acknowledging Receipt and Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ending September 31, 2017. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.2 Victoria College Gonzales Manager Jackie Mikesch and Assistant Manager Vince Ortiz presented Victoria College's current business model, current and future educational programming and statement of financial condition for the Gonzales Campus, with discussion and possible action by the City Council regarding the expiring lease of the building that houses the Gonzales Campus.

RESOLUTIONS

4.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-38** Authorizing the City Engineer to Seek Competitive Bids/Proposals in the manner most advantageous to the City for the Hoskins Street Wastewater Line Replacement. Council, we budgeted \$70k for 580 feet of replacement line. This line was recently analyzed and does require immediate attention. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-38** Authorizing the City Engineer to Seek Competitive Bids/Proposals in the manner most advantageous to the City for the Hoskins Street Wastewater Line Replacement. Councilman Schroeder seconded the motion. The Mayor called for discussion The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-39** Authorizing the Funding Request from the Gonzales Independent School District for an Anti-Bullying Program to be Expended from the Restricted Use Municipal Court Child Safety Fund. Council we have in your packet Dr. Strozier prepared an overview stating the two options for this agenda item. The brief gives you the information that this money is pulled from the Municipal Court Child Safety Fund which is a dedicated fund and those moneys can be utilized for the Local Government Code for projects and programs that benefit child safety. It cannot be used for any other general fund type expenditures. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-39** Authorizing the Funding Request from the Gonzales Independent School District for an Anti-Bullying Program not to exceed \$5,000 to be Expended from the Restricted Use Municipal Court Child Safety Fund. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore and the Mayor all voted "aye". Councilmen Schurig and Schroeder both voted "nay". The agenda item passes.

4.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-40** Authorizing the Interim City Manager to Submit the Texas Junior High Rodeo Association Finals Bid for a Five (5) Year Contract and Negotiate the Terms of the Contract if Awarded. Council, in your packet we want to authorize Tim to negotiate that contract and if awarded we would bring that amount back to Council. We are not approving the actual amount. The rodeo does bring in approximately 2,400 attendees over that 8-10 day period, and we do see the obvious positive economic

impact to the City by having those 2,400 attendees in our city for that time period. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-40** Authorizing the Interim City Manager to Submit the Texas Junior High Rodeo Association Finals Bid for a Five (5) Year Contract and Negotiate the Terms of the Contract if Awarded the bid. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

4.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-41** Changing the Monthly City Council Meeting Date. Council we have in your packet the justification behind that. We are trying to avoid conflicting with other meetings of other political subdivisions and position our self so that the media can attend and so others in our community can attend as well. There are two suggested dates the first Monday of the month or the second Thursday of the month. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-41** Changing the Monthly City Council Meeting Date to the second Thursday of each month beginning in June. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

4.5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-42** Approving the Addendum to the Texas Disposal Systems Contract to include Municipal Solid Waste Collection and Disposal and Recycling Services for the Wastewater Plant. The information as it is understood, we do currently have in our budget to purchase a new slinger truck to haul sludge for \$160k. The truck has more than met its physical life. However, Ryan Wilkerson brought a proposal to staff that we make inquiry with Texas Disposal Systems to contract that particular service out. That estimate came back at about \$1,900 a month to allow TDS that contract. The packet presented that initial avenue for council to take, wait the six months until the end of this year and then reevaluate the cost at that time. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-42** Approving the Addendum to the Texas Disposal Systems Contract to include Municipal Solid Waste Collection and Disposal and Recycling Services for the Wastewater Plant. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

4.6, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-43** Authorizing the Interim City Manager to solicit proposals to provide the day to day operation and maintenance for the City of Gonzales Electric Utility. Council in your packet we have a brief and a resolution and this was a result of the due diligence that was recently done in our electric department. We are not

currently meeting safety and regulatory guidelines for both the electric department employees and our equipment. The City was made aware of contract service companies who offer municipal support for maintaining day-to-day operations and this is simply allowing management to go out for a Request for Proposal so that those numbers can be further evaluated and analysis can be performed to determine what the best interest of the City is. For the record I will state, our employees obviously are our greatest asset and we appreciate every one of you men and we appreciate you being here this evening. Our utmost interest is to have you work safely and to have the equipment that you need to do your job safely. With that being said, this decision tonight is simply acting in the best interest to the tax payers to give opportunity to analyze other services. Other services can include retaining the current staff, there's no commitment that could be made up front but that option is an option and I would request that be included in the Request for Proposal when our Interim City Manager writes that proposal. Until a final decision is made it would be business as usual. Councilman Schurig stated this hits real close to me because at a time when I was a GVEC, they talked about hiring contractors and the same kind of talk went around, but you have to have people that work at night. Contractors very seldom will do that unless it's a storm situation and they are getting paid over time. Hooking up services, changing out meters the basics of line work, I just can't see that happening, you're not going to get contractors twenty-four hours a day. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-43** Authorizing the Interim City Manager to solicit proposals to provide the day to day operation and maintenance for the City of Gonzales Electric Utility. Councilman Schroeder seconded the motion. Councilman O'Neal added we owe it as the overseers of the business of the City of Gonzales; we owe it to our citizens to review all options that we have. The most cost effective that we can be. I totally agree with Councilman Schurig's comments, I too worked at GVEC as the Engineering Manager for a number of years, and the same thing happened with us as far as the contractors and all, but this is just so the information can be gathered, if it's there it can be gathered, evaluated and go from there. Councilman Blakemore asked that Nick be involved in this so that we are comparing apples to apples when we look at the numbers. I want to say one other thing for the record too, Nick I commend you for doing what was right and calling for these inspections and taking the courage and having the moral integrity to do what's right by you and your men. Thank you for that, there's not very many people that have that kind of courage to do that and I commend you for that. I also want to commend each and every one of you for being here tonight and for speaking up. We are not taking this lightly, it is very hard to do something like this, but if you look at what we need to do and we have to know, the situation may turn around where it's better for us to buy the equipment and go the way we were going, but we don't want to make that decision in a vacuum so we are going to look at this very closely, so Nick we do want you involved in

this so that we know what we are looking at is what we should be looking at and get the proper valuation of it. Mayor Kacir did state, we did look at the fleet replacement and Nick did help us gather those proposals and we are looking at right at \$700k to get the equipment that we need to replace those that have met physical obsolescence. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

4.7, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-44** Authorizing the Interim City Manager to solicit proposals from qualified firms or individuals to provide grant writing services. This is to authorize Tim to write the RFP and once those proposals come back, he will meet with Laura and determine how that will be funded, then it will come back to Council for final approval. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-44** Authorizing the Interim City Manager to solicit proposals from qualified firms or individuals to provide grant writing services. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

ORDINANCES

5.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-9** Amending Section 2.107 Fowl & Livestock of the City of Gonzales Code of Ordinances to Prohibit Male Domestic Fowl and the Breeding of Domestic Fowl within the City Limits. In our packet, we have our existing ordinance where we have added the verbiage to prohibit male domestic fowl and the breeding of domestic fowl in the city limits, so basically no more roosters in the city limits and the ordinance will need to be implemented where the chickens are penned up. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-9** Amending Section 2.107 Fowl & Livestock of the City of Gonzales Code of Ordinances to Prohibit Male Domestic Fowl and the Breeding of Domestic Fowl within the City Limits and remove the tethering of fowl. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

BOARD/STAFF REPORTS

6.1, Financial Report for the Month of March 2018. Mayor Kacir stated that the Financial Report for the month of March 2018 is available for review and asked the Council if they had any questions.

6.2, Interim City Manager, Tim Patek presented to the City Council and updated them regarding LCRA Steps Forward, CT Study and Tank Evaluation Report, Concealed handgun signs for City Hall and the Jim Price Clean-up.

EXECUTIVE SESSION

7.1 At 8:18 p.m. the Mayor asked for a motion to move into Executive Session

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

a. In Re Estate of J.B. Wells litigation update

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

a. GEDC St. George Street Property

Councilman O'Neal made a motion to move into Executive Session. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

RETURN TO OPEN SESSION

At 8:37 p.m. the Council returned to Open Session.

8.1, The Mayor asked for a motion resulting from Executive Session as Necessary. No motion was made.

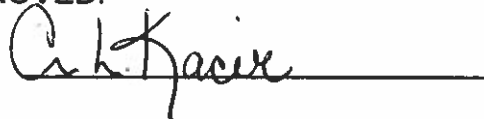
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schroeder seconded the motion and the meeting adjourned at 8:37 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CITY COUNCIL MEETING
MAY 10, 2018 MINUTES**

The City Council convened the council meeting at 6:00 p.m., May 10, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Tommy Schurig, Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: Interim City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney-T. Daniel Santee

Staff Present: Clint Hille, Laura Zella, Genora Young, Barbara Friedrich. Tim Crow, Keith Schmidt, Marland Mercer, William Ince, Anne Dollery, Marty Ficken, James Conquest

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Lou Garino, 726 St. Paul Street, Gonzales, Texas, stated he is hoping to get a piece of ground from y'all to lease as a concession site down on the river. It's right by the soccer field, we only need a 50x100 foot piece of ground. Will offer bait, snacks, Gatorade, soft drinks, minnows, night crawlers, and try to hire some local folks.

Charlie Martin, stated that he is associated with the Gonzales Veteran Memorial and that they are selling raffle tickets for a quilt to be given out on the 4th of July.

David Tucs, President of Edwards Association, expressed appreciation to the City Council for the funding for Fiscal Year 2017-2018 and reported to the Council the accomplishments, events and other uses that were held to serve the public purpose at the Edwards Association during the year. He further asked the association to be considered in the upcoming 2018-2019 Fiscal Year for funding.

Mayor Connie Kacir, presented Captain Allen Taylor with a plaque in recognition and appreciation of his 29 years of service to the Gonzales Police Department prior to his retirement on May 31st.

OTHER BUSINESS

1.1 Mayor Kacir swore in Police Officer Christopher Kalina.

1.2 Discuss, Consider & Possible Action Approving **Resolution #2018-45** Canvassing the returns and Officially declaring the results of the May 5, 2018 City of Gonzales General Election as follows:

<u>DISTRICT 1</u>	<u>Early Voting</u>	<u>Election Day</u>	<u>TOTAL</u>
Gary A. Schroeder	45	21	66
Mike Hanson	7	5	12
<u>DISTRICT 2</u>			
Jimmy Kelly	17	12	29
Tommy G. Schurig	47	20	67

Now therefore be it resolved by the City Council of the City Of Gonzales, Texas: A total of ballots cast during early voting were 116 by personal appearance or by mail ballots, and 58 votes were cast on Election Day. Total number of votes cast in this election was 174. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-45** Councilman Blakemore seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

1.3 Mayor Kacir issued the Certificate of Election and Swore in Gary A. Schroeder as Council Member District #1.

1.4 Mayor Kacir issued the Certificate of Election and Swore in Tommy G. Schurig as Council Member District #2.

PRESENTATION

2.1 City of Gonzales Housing Authority will present to the City Council the PHAS Scoring for 2016 Financial Troubled and 2017 Substandard-Management and the plan of corrective action for the Housing Authority.

Mary Anne MacLean, Treasurer of the Gonzales Housing Authority of the City of Gonzales explained the relationship between the City Council and the Housing Authority and that the Housing Authority is completely separate.

Jeanette Conquest, Executive Director, explained what financially troubled means in the PHAS scoring, and that the letter that was sent out was in regards to an issue in 2016 and the letter should not have been sent out. The issue was corrected in 2016.

PUBLIC HEARING

3.1 The City Council of the City of Gonzales will hold a Public Hearing to review and take input from the public on the benefits and effectiveness of the Curfew Ordinance to determine whether or not it should be renewed.

3.2 The City Council of the City of Gonzales will hold a Public Hearing for Early citizen input regarding the use of City Funds for Fiscal Year Beginning October 1, 2018 and ending September 30, 2019

No comments were made on either Public Hearing.

The Mayor asked that we move agenda items 6.4 and 6.5 to the present time. We have Stacey McTaggart here from the Gas Company and Stacey would like to brief Council on those two agenda items and provide clarity.

Stacey McTaggart, my business address is 1301 S. Mopac, Austin, Rates and Regulatory Director for Texas Gas Service, and my job is to work with the regulators to ensure that our rates are set at an appropriate level. For the citizens of Gonzales, you are our regulator; you get to say what are appropriate rates. Statutes state that the rates should be set to covers our reasonable expenses and allows us to earn a return on our investment. For us, investment isn't money in an account, it's pipe in the ground, and meters, and computer equipment and all the sort of assets it takes to run a gas company, and we take money and invest in those things that we want to earn a return on that investment plus cover our reasonable expenses. We have a rate increase that we are requesting for last year's increase in investment and that rate increase is \$3.3 million. It is about \$.88 per month for the average monthly bill. Now sometimes costs go down, not all that often, and this year the corporate income tax rate as result of the Tax Cut and Jobs Act, so the corporate tax rate went from 35% to 21% which means that our income tax expense is lower. So if our expenses are lower, then our rates should be lower because our rates should only cover our reasonably expenses. We are going to offer a rate decrease to take into account the tax reform bill, and so that rate decrease is \$4.9 million; so the decrease is \$4.9 and the increase is \$3.3; the decrease is larger than the increase, it's about \$1.42 on a residential bill. Both the increase for our increase in investment; and the decrease for the tax reform are going to take place with July bills. All together it is a net of \$1. 6 million and a net decrease on the average bill of \$.54 a month.

6.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-14** Suspending the Proposed Gas Reliability Infrastructure Program Interim Rate Adjustment of Texas Gas Service Company, a Division of One Gas, Inc. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-14** Suspending the Proposed Gas Reliability Infrastructure Program Interim Rate Adjustment of Texas Gas Service Company, a Division of One Gas, Inc. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

6.5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-15** Approving a Decrease in Rates Due to the Change in Federal Corporate Income Tax of Texas Gas Service, a Division of One Gas, Inc. Mayor Kacir

asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-15** Approving a Decrease in Rates Due to the Change in Federal Corporate Income Tax of Texas Gas Service, a Division of One Gas, Inc. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

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 Councilmember.

The Mayor read the consent items as follows:

- 4.1 **Minutes** - Approval of the minutes for the Regular Meeting of April 3, 2018
- 4.2 Discuss, Consider & Possible Action Approving **Resolution #2018-46** Authorizing the Purchase of a 2018 John Deere 320E Skid Steer for the J.B. Wells Park in the Amount of \$33,626.18
- 4.3 Discuss, Consider & Possible Action Approving **Resolution #2018-47** Authorizing City Staff to Seek Competitive Bids/Proposals in the manner most advantageous to the City for the roof replacement at the Robert Lee Brothers, Jr. Memorial Library located at 301 St Joseph
- 4.4 Discuss, Consider & Possible Action Approving **Resolution #2018-48** Authorizing City Staff to Seek Competitive Bids/Proposals in the manner most advantageous to the City for the roof replacement at the Victoria College Vocational Trades building located at 424 East Sarah Dewitt
- 4.5 Discuss, Consider & Possible Action Approving **Resolution #2018-49** Authorizing the Expenditure of \$147.75 for the Repair of School Zone Lights from the restricted use Municipal Court Child Safety Fund
- 4.6 Discuss, Consider & Possible Action Approving **Resolution #2018-50** Authorizing the Expenditure of up to \$1,500.00 for Purchase of a Printer from the Municipal Court Technology Fund for the Municipal Court Clerks
- 4.7 Discuss, Consider & Possible Action Approving **Resolution #2018-51** Authorizing the Interim City Manager to Execute an Interlocal Cooperation Agreement for Mobile Radio Services And Equipment Between the City of Gonzales and Lower Colorado River Authority
- 4.8 Discuss, Consider & Possible Action Approving **Resolution #2018-52** Authorizing the Interim City Manager to Enter into a Lease Agreement with Yamaha

Motor Finance Corporation for a Five Year Lease on Ten DR2A EFI Yamaha Golf Carts for an annual amount of \$6,570.00

4.9 Discuss, Consider & Possible Action Approving **Resolution #2018-53** Authorizing the Purchase of a 2019 Freightliner M2-106 Single Axle Dump Truck for the Water Department from Freightliner of Austin in the amount of \$86,799.00

The Mayor asked for a motion to approve the consent agenda items. Councilman O'Neal made a motion to approve the consent items. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

RESOLUTIONS

5.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-54** Recognizing the Importance of the Section 8 Housing Choice Vouchers Program: Approving the Transfer of the Vouchers Program Administration from the Gonzales Housing Authority to the Floresville Housing Authority. This is primarily an administrative function to be deemed in the best interest of the Authority. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-54** Recognizing the Importance of the Section 8 Housing Choice Vouchers Program: Approving the Transfer of the Vouchers Program Administration from the Gonzales Housing Authority to the Floresville Housing Authority. Councilman O'Neal seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

5.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-55** Authorizing the Interim City Manager to Execute a License Agreement with Texas Lou's Canoes Incorporated Granting them the use of Independence Park for a Concession Site for the Rental of Non-Motorized Watercraft, Sales of Fishing Bait and Sales of Business Industry Related Accessories. In our packet we have heard from Lou and he is desiring to license the establishment in operation of a concession within the confines of the Independence Park. He would operate for profit a mobile kayak, canoe, paddling board rental facility along with related sales of sundries, fishing tackle and industry relating accessories. The public interest and general welfare will be served, and the facilities of the park will be materially enhanced by the availability of the said facility. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-55** Authorizing the Interim City Manager to Execute a License Agreement with Texas Lou's Canoes Incorporated Granting them the use of Independence Park for a Concession Site for the Rental of Non-Motorized Watercraft, Sales of Fishing Bait and Sales of Business Industry Related Accessories. Councilman Schroeder seconded the motion. The

Mayor asked for a roll call vote. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

5.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-56** Authorizing the Interim City Manager to Execute an Extension to the Lease Agreement with AV-Tech Oil & Gas, L.L.C. now known as Nobel Petroleum, LLC. William W. Jackson, Contract Operator engaged by Nobel Petroleum, and I have Tom Evans who came in from London for this meeting, if there's any questions of Nobel. Basically, with the complications of trying drill under the City of Gonzales we are requesting this extension because of the difficulty in getting permits is one reason and the second reason is because we would like to enter into doing a seismic shoot to enhance both the potential for the wells that we intend to drill and to improve the ability to pick the right location. At this time, what we are looking at, it takes at least six months to get a drilling permit when you have to notify 350 royalty owners. We are offering an upfront bonus of \$50k to be paid upon execution. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-56** Authorizing the Interim City Manager to Execute an Extension to the Lease Agreement with AV-Tech Oil & Gas, L.L.C. now known as Nobel Petroleum, LLC. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

5.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-57** Approving a Proposal by the Gonzales County Appraisal District relating to the purchase of land, for construction of an appraisal office facility, and for construction and permanent loans. Mayor Kacir-We have with us tonight, John Liford, with the Gonzales County Appraisal District, and I would to ask you to brief the Council on the agenda item please. John Liford stated as you know I was here last year and the appraisal district is still looking for a new office building. The office building we are in right now is currently for sale. It was sold last year, but that sale has fallen through. The Board of Directors since then has looked at two new properties. One property is owned by the Gonzales Independent School District, we had an agreement but there was some difficulties with the utilities. Now we found a property that we agree on. There's a vacant lot that is behind the AutoZone also behind O'Reilys. We have come to an agreement with the land owner and we would like to consider the purchase of the property and to build a new office building. If you notice in the presentation we have an estimate of \$1.5 million for total construction of the building, the parking lot and all of the retention ponds, etc. that are required. We have sent a sketch out to three contractors to get a better idea. The contractors range from \$1.1 million to \$1.46 million that works out to be \$168 a square foot to \$223 a square foot. Since we started this in 2016 there's been a 10% increase every year for the construction of a new building. The budget for this building we've had in the operating budget would be \$170k a year. It's

already been included in the budget of that amount. The City of Gonzales portion is \$3,417 currently. The taxes on the vacant lot is \$252.59. the revenue for a new office building, we are looking at approximately \$3k for your utility tap fees and we would have approximately \$600 a month a utility bill we would pay. Earning you approximately \$7,200 a year in utilities. Councilman Schurig asked if it was \$168 a square foot? John Liford stated the lowest estimate is \$168 a square foot, and the highest estimate is \$223 a square foot. Councilman Blakemore asked with the number of already Government owned buildings vacant, why do you need a new one? You have the annex out there that's more than ample square footage, more than ample parking, it's already handicap accessible because of its previous use. We have the empty library building that has ample parking, it does need some work on it. Anything that you are going into is going to need some work. Why do we need to take more property off of this and spend \$1.5 million when there are buildings available? John Liford stated the County Clerk's Office had been denied to us by the Judge. The old library as you spoke of it, we would have to expand that to get the square footage, which means we would have to expand that into the water ditch on the east side of the building, or we would have to build on top of your utility line which is on the west side of the building which would not be very feasible for us to do either one of those. Councilman Blakemore asked so you have been denied the use of the old annex? Mr. Liford said yes sir. Councilman Blakemore asked by who? Mr. Liford stated County Judge Bird. Councilman Blakemore asked what is the cost that we presently pay the appraisal district for your space, what are we paying right now for where you are. Mr. Liford said our total payment is \$1,775 a month and you pay 2% of that. Councilman Blakemore asked and what will it be in the new build. Mr. Liford said your new total will be \$3,417 a year. Councilman Blakemore asked so we go from 2% of \$1,700 to \$3 thousand something, so \$340 to \$3,000. Mr. Liford stated and if the building had been sold last year, the rent to the new owners would be \$6,550 a month because they were going to charge us basically, one dollar per square foot. Councilman Schurig, what is the square footage of the building you're in? Mr. Liford said what we use is 3,500 square feet because there's an additional portion that we do not use that GVEC is currently occupying, and the 3,500 square feet that we use, if we take everything that we use it's closer to 5,000, because part of our contract means that we do not pay rent on the lobby, hallways or the bathrooms. I don't know how the contract was written, but that's how it came out. Mayor Kacir asked so you're currently using 3,500 square feet? Mr. Liford stated we are currently using 5,000 square feet but we are only leasing 3,500. Mayor Kacir asked how will the additional 3,000 square feet be utilized in the new office? Mr. Liford stated the biggest problem in the old office is that we have about 100 plus filing cabinets, we have filing cabinets in everybody's office, and in this new office we would have a large central area, that all of the file cabinets and everyone would have access to it. Employees would also have their own offices for privacy when clients come in. Councilman O'Neal asked if this has been

presented to the other taxing entities? Mr. Liford stated yes we have seven yes votes and we need nine. Councilman O'Neal asked can you say who the seven are? Mr. Liford stated yes, Gonzales Independent School District, City of Smiley, City of Waelder, Waelder Independent School District, Cuero Independent School District, Shiner Independent School District and Moulton Independent School District. Mayor Kacir asked are the two remaining the City and the County? Mr. Liford said no Yoakum Independent School District and the County. The Mayor asked for a motion. No motion was made in regards to **Resolution #2018-57** Approving a Proposal by the Gonzales County Appraisal District relating to the purchase of land, for construction of an appraisal office facility, and for construction and permanent loans. The item died due to the lack of motion.

ORDINANCES

6.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-11** Readopting the Curfew for Minors Ordinance Article 8.500 of the City of Gonzales Code of Ordinances. Council we had the two public hearings on that, Chief Crow spoke in favor on that and said that he felt it increased the safety of our children, as did Dr. Strozier. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-11** Readopting the Curfew for Minors Ordinance Article 8.500 of the City of Gonzales Code of Ordinances. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

6.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-12** Authorizing Certain Budget Amendments Pertaining to the Fiscal Year 2017-2018 Gonzales Economic Development Annual Budget. Council we are asking for a budget amendment, in the amount of \$53,888.03. The GEDC board approved a forgivable loan in 2017 for a Fairway mower and equipment for the Golf Course. The equipment was backordered and has now been delivered in our 2018 budget. The fiscal impact will be a transfer in the like amount from the EDC fund balance to line item 7.700.650 capital replacement. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-12** Authorizing Certain Budget Amendments Pertaining to the Fiscal Year 2017-2018 Gonzales Economic Development Annual Budget. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

6.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-13** Closing and Abandoning to the Abutting Property Owner, BYK USA, Inc. Portions of Wallace and Newby Streets. I see we have Jon Such with us, was there anything that you wanted to say to address the Council? Jon Such, representing BYK, USA, we have begun some of our ground breaking at our facility and

the closing of the street will allow us to build an entry road and a parking lot which will be servicing our new plant facility that we are spending some \$43 million on to do that part of the work. Abandoning this street will allow us to build this facility and to hire more employees in our community. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-13** Closing and Abandoning to the Abutting Property Owner, BYK USA, Inc. Portions of Wallace and Newby Streets. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

STAFF/BOARD REPORTS

7.1, Financial Report for the Month of April 2018. Mayor Kacir stated that the Financial Report for the month of April 2018 is available for review and asked the Council if they had any questions. No comments or questions were made.

7.2, Quarterly Investment Report Ending December 2017 and March 2018. Mayor Kacir stated that the Quarterly Investment report for December 2017 and March 2018 and asked if the Council had any questions. No comments or questions were made.

7.3, Interim City Manager, Tim Patek reported to the City Council an update the water storage tank baffles, budget meetings with staff, sludge removal contract with Texas Disposal Systems, Tourism Director's six month accomplishments, and an update on the Gonzales Economic Development Corporation's financials and receivables.

EXECUTIVE SESSION

At 7:21p.m. the City Council moved into Executive Session

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

- a. In Re Estate of J.B. Wells litigation update
- b. Rollback petition demand letter

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

- a. GEDC St. George Street Property
- b. Unopened City Streets

RETURN TO OPEN SESSION

At 8:45 p.m. the Council returned to Open Session.

8.1, The Mayor asked for a motion resulting from Executive Session as Necessary. Councilman Blakemore made a motion to allow the GEDC to proceed with the sale of 513 St. George Street property as authorized by the GEDC Board of Directors and GEDC counsel. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

The Mayor asked if there was any other action resulting from Executive Session. No motion was made.

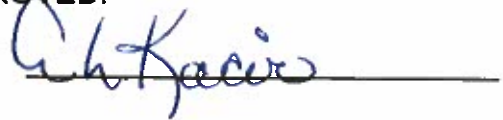
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 8:47 p.m.

A handwritten signature in blue ink, appearing to read "Kristina Vega", written over a horizontal line.

Kristina Vega, City Secretary

APPROVED:

A handwritten signature in blue ink, appearing to read "Ch. Kasir", written over a horizontal line.

**CITY OF GONZALES
CITY COUNCIL MEETING
MAY 17, 2018 MINUTES**

The City Council convened the council meeting at 12:01p.m., May 17, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Tommy Schurig, Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: Interim City Manager- Tim Patek, City Secretary- Kristina Vega

Staff Present: Barbara Friedrich, Laura Zella, Genora Young

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

ORDINANCES

1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-16** Closing and Abandoning to the abutting property owner, Kenneth J. Fougerat and Karen K. Fougerat portions of unopened city streets. Council we have to act on that item this afternoon included in your packet, property that is designated beyond the municipal boundaries of the City of Gonzales and whereas our City Charter does provide us authorization for the City to sell properties deemed not needed at the time for municipal purposes and the streets belonging to the said City which have never been opened or used for street purposes by the public, again the City is authorized to sell. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-16** Closing and Abandoning to the abutting property owner, Kenneth J. Fougerat and Karen K. Fougerat portions of unopened city streets. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schroeder seconded the motion and the meeting adjourned at 12:04 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CITY COUNCIL MEETING
JUNE 14, 2018 MINUTES**

The City Council convened the council meeting at 6:00 p.m., June 14, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: Interim City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney-T. Daniel Santee

Staff Present: Clint Hille, Laura Zella, Genora Young, Barbara Friedrich, Tim Crow, Keith Schmidt, William Ince, Anne Dollery, Angie Kessler

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

PUBLIC HEARING

1.1 The City Council of the City of Gonzales will hold a Public Hearing for Early Citizen input regarding the use of City Funds for Fiscal Year Beginning October 1, 2018 and ending September 30, 2019.

No comments were made.

OTHER BUSINESS

2.1 Selection of Mayor Pro Tem for the City of Gonzales City Council.
Councilman O'Neal made a motion to appoint Councilman Dan Blakemore as Mayor Pro Tem. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schroeder and the Mayor all voted "aye".

Councilman Tommy Schurig joined at 6:05 P.M.

HEARING OF RESIDENTS

Clint Hille spoke about the Bushong Collection an authentic Texas History Collection owned by Vicki Bushong displayed at the library and invited all to attend the Grand Opening on July 4th from 4-6 p.m.

Kelly Lindner & Kris McLain wished the Mayor a Happy Birthday.

Roger Eberle expressed his concerns regarding the electric wheel chairs on the right-of-way and the safety concerns that he has, and asked to Council to address the issue.

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 Councilmember.

The Mayor read the consent items as follows:

- 3.1 **Minutes** - Approval of the minutes for the Regular Meeting of May 10, 2018
- 3.2 **Minutes** - Approval of the minutes for the Special Called Meeting of May 17, 2018
- 3.3 Discuss, Consider & Possible Action Approving **Resolution #2018-58** Approving the Gonzales Convention and Visitor Bureau's Recommendation to Fund Up to \$1,800.00 for facility costs to the Gonzales Chapter Daughters of the Republic of Texas (DRT)
- 3.4 Discuss, Consider & Possible Action Approving **Resolution #2018-59** Authorizing the Temporary Closure of Certain City Streets, Use of City Property and Consumption of Alcohol on City Property for the Come & Take It Celebration on October 5, 6 & 7, 2018

The Mayor asked for a motion to approve the consent agenda items. Councilman Schurig made a motion to approve the consent items. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

REGULAR AGENDA ITEMS

RESOLUTIONS

4.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-60** Establishing a Policy for the Gonzales Convention and Visitor's Bureau which Provides Guidelines for the use of Hotel/Motel Occupancy Tax Funds, and Establishing an Approval Authority of up to \$5,000.00. Council what we ask for your consideration for approval is that we empower the board to approve requests up to \$5,000.00 when they fall within the budgeted line item under special events, that would allow those items to fall within their authority for approval and there would be no further need to present those items to Council. We have in your packet their application and also the policy that the board has adopted to present to you for approval this evening. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-60** Establishing a Policy for the Gonzales Convention and Visitor's Bureau which Provides Guidelines for the use of Hotel/Motel Occupancy Tax Funds, and Establishing an Approval Authority of up to \$5,000.00. Councilman Blakemore

seconded the motion. The Mayor called for discussion. The Mayor stated under discussion I have three small things I would like for consideration and an amendment to the approval as presented. The modification that I would request under the City Policy under a) preference would be given to those requests which will most likely be able to increase hotel occupancy that we would just strike the words most likely and have it read preference would be given to those requests which will be able to increase hotel occupancy. Under c) that we would just add that sentence increasing hotel occupancy, so c) would read the intent of the program is to provide funding for an event to help advertise and promote events by increasing hotel occupancy. Under d) that we would just strike sales tax, the statute for HOT tax does not address sales tax. Obviously that is a compensating factor for the board to consider in their approval, I just feel like our policy should represent the statute as it is written. If the Council approves, we can amend the motion and amend the second on the floor. If not, the motion will remain as stated. Councilman O'Neal made a motion to modify his previous motion with the suggestions that were made. Councilman Blakemore amended his second. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-61** Authorizing the Amendments to Section 8.18 Usage of Vehicles of the City of Gonzales Personnel Manual. Council we have a draft of the modified city vehicle policy. There were very minor changes to the policy, the most significant addition was that we added, it is possible employees with take home vehicles may incur tax liability, the finance department will be considered the primary repository for take home vehicle records and responsible for issuing tax documents and adjusting withholdings as necessary. That is subject to the IRS Code and to be compliant that was added to the policy. Again, the policy basically reflects what was in force. It does allow public safety staff to take vehicles home at the discretion of their director and the approval of the City Manager. Their vehicles will remain within the city limits, specific authorization by the City Manager would be necessary for taking any vehicle outside of the city limits and to include the specific miles outside the limits, for commuting purposes to and from their primary residents public safety command staff must also adhere to the applicable department policies. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-61** Authorizing the Amendments to Section 8.18 Usage of Vehicles of the City of Gonzales Personnel Manual. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-62** Authorizing the Creation and Appointment of a Historic Ordinance

Subcommittee. Just as point of information, this subcommittee, you are not approving or consenting to adopting an ordinance for a historic ordinance, you are simply approving a working committee to work in concert with the City Attorney to draft a proposal for a historic ordinance. Those meetings will be open and we certainly welcome all the downtown business owners to attend and to share input. We have two council members the Mayor and the Mayor Pro Tem that would serve on that committee and also the boards and commissions that would be involved in the adoption of such ordinance. The desire was to first look at the Main Street district and adopt the Historic Ordinance in that district before moving forward. The names that were presented in your packet would be Glenda Gordon representing the Gonzales County Historical Commission, the Chamber Executive Director-Daisy Scheske Freeman, Main Street Director-Barbara Friedrich, Tourism Director-Clint Hille, Historic Homes representative-Barbara Crozier, ZBOA was noted as President Vicki Frenzel, I need to substitute Dawn O'Donnell for your consideration, Vicki was unable to serve due to other commitments, Planning & Zoning-Tim Gescheidle, GEDC Director & President-Genora Young, City Engineer-Keith Schauer, Mayor, Mayor Pro Tem, Interim City Manager-Tim Patek, City Secretary who is over zoning and our Building Official-William Ince and the Facilitator would be the City Attorney-Dan Santee to ensure that we are compliant in all legal aspects and other ordinances that may currently adopted and in force. I have asked one additional person to serve and he will be getting back with us and we will look at that appointment at the next meeting as he was not able to commit at this time. If those names align with your acceptance I will call for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-62** Authorizing the Creation and Appointment of a Historic Ordinance Subcommittee. Councilman Schurig seconded the motion. The Mayor called for discussion. Councilman Blakemore stated in looking at the names, I agree with Councilman O'Neal as far as who we have. One concern I have is I don't see any downtown ownership represented, maybe with Tim Gescheidle, he owns a building there, but there are other people that are very active in the City that own a lot of property downtown that aren't represented here and so I just put that out there for discussion that I think there should be. Mayor Kacir asked, Councilman, do you feel having the meetings publicized and all the downtown owners eligible to attend those meetings for their input. Councilman Blakemore stated he would hope that they would do that, but I would personally think that if they are a part of committee there's more ownership. They might not be able to make the meetings to express what they would like to express, but they might as a member of the committee have voting rights that they would not have in public comments on certain issues and I find that very important. Mayor Kacir concurred, and would encourage Council to work within your districts and citizenry to hear their feedback because again the committee would have no authority for the adoption of any ordinance that is put together, but they would present that product to the Council and then it is up to the Council to approve it, not approve it, or to

approve it with modifications, but point well taken Councilman. I will again state for the record, the gentleman that I asked to serve most recently is a downtown owner and owns quite a bit of property downtown and again he has asked to reserve his commitment to the July meeting. Any other discussion, there being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig voted "aye". Councilman Schroeder stated just that the duration time on the bench and this has come up several times and I have never been onboard with it, he then voted "nay". The Mayor voted "aye", and stated I do feel it is important to have an ordinance to protect the historical architecture of our assets and to maintain the historic integrity of downtown, I also see other cities who are prosperous and successful do have those ordinances in place and it would be similar to purchasing a home in a subdivision and having subdivision restrictions. Again, you want to protect your investment and invite additional economic opportunities and stimulus through other investors in that property.

4.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-63** Authorizing the Interim City Manager to Order an Economic Impact Analysis not to exceed \$15,000.00. Council the Economic Impact Study that we have presented for your consideration will be up to, not to exceed \$15,000.00; it would be from budgeted funds out of non-department budget line-item for special contracts. Those moneys could be expensed toward the Economic Impact Analysis. The Mayor asked for a motion. Councilman Blakemore made a motion to approve **Resolution #2018-63** Authorizing the Interim City Manager to Order an Economic Impact Analysis not to exceed \$15,000.00. Councilman O'Neal seconded the motion. The Mayor called for discussion. The Mayor stated, she spoke with several firms on the Economic Impact Analysis, it is vital that we have one for our city. One of the firms that I spoke with will also compile a presentation in regards to our assets in way of Tourism and have a protocol written as to where our focus should be and how to package those assets to be more successful within Tourism, increasing sales tax revenue and the other positive economic impact that it has on our city. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

ORDINANCES

5.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-17** Adopting a Budget Amendment for Fiscal Year 2017-2018. Our Finance Director has given a very detailed overview of the four amendments that she has prepared for your consideration. The first amendment revolves around implementing the debt service fund, which is required by our bond issues and other debt that the City has. There would be a second debt service fund for the debt service of payments made for with proprietary fund revenues and will be called the proprietary debt service fund, the second amendment was that we had budgeted the credit card

expense to be paid from specific general ledger account and after researching the Local Government Code, we need to reallocate that revenue and expense within the general fund. The third amendment addresses a donation fund raising that was done by our Golf Board that was done for specific expenditures and the fourth amendment addresses the amount budgeted for the street sweeper, which staff believes that they have an alternate plan. They will not be purchasing that street sweeper and they've allocated those funds as itemed below. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-17** Adopting a Budget Amendment for Fiscal Year 2017-2018. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

5.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-18** Appointing Crystal Cedillo, Gonzales County Tax Assessor-Collector, as the Individual to Calculate and Prepare the 2018 Effective and Rollback Tax Rates for the City of Gonzales. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-18** Appointing Crystal Cedillo, Gonzales County Tax Assessor-Collector, as the Individual to Calculate and Prepare the 2018 Effective and Rollback Tax Rates for the City of Gonzales. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

STAFF/BOARD REPORTS

6.1, Financial Report for the Month of May 2018. Mayor Kacir stated that the Financial Report for the month of May 2018 is available for review and asked the Council if they had any questions. No comments or questions were made.

6.2, Gonzales Economic Development Corporation, President/CEO, Genora Young gave the Economic Development Annual Report for Fiscal Year 2016-2017.

6.3, Interim City Manager, Tim Patek updated the City Council on status of TCEQ regarding the baffles at the Waterplant, the status of the Request for Proposals for Electric Utility Operations & Day-to-Day Maintenance Services and that the proposals should be coming back to us on Tuesday, June 26th and that staff hopes to bring it back to Council on the July agenda, Texas Junior High Rodeo Association and that we received the bid for the next five years, Code Enforcement compliance and that the staff will be enforcing the provisions set by the Code of Ordinances, reminded the Council that they will need to appoint a Charter Review Commission at the July council meeting.

CLOSED SESSION

At 7:02 p.m. the City Council moved into Executive Session

7.1 Pursuant to Sections 551.071 (consultation with legal counsel), 551.072 (deliberations about real property), and 551.074 (personnel matters) of the Texas

Government Code, the City of Gonzales will meet in closed session to discuss the following matters:

- a. In Re Estate of J. B. Wells litigation
- b. Lease of City owned property
- c. Sale of Unopened City Streets
- d. Evaluation of Interim City Manager
- e. Recruiting/Hiring Process to fill the position of City Manager

RETURN TO OPEN SESSION

At 9:08 p.m. the Council returned to Open Session.

8.1, The Mayor asked for a motion resulting from Executive Session. Councilman O'Neal made a motion to hire Tim Patek as City Manager with a salary of \$100,000.00 with a \$500.00 a month car allowance effective June 14, 2018. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

The Mayor asked if there was any other action resulting from Executive Session. Councilman O'Neal made a motion to authorize the City Manager to negotiate the sale of unopened City streets as discussed in executive session. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

The Mayor asked if there were any other motions resulting from Executive Session. No other motions were made.

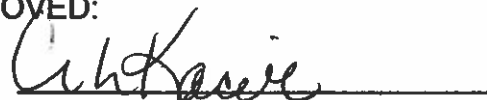
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 9:11 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CITY COUNCIL MEETING
JULY 12, 2018 MINUTES**

The City Council convened the Council meeting at 6:02 p.m., July 12, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: Interim City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney-T. Daniel Santee

Staff Present: William Ince, Angie Kessler, Laura Zella, Micaela Estrada, Tim Crow, Keith Schmidt, Genora Young, Barbara Friedrich, Clint Hille, Gary Malatek, Wesley Bunch, Joe Riojas, Anne Dollery, Marland Mercer

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Mayor, Connie Kacir stated, at this we will have the hearing of residents. This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes. All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting. Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

OTHER BUSINESS

1.1 Swearing in Police Officer Marisol Sanchez
Mayor Connie Kacir swore in Police Officer Marisol Sanchez

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 Councilmember.

The Mayor read the consent items as follows:

- 2.1 **Minutes** - Approval of the minutes for the Regular Meeting of June 14, 2018
- 2.2 Discuss, Consider & Possible Action Approving **Resolution #2018-64** Authorizing the City Manager to Execute a Substation Maintenance Agreement-Gonzales/Harwood Substation with the Lower Colorado River Authority (LCRA)
- 2.3 Discuss, Consider & Possible Action Approving **Resolution #2018-65** Ratifying the Agreement with United States Department of Justice, Drug Enforcement Administration ("DEA")
- 2.4 Discuss, Consider & Possible Action Approving **Resolution #2018-66** Approving a First Amendment to Loan Agreement by and Between the Gonzales Economic Development Corporation and Winbin Ventures, Inc., for Economic Development Purposes
- 2.5 Discuss, Consider & Possible Action Approving **Resolution #2018-67** Authorizing the City Manager to Execute a License Agreement with the Texas Junior High Rodeo Association (TJHRA)

The Mayor asked for a motion to approve the consent agenda items. Councilman O'Neal made a motion to approve the consent items. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

HEARING OF RESIDENTS

The Mayor requested at this time that all residents that have signed up to speak with the exception of Victoria College. You will be called at a later time, when we address the workshop session on the agenda.

Joe Riojas, 715 St. Vincent, I've worked for the City of Gonzales Electric Department for 2 1/2 years, been with the City for 4 1/2 years he encouraged the Council make the decision in favor for the City of Gonzales and not just for itself, and try not be selfish so hopefully the decision goes the way that it needs to go.

Darren Schauer, General Manager and Chief Executive Officer of GVEC, here tonight to further answer any questions that the Council may have in GVEC's response for proposal for the operations and maintenance of the City's electric department and hopes that the City will approve tonight the authorization to enter into a contract negotiation phase.

Mayor Kacir stated at this time the balance of the speakers represent Victoria College, or I do not have a subject matter. If anyone is in the audience has public comments that

is not in regard to Victoria College, could you please raise your hand. There being none. I am sorry, we do have one.

Keith White, 126 South Street, spoke to voice his concerns in regards to Ordinance 4.3 and 4.4.

Mayor, Connie Kacir stated Mr. White, I appreciated your comments, I know that that ordinance is late in the agenda and as the Open Meetings statute permits me to speak to matters of policy and fact, I would like to make a few statements in response to your comments. In regards to the comments concerning the property between the property line and the curb, you felt that that is an undue burden on the resident and should be maintained by the City, is that what I heard you say? Mayor, Connie Kacir stated for point of clarification and full disclosure, the property is actually owned by the property owner. The legal description of your property will provide a metes and bounds description to the curb. The City has the right to utilize the easement in that setback whereby we are authorized to provide maintenance, and I will state that that is misunderstood by many. Again, to respond to you with fact that would be my response to that issue. In response to the junked vehicles, I do not have the definition at my fingertips, but I will promise to follow up and share that with you, but there is state guidelines that give a description of what would be deemed a junked vehicle. So it would not be in the interpretation of any City staff or official. It would actually fall under the description that is given as far as what is deemed a junked vehicle. I will ask the City Secretary, if she can pull up that description and I will be glad to recite that to you when we get to that agenda item, and if you are able to stay for the balance of the meeting we will could certainly ask you to join in that debate at that time.

At this time Council I would like to ask that we move the workshop item to the front of the agenda.

6.1, Mayor, Connie Kacir stated she will read the agenda item and engage in debate when Council completes the debate and the facts are clearly stated to our citizenry and all of our guests, then I will call on each individual that has signed up to speak in response to the Victoria College agenda item. Once all of the information has been provided and the facts have clearly been disseminated some of you may feel that you do not desire at that time to present public comments, so just a matter of protocol.

6.1, The Mayor then read Discuss, Consider & Possible Action regarding the exploration of options available for future higher education opportunities in Gonzales; authorizing the Mayor, Mayor Pro Tem and City Manager to initiate and engage in necessary discussions and bring potential options back to the City Council for consideration. So again, point of clarity what that agenda item is asking for is Councils' guidance as to your desire for due diligence to be performed to identify what future higher educational

opportunities would exist in Gonzales. It would only be to perform due diligence bring back the information share that information with Council for full analysis and then we would proceed with Councils action at that time. So since we have a workshop item I am not going to call for a motion necessarily, but I am going to open up in a workshop format and I would like I will recite a brief overview and then I would invite Council members to present questions facts or concerns at that time. Is everyone in agreement with that?"

Councilman Gary Schroeder stated, yes ma'am.

Mayor, Connie Kacir stated, Victoria College was a collaborative initiative initiating or opening about 11 years ago so that initiative began probably 12 years ago the collaboration that existed was between our Gonzales Independent School District. Superintendent Ebell presided over our school district at that time and Buddy Drake former City Manager and the Council at that time looked at opportunities to bring in a community college to the City of Gonzales which would bring value obviously to our City in many, many, ways and have a positive economic impact as well. The agreement that was discussed between the school district and former school board members who have called and held discussions with me, that were under Dr. Ebell at that time and former City Officials. The understanding or gentleman's agreement as we will call it was the City was going to invest in higher education because it brought value to this City and to our political subdivision. At some point in time the college would begin to be financially stable and they would be self-supporting at some point in time that time period in time not defined. Dr. Goodman in open session at a City Council meeting July of 2006 addressed the Council and in summation he stated if that the goals were not met by the parties that he would then allow the City of Gonzales to pursue other educational, higher educational opportunities. He mentioned, by name, in example, Blinn College or Austin Community College. The collaboration continued due diligence was done the college opened in 2011, excuse me not 2011, in 2007 and has continuously operated ever since. To date, the City of Gonzales through public funds, taxes, economic development through the Economic Development Corporation which is half cent sales tax, approved by the voters for specific uses. The City of Gonzales has injected two million plus dollars into Victoria College in which we are proud to have done and remain proud that we did so. In the eleven years, since the college has operated, the rent payment that we received actuates to, \$.08 per month, \$.08333 or \$1.00 per year, for which the first ten years, the City again, joyfully provided. At the end of the ten year period a meeting was called with administration of Victoria College and policy leaders of the Council and City Manager. And discussions initiated as to how we would move forward and how we could bring value to Gonzales, to the City, recouping, some of our investment and share in a larger return of investment ROI. I will state for in point of clarification for those who may not know a municipality is defined under the Texas Local

Government Code, does not have a responsibility for that political subdivision to provide higher education. It is very specific, as to what is required of a municipality, examples given; Electricity, streets, water, sewer. This Council in exercising fiscal responsibility was looking at the overall picture on how we move forward. Do we want higher education in Gonzales? Yes. No pause. No hesitation. Yes. Do we want to be the only political subdivision who partners with the higher education institution? At this time our policy makers do not feel that we have the disposable income or revenues to support endeavors outside what the government and the State of Texas tells me that we must provide to our citizens. Negotiations, we started with rent. The college declined to pay rent and that they were unable to afford to pay a monthly lease. Meetings continued, the first meeting, the Council was informed that the college operates this campus at a net loss of \$400 to 450k annually. They could not pay rent. I called for another meeting; I requested to meet with the Chairman on the Board of Trustees and the President who is Dr. David Hinds. Dr. Hinds agreed to come to Gonzales, he and additional administrators joined the City Manager, myself, and the Mayor Pro Tem and we engaged in further discussion. At that time we were informed at the meeting the accounting had been done and Gonzales Center, Victoria College Gonzales Center operates this campus at a net loss of \$700 to \$750k per year. I responded; can you clearly define that you are operating at a net loss. At our last meeting it was \$400 to \$450k now we're at \$700 to \$750k and from a business model ladies and gentleman that is not defining success. I was told that VC has a mission and that mission is to serve higher education, and this is our mission. The meeting continued and we agreed that we would continue as a City to look for avenues to keep the college open and to continue to find a palatable result, end result that we can live with. I cannot count the number of meetings that we have held or the number of options that I have given to the college. We dropped the issue of the rent; I then ask would you agree to share in 50% of all capital replacement and improvement projects that the college would require to operate. At this time the City provides those capital replacement capital expenditure type line items, with the exceptions, they did purchase one air conditioning system in the eleven years. There may be other small items I do not have those at my finger tips that was the only item that is truly defined as capital expenditures. The building is in need of a roof, we received an estimate of \$65k of which we do not have confirmation of any insurance coverage. So again, I requested if they would forego the monthly lease and just meet us half way I will continue to fund you at 50% of those capital replacement projects and expenditures and you meet me half way. We will continue discussions and when you are feel the ability to do so we will re-address the issue, the answer was no. I then looked for opportunities in which we can bring value to this City in ways outside of a monetary payment. I am exercising every option that I can think of. Through research, I found opportunities with other higher institution educational institutions for Fire Academies, our Fire Department. Struggles and our chief struggles as does our

Police Department, with long term employees. Chief Crow and I had a brief conversation, and in that conversation he shared with me he serves on the board with VC but Victoria does have a Police Academy. So logistically speaking I did not feel that was going to be a palatable solution. Geographically we are too close we don't want to compete with one another. However, the Fire Academy was an option. I spoke with Chief Schmidt and he began to have true excitement about that opportunity I will ask Chief to address Council because he will give that presentation best. Initial observations of an academy in contributions in which that it can bring value to this City, would be in short. We would train fire fighters here in the City of Gonzales, Chief Schmidt could recruit those fire fighters he has volunteers that need to be certified. We have continuous counties who have the same issues and we can recruit those individuals. Additional value to this City. There are grant opportunities and we are in desperate need of a Fire Station and at this time I do not have the revenue that would be needed to issue a bond and create debt nor do I have the revenue in the bank. That stated, Chief shared the thought Mayor could we, could we look at grant opportunities for a multifunctional station, and that multifunction being shared between an active Fire Station for our firefighters and a training facility and the answer that we received was, yes. Mrs. Mikesha presented during public comments and as she always does she presents very professionally and is very informative in her presentation, at the end of her presentation I asked several questions about expanding curriculum, expanding opportunities that would be offered to our citizenry. I ask about the possibility of a fire academy and she shared with me that Victoria College had a fire academy in years past, however, it was not successful, and she would do everything in her ability to call administration together and to see if there were interest in opening that academy and she did just as she said she would. We held a meeting she had administrators on video. We had a conversation with administrators who presided over that department and in less than twelve minutes I was told no. No, it is too expensive. I get that and those of you that get me know I don't stop, so I asked the next question. Would you entertain the thought of bringing another educational institution in here, who can bring a fire academy, should I be able to find such an arrangement. I was told with pause, we can look at that it would be up to Dr. Hinds and the trustees and with his consent, Mayor that can be done. So I began to go to work and I talked to A&M, and I talked to Blinn, and I talked to their contract company who provides a fire academy, who is very successful. They are number one in this state and in the top one of the very top academies in this nation. This in fact this semester they have forty plus cadets from Canada. We met for two and half hours the meeting concluded and there was genuine expression to come to the City of Gonzales. I asked for permission from Dr. Hinds of which he tendered to me via email, however, it was limited. He said I will approve Mayor for you to bring in the technical training for a fire academy but I will not consent to the educational component. I replied I do not know that I can engage in that commitment sir because it would appear

to me that the revenue from the educational component would want to be received by the, the other institution. But, I'll see what I can do. So I talked back with A&M and with Blinn and with their contract company for the cadets and they said no. 20% of my revenue Mayor, comes from the technical training and 80% comes from the educational component so in this point in time I am out of options to offer. Mr. Blakemore asked Dr. Hinds, at our last meeting, what was the position of the trustees and what do trustees want? The response I do not know Councilman Blakemore because I have never proposed your contract to my trustees. This Council has met three times and I cannot name the number of times we have met in subcommittee to discuss this issue, but Victoria College has yet to discuss it with the trustees. So at this point in time I am going to call Chief Schmidt to come up and talk a little bit more about the opportunities of that value. I want to hear from the Council and then we will engage in further discussion. Chief Schmidt if you would come to the podium.

Keith Schmidt, Fire Chief, stated as the Mayor stated I mean that's kind of how we got where we are, I guess. We were looking for ways to try to keep and maintain good fire fighters in Gonzales and for those of y'all that know we are meeting trying to figure out the best way to bring in firemen into Gonzales and try to keep them here. Myself, and I think Chief Crow share on an issue where we're hiring firemen and policemen today and the bulk of them do not live in Gonzales. Most of these folks live outside of our community, so the hope was if we can start to maybe bring a fire academy to Gonzales maybe we can start to train people that grew up here then whenever they get a job if we can hire them here and hopefully they'll stay here. So that really got me excited to be honest with you, I was like this could really be good for Gonzales. In addition to that we got volunteer fire departments throughout the counties there's five other departments in this county ours is a combination. We have career fire fighters and volunteers. All the rest are a hundred percent volunteer. The way we've done it, most of all have heard but me speak before, but the way we've done it in the past whenever I got in we basically showed up when we got in, William Ince can testify to this I guess, but we got into the department you signed up we sent you in burning buildings and if we didn't kill you we tell you to do it again. Dale Schulenburg standing back there and Dale knows that to be the case as well, that's the way we operated. Guys if y'all know me I'm pretty passionate of a fire fighter and I'll stand up here and start crying like a little baby in a minute but we, we don't do things like that anymore. God help me, I don't ever want to lose a fireman in one of these buildings, and I'm going to do my dangedest that doesn't happen and the best way I know to do that is to train them. We got an opportunity here with bringing in more training and get these people prepared to do the job we ask them to do, for free. We don't pay our volunteers anything to do this job the least we can do is train them so when they run in that burning building they know how to get out of it and they know what they are going to encounter when they get in it, so I was extremely excited about the opportunity to bring an academy into Gonzales and would love to

champion that program. Obviously VC is here, VC has, has had, a fire academy was very optimistic very hopeful that this was something that they would be interested in. As the Mayor stated, they shot it down right away because they had not had any success with theirs. I asked about other colleges, I said what about Kilgore College they got a great program; I was told well that's different. I said well how about a working fire station slash academy, well that's different. Again, we were just trying to get somebody to talk to us to flush out and to vet what might would work for Gonzales and it was not no, but heck no, are we interested in a fire academy in Gonzales. Again, I don't have any issue with that, that's their decision, they're a business they can make that decision, but at the point that we're told no I'd like to see if anybody else is interested and if everybody else tells me no well then chances are it's a bad idea and I'm on a wild goose chase, but we visit with the folks at TEEXS and that Texas A&M Engineering Extension Services they were absolutely excited about let's talk about it. They have got several different ways to do training, they do online training, and to be perfectly honest with everybody in the room we have got a class set up with them that starts the first of September. So we'll have an online academy with TEEXS that starts in September and we are going to open it up to our volunteers at Gonzales fire then we'll go to all the other fire departments in the county then from there if we're not full then we'll open it up outside of that. So that program is viable and we're going to implement that starting in September. They also offer another program and that to be completely honest I think it's a game changer and I don't know if this is the right format to bring it out but I'm like everybody else in the room that's probably been looking on Facebook and all of these things in seeing how you know this conversation to maybe talk to another college about maybe bringing another fire academy into Gonzales and how terrible that's going to be for this community I don't see it. Again, they chose that they didn't want to offer a fire academy so why can't we look outside of it. This game changer, I'm telling you about is, TEEXS offers a program in Bryan College Station is the first campus to do it. I would love Gonzales high school to be the same. What they offer is a program where these kids when they go to high school their freshman year, they can sign up for this program. TEEXS will provide the instructors and they will train them to be firemen their freshman year in High School at no charge to the student. They continue that for four years until they are a senior in high school. At the end of their fourth year, they are required to go to College Station for a few weeks. At the end of that process and what they will do there for those of you that are in fire service, that's where they will teach them the skills. The first four years is all about the classroom, getting their bookwork done and they will learn all of their skills. Again, there is no charge for that either. At the end of that program these young men and women who just graduated high school, a few weeks out of high school, they could sit for the state test, they could be a certified fire fighter in the state of Texas, eligible for employment and we start them in Gonzales for over \$40k a year.

Mayor, Connie Kacir stated the average entry level according to A&M was \$45k. It was 21 days after they graduate.

Chief Schmidt stated they are eligible for employment with zero debt within 21 days of graduating high school. To me that's a game changer. We know a lot of these young men and women, they are not going to go to college, I didn't go to college, but here is an opportunity to choose a profession that is very rewarding, a lot of fun. Sure it is dangerous, but it is a great calling for those that have the calling. They could go through this program, again they are going to graduate high school, do 21 days, they've got zero debt. They are hireable tomorrow to be a fire fighter anywhere they choose to live and to me that's a game changer. Our high school being able to offer that to our students, to me that's a game changer, and I would love to be able to bring that to Gonzales. We discussed that, we were really trying to get it done and again that's why I was really hesitant to bring it out tonight because when all of the schools in the state of Texas find out that this program is available, I think we are going to be in a bidding war to get it into Gonzales. We had it as a program that we were hoping to get done, this year, knowing that we are going to have to go out and I am going to have to put a bunch of time with kids that are going to be freshman to tell them about this program and to sell it because no one would even know it exists, but they are going to need to sign up for it their freshman year. I am willing to put those calories in it, wanting to get that going, so we can be the second school in the state of Texas to have this program before we are competing with New Braunfels, Seguin, Shiner, Hallettsville and every other high school in the state of Texas that is going to want this program. The gentleman that is over that, before our meeting where he was going to meet with Dr. Strozier, his wife passed away, and so he is out of pocket so it has put our program on hold a little bit. We are still optimistic that we can get it done. It took them almost a year to get it set up in Bryan, we told him we thought we could probably move a little quicker than that in Gonzales and I was hoping that we could pull that off. Those are some things that were outside of the conversation that we had with Victoria College and again, nothing against them, now that they know that there is a program out there, maybe they will offer the same thing, I don't know, but to us it was a game changer to maybe be able to find some men and women that wanted to be in the fire department that they wanted to do this and they could do it right out of high school. It is just a class that they can take and again TEEXS provides the instructors, they provide everything, they just have to do the 21 days after they graduate high school, sit for a state test and they are hireable. Again, obviously very excited about that program and concerned about this conversation tonight, but folks surely needed to know the truth and know that there is a lot of working being done, and there's a lot of things going into this and if I have upset the folks at Victoria College by talking to these other folks in my opinion that VC drove that bus. They told me no, so we went looking elsewhere, and again, we've got to quit killing firemen in the state of Texas, got to quit killing cops as well. Those

days have got to stop and especially if we are killing them because they are uneducated. We need to get them the education they need, and like I said I want to be that guy.

Councilman Schurig stated, no questions just a comment. I hope you can expedite this.

Councilman Blakemore asked including Gonzales and the contiguous areas that have volunteers, how many people will we look at training for.

Chief Schmidt stated with just the active firemen that are in the six fire departments to include ours, we've got about 250 firemen. About half of our department, they are not certified, they've had good training but they are not certified, and so there's still knowledge that they need to get. It's a mixed bag, that department over in Belmont, that department that Chief Schauer has got over there is as good as it gets. He puts his people through a good program, he had ten of his fire fighters attend an academy that finished a few months ago. We had some fire fighters in there as well, but other departments in the county, not so much. They haven't had the focus, they haven't gotten their people trained, and again it's a passion of mine to get in front of them and get them trained. We're probably 150 or 200 fire fighters just in Gonzales County that need this training.

Mayor Kacir stated three or four more comments, and then I am going to open it up to the Council. You heard the fire academy proposal. There are some other issues that we need to address. I stated in earlier session that my first meeting with Victoria College I was told they operate this center at an annual loss of \$400 to \$450k. The later meeting I was told they operate at a net loss of \$700 to \$750, and by the way at that meeting the Finance Director was there. At a following meeting as it appeared to be more than a mission statement to me in a business mind. I asked Dr. Hinds, can you clearly define to me do you operate this campus annually at a net loss of \$700 to \$750k or is that your operational cost. Pause. That is our operational cost. I didn't verbalize it but in my mind, I am your partner Dr. Hinds, I really would have appreciated transparency, that's all I have to say on that one. Other issues that we encountered, Dr. Hinds shared with me at our last meeting, well Mayor what are you going to do? Are you going to close Victoria College? I stated no sir; I have no intention of closing your college. I would have thought he would have taken it to his Trustees by now, over a year later. I said I am a business woman and I am looking for a business model. Well, have you talked to any other colleges Mayor? At this point I had. I have been accused on social media for over a year for trying to close the college and my hand on the bible, I have not made one call to one other higher educational institution until about three weeks ago, and you can check my phone for the date. I have had conversations, when I was told that we could not bring a fire academy unless Victoria College did the educational component and my potential partner said that they are not coming if they

can't do the call, yes I made a call. Full disclosure, I made a call, and I have someone that appears at this point in time to be very interested. So again, I mentioned ROI; I am looking for return on my investment. It is not mine, it is the City's, it is yours, it is your tax dollars. I started looking at percent of enrollment that transfers to a four year university according to all statistics and data on community colleges, that is your number one bench mark. I asked Mrs. Mikesh when she was here, what her transfer rate is, and again, with total professionalism, she said I am not sure Mayor, but I can get you that number. I happen to have some of my documents with me and said I haven't vetted this, but on the Blinn website, they boast to being the number one community college in this state with a transfer rate that exceeds the state average, basically double the state average. The state average is 27.8%. At that time they were number one with a transfer rate to a four year university 49%. I didn't know what Victoria College's was at that time, that is why I asked Mrs. Mikesh, so again she told me she would be glad to look it up. I didn't tell her I needed it ahead of time, had I done it, I'm sure she would have brought it with her. I asked Dr. Hinds, to provide with me his annual transfer rate, and I quote, "I don't have to give you that." I asked why. I am reticent about providing information that is not required of me. I also asked for a P&L and was told he couldn't compile it, a higher education institution and he couldn't provide it. So I found the information that I needed online. Victoria College transfer rate falls below the state average, where Blinn's exceeds almost double. I looked at the educational opportunities, the numbers of degrees and certificates that each one held. You can find this information yourself online, it's Texas Higher Education Coordinating Board. Currently VC provides nine certificates, in diplomas, degrees and certificates. Blinn provides twenty-two. I am going to close with this; Victoria College has served this community well during our eleven years. All I am trying to clarify is again, I am spending your tax dollars and I want to do it wisely because that is the oath of office that I took. I have no other political subdivision at this time who is sharing monetarily with me. I review; that we put \$2 million in cash, we provided two facilities in which they operate in and prior to them coming the City received \$8,000 a year from the Armory. I need to vet that, but that was the number I was told. Again, with the investment that we made, we did it joyfully, we are just looking to move forward and I want to know that, the institution that we have here provides the very best level of education and we are going to invest in it. With that said I am going to ask Council at this time for their comments or any questions that you may have.

Councilman Bobby O'Neal stated Madam Mayor I would like to have some questions of Dr. Hinds as to possibly why he didn't talk with his Trustees, did he explain that to you.

Mayor Kacir stated he did not, he did again for transparency and full disclosure, he said he had not taken it to the Board of Trustees and the deal he wanted was the deal he had, am I quoting it correct?

Councilman Dan Blakemore stated that is correct.

Mayor Kacir stated he said he had talked to a couple of Trustees but it had not gone before the board. So to answer your question Councilman O'Neal that is all the explanation I have.

Councilman Blakemore stated, he didn't want to belabor this anymore than necessary, it is very important to this City and this area that we have a community college, and we are absolutely dedicated to making sure that there is one here, and we have done way, way beyond what I think is reasonable and we have been shut down on every occasion. Now social media has blown up, we're going to close Victoria College; we're going to run him out of here. We are entering our second year of negotiations on this very issue and I quote the meeting that I left last from Dr. Hinds, "I want the same deal that I have now, now what are you going to do." I don't know, but I am tired of guessing, we've tried to guess different things. They couldn't pay rent, I can understand that. We tried a barter system, would you work with us on expenses. Everything is no, I want the deal that I have now, now what are you going to do and so here we are now.

Mayor Kacir stated one other issue that seems to be grossly misunderstood, in fact Dr. Hinds told me on more than one occasion, "Mayor, I don't know that you can bring in another community college because this my service area." The legislature set up, the designated service areas. He is correct; Gonzales is in Victoria College's service area. Well, so is Schulenburg and they've had a community college for over twenty years, Blinn Campus. I was told that Hallettsville does not have a Blinn Campus, they have been working and I quote an administrator, I talked to her earlier this week, "they have worked tirelessly to get the MOU inked to change from Victoria College to Blinn. The reason being and it is not that Victoria College isn't providing a service and there is a level of quality to that service. Hallettsville told me that their motivating factor similar to mine is the broader and diversified educational opportunities. They also reported that they actually charged less than Victoria College on some classes. I don't have that information in front of me, so I am not going to state anything on this dais I cannot back up, but that was the general consent. Much conversation existed as to can you bring in another college because it is VC's service area, and I have been told by a number of people that Victoria College is saying that the Mayor is wrong, and I paraphrase but it has come back to me numerous and sundry times, and she can't bring in anyone else, well here is the option and it is in the Local Government Code, there is a prevision to bring in another Community College, if that is Council's election, and what has to happen for that prevision to be exercised, is this, you have to have legislature approval. I talked to John Cyrier several weeks ago and he was very supportive, and he said, "Mayor, I am behind you if that's what you need me to do, based on the conversation and the information I have I am going to support you". I talked to our Senator today and Lois told me that we had a good conversation, but she heard my points and we will be

conversation, and again, just as point of clarification, that prevision does exist in the Local Government Code, it would have to go back to the legislature, the legislature would have to approve that in the next Legislative Session to allow another college, whether it be Blinn, whether it be ACC, whomever, that would have to happen to go forward. In addition, I spoke with Dr. Strozier and Dr. Camarillo, they had genuine concern and rightly so about an early college high school program. Dr. Strozier has a contract with VC at present and she talked to me yesterday and she said Mayor, I am going to support you in this, and I am going to support VC because at this point I have to make sure that I have opportunities to my students, and I get that, but she said I do not know if who you are talking to has experience in this area and that's vital to my high school because we were one of twelve school districts that have this certification. That being said, I did verify with the Vice-Chancellor Karen Buck and they do have extensive experience in the Bryan ISD for the last ten years and that program was implemented originally in collaboration with the grant from the Gates Foundation, so again I just wanted to spell that incorrect information that the opportunity does not exist. Is there any other questions from the Council, and if not I will begin to call any speakers who have not had their questions at this time. There being none I will go to our sign up list. If you choose to pass then say pass and we will move forward.

Elizabeth Fink, Jon Such, Amanda Frederick, Dale Schellenberg, Buddy Martin, Kris McLain, Diana Picha, Stephaine Camarillo, Karen Bauer Smith, and Jackie Mikesch all spoke in favor of Victoria College.

At 8:04 p.m. Council recessed for a short break.

At 8:13 p.m. Council convened back into session.

Mayor Kacir stated, Council we've been discussing in our workshop item #6.1, I'm going to ask if you have any further comments or discussion. If not, I'm going, I'm sorry yes sir?

Councilman O'Neal stated, Mrs. Mikesch you had mentioned Dr. Hinds had not talked to his board of trustees?

Jackie Mikesch stated he sent an email last week, he sent an email at the end of week just to apprise them of what had transpired, and to ask them in a future board meeting and we have a board meeting not this week but next for their input. So, it won't, we don't have a board meeting right away.

Councilman O'Neal asked, so when would they be able to enter into further negotiations if that should be the case?

Jackie Mikesch stated, a week from Monday.

Mayor Kacir stated any further questions council? Okay, point of clarification. I stated earlier that prior to VC occupying the, what we call the Armory building. I believe I, inadvertently stated \$8,000.00 a year that stands corrected for the record it was \$8,166 per month, \$97,992.00 annually. Other additions, comment was made that Blinn is number two in the state for transfer rates to a four year university, and there was several questions that were asked about health care professions and other program offerings, vocational and technical programs. Program offerings and we did compare Blinn offers 22, VC offers 9. Total program offerings for Blinn is 93, there's additional Associate of Arts and Associate of Science Degrees as well. Think, was there anything else we needed to clear up? There was several statements that the citizenry had a plea that the City Council please come into agreement with Victoria College. My position on that is the public meeting you need to attend is Victoria College. This council has worked for fourteen months offering terms of negotiation to come into an agreement on a contract and an interlocal agreement and it was never taken to the Board of Trustees.

Jackie Mikesh asked can I speak to that.

Mayor Kacir stated, we're in workshop, so go ahead, quickly, I would ask.

Jackie Mikesh stated yes, it will be quick. Over the months that we went through negotiation I went back to City Council minutes twice I was here I asked for a lease. The first lease agreement the college got was May of 2018 we got a lease agreement from the City and we returned it to you within two weeks. Then we tried to meet again before the June meeting and we were not able to come to a time when Council would agree or you could agree to meet. So we met again last Thursday, at which point Dr. Hinds did tell you and Councilman Blakemore and the City Manager we would be happy again once more to sit down and go through the negotiations you never gave us back a corrected lease, you gave us a lease, we corrected it, and we never got back a corrected lease. So we would respectfully ask for your input on the lease.

Councilman Blakemore asked, can I speak on that Mayor?

Mayor Kacir stated, please.

Councilman Blakemore stated, we sent you a lease with proposed provisions, every proposed provision was returned to us red lined out. When we met with Dr. Hinds he said I want what I have, I don't want any changes. What do I need to type up and send to him in that point in time; he made his statement clear as a bell. Either I get what I have now, I don't want any changes.

Jackie Mikesh stated, I respectfully disagree with that statement, what he said was that, we want what we have had but if we cannot have that let us continue to work toward an agreement.

Councilman Blakemore stated, I didn't hear a word towards agreement. I heard I, want what I have what are you going to do now is basically what he said. In which I told him I was tired of guessing what he wanted. Now, this council as in good faith has been talking to Victoria College for fourteen months. If y'all didn't take us seriously that's not this councils fault and I will echo Mayor Kacir's deal, the meeting you need to be attending is Victoria Colleges. We have not done anything to tell them that they're not welcome here. Their lease is on a month to month as provided by the old lease nobody said you got thirty days to get out we've entertained anything that y'all wanted to do and which in my opinion so far has been nothing. I find it interesting that Dr. Hinds, now, because of this meeting tonight thought maybe he'd to call a few of his or all of his Trustees. So, you know Jackie I have the ultimate respect for you but I'm telling you right now you're the reason that we're still talking and if anybody got anything different from my opinion on that they need to understand it because Dr. Hinds has not, in my mind, come to us with any partnership at all, and so you're the driving force of why the conversations continued, but I'm telling you right now this is serious, and it never needed to get to this point.

Mayor Kacir, stated and again for point of information I concur with Councilman Blakemore in that meeting that that was word for word as I remember it Councilman Blakemore as to Dr. Hinds response, he wanted what he always had, and every, everything that we put in the Interlocal Agreement and the contract was red lined, every time, I have copies of it.

Jackie Mikesh stated, I don't dispute that but what I do state is that for a decade, for eleven years, we had a partnership with the City and we tried to work through every single issue as we met over those months. It was never our intention to not try and work with the City we were operating under the idea we still had a strong and viable partnership and that we had met every bench mark that the city had put in front of us for those eleven years we have brought to this community a vocational nursing program, a workforce training program, we have done adult education training and we brought scholarship money here we brought all of those funds from foundation donations, we thought that we were meeting the city's requirements. So it has been a learning experience, it has been a change in attitude.

Mayor Kacir stated, and with that, I will just ask you when you state you are meeting the city's requirements how do you respond to you are meeting all the city requirements when every single proposed area of negotiation you declined, every one.

Jackie Mikesh stated, that was the first lease that we had seen from the city.

Mayor Kacir stated, that was the second, wasn't it? Oh I thought we sent two.

Councilman Schroeder stated, I only saw one.

Mayor Kacir stated we had, ok, I guess one was in writing, cause we were talking, we were meeting, there were multiple meetings.

Jackie Mikesh stated and what we thought, honestly, that after we sent that lease back that we would come to the table and take it line by line and go through and discuss it, and that didn't happen. When we met again, it was, well we've not met, except for that last meeting last Thursday. But when we were shaking hands when we were leaving in those last few minutes last Thursday, we agreed that we would come back together, am I not correct?

Mayor Kacir stated Councilman Blakemore I'll ask you to respond to that.

Councilman Blakemore stated I don't remember that conversation but I shook Dr. Hinds hand and thanked him for his candor and left, so... you know.

Mayor Kacir stated I shook hands, I expressed my disappointed and I asked him if he was going to release Gonzales from Victoria service area if Council went that direction. There, again, we are still looking at options, but that is in closed meeting. The only other thing I would ask Jackie how do you explain or can you explain that these numbers did not come from you but when I was told not once but twice there was a net operating loss at this campus the first time \$400 to \$450k the second time \$700 to \$750k. A partnership does demand transparency.

Jackie Mikesh stated I agree with you that a partnership demands transparency, but I'll also tell you as I told you before that it is our mission to serve this community at whatever cost. Victoria College has done that. We have brought educational programs here, we've brought faculty, we've brought staff, we brought foundation money and we brought donations of all kinds. We operate much the way a city operates, or an ISD operates, and that we have a mission set by the state to serve this particular area. Dr. Hinds told you last week that the college is financially strong and viable.

Mayor Kacir stated, which is the third response to that question. First, you had no money to pay the lease, you had no money to meet us at level of 50% for capital improvements and last Thursday you are very correct, you had a very strong financial statement with residual cash flow. Ok, I'm going to cut it off there. Council I'm going to call for a motion. I'm going to clarify that the motion that is being asked for is to consider the Council to bring back viable options and pursue or explore options available for future higher education opportunities. I also state, as point of information, the college does have a lease on a month to month lease and without any other direction that will continue. So at this time we will call for that motion. Discuss, Consider and Possible action regarding the exploration of options available for future higher education opportunities in Gonzales authorizing the Mayor, Mayor pro-tem and City Manager to initiate and engage in necessary discussions and bring potential options back to the City

Council for consideration. Council do I have a motion. Councilman Blakemore made a motion to authorize the exploration of options available for future higher education opportunities in Gonzales; authorizing the Mayor, Mayor Pro Tem and City Manager to initiate and engage in necessary discussions and bring potential options back to the City Council for consideration. Mayor Kacir stated we have a motion on the floor, do I have a second. I have a motion on the floor, do I have a second. If there is no second, the item will die for the lack of a motion; if a second is made we will engage in additional discussion. There being no second the motion dies for lack of a second.

REGULAR AGENDA ITEMS

RESOLUTIONS

3.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-68** Authorizing the execution of the Employment Agreement with Tim Patek for Employment as City Manager for the City of Gonzales, Texas. Council we are ratifying our motion appointing Mr. Patek in the position of City Manager and the contract was appointed for your review. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-68** Authorizing the execution of the Employment Agreement with Tim Patek for Employment as City Manager for the City of Gonzales, Texas. Councilman Schroeder seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-69** Authorizing the City Manager to Execute an Oil, Gas and Mineral Lease with 2BZ, Inc. for 4.099 acres. Before I call for that motion, did you call Mr. Jackson? City Secretary, Kristina Vega stated no, I did not have an opportunity to do that. Mayor Kacir stated Counselor, is it your recommendation to move this to the next agenda without Mr. Jackson present? City Attorney, Dan Santee stated yes table it. Mayor Kacir stated, we will table that item and move it to a future agenda

3.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-70** Accepting an offer to purchase an amended easement from the Lower Colorado River Authority (LCRA) for an existing electric transmission line, and authorizing the City Manager to execute any and all necessary documents to complete the transaction. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-70** Accepting an offer to purchase an amended easement from the Lower Colorado River Authority (LCRA) for an existing electric transmission line, and authorizing the City Manager to execute any and all necessary documents to complete the transaction. Councilman Schurig seconded the motion. The Mayor called

for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-71** Authorizing the Appointment of two Council Members to the Golden Crescent Regional Planning Commission General Assembly for the term September 1, 2018 through August 31, 2019. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-71** Authorizing the Appointment of Mayor and Mayor Pro Tem to the Golden Crescent Regional Planning Commission General Assembly for the term September 1, 2018 through August 31, 2019. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Schurig, Schroeder and the Mayor all voted "aye". Councilman Blakemore voted "nay".

3.5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-72** Appointing Five Citizens to the Charter Review Commission to be empaneled from August 1, 2018 through January 31, 2019 as required by Section 11.11 of the City of Gonzales Charter. I will ask each Council member for their appointment and then I will call for a motion. Councilman Schurig stated James Lawrence, Councilman Schroeder stated Joseph Kridler, Councilman O'Neal stated Genora Young, Councilman Blakemore stated Al O'Donnell, Mayor Kacir stated Jon Such. With those five proposed, I will ask for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-72** Appointing James Lawrence, Joseph Kridler, Genora Young, Al O'Donnell and Jon Such to the Charter Review Commission to be empaneled from August 1, 2018 through January 31, 2019 as required by Section 11.11 of the City of Gonzales Charter. Councilman Blakemore seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.6, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-73** Regarding the selection of a submission in the Request for Proposals Process for the provision of Electric Utility Operations & Day-to-Day Maintenance Services; authorizing the negotiation of final terms . Council what we are calling for is a motion to identify your election as to the day-to-day operations and maintenance of the City owned utility. We have a proposal from GVEC, Mr. Schauer, CEO is in our audience should there be any further questions. Should the motion move in the affirmative, we would authorize the City Manager to negotiate the final terms of that agreement. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-73** Regarding the selection of a submission in the Request for Proposals Process for the provision of Electric Utility Operations & Day-to-Day Maintenance Services; authorizing the negotiation of final terms and naming Guadalupe Valley Cooperative as the company to conduct the day-to-day operations. Councilman

Blakemore seconded the motion. The Mayor called for discussion. Councilman O'Neal stated I would just like to add change is always difficult, but over the past years and what we've seen with the dilapidated day-to-day equipment that the City has and the funds we have, or the lack of funds to replace that equipment, it makes it tough. I think we are going to have good service if this passes and that's all I have to say. Councilman Schurig stated, Madam Mayor I had doubts about this coming into the meeting, but after Mr. Schauer got up and spoke saying the City employees would have a job. Thank you. The Mayor stated for the record, I would just state that I applaud the efforts of Mr. Schauer, and GVEC the time that they have invested in their proposal to the City, honoring the very specific criteria to offer employment for those that we identified and I think this is a great opportunity to utilize our assets collaboratively and in the best interest of both entities. Thank you Mr. Schauer. Point of information and clarification in regards to the statute of conflict of interest for a councilman to vote his annual income should not be more than, his last tax return should not reveal annual income to exceed 10% coming from the party, additionally the statute states if an individual feels that they cannot be objective in the vote due to a relationship with the party they should abstain from the vote. I am going to defer to our Counselor to ask if I quoted that correctly or if there's any additions or comments that you would have. City Attorney, Dan Santee stated it is solely based on the income, but I don't advise individual Council members if they have a conflict, it's up to them to declare whether or not they have a conflict. City Attorney Santee stated there's nothing in the statute about if they don't feel like they can be impartial, but the person always has the option to abstain from the vote if they don't feel right about casting it, but there is nothing statutory. Mayor Kacir asked if there were any further questions before I call for the vote. Councilman O'Neal asked for clarification about the 10%. Mayor Kacir stated annualized income received per your last financial record, you should not receive more than 10% of that income, should be derived from the party, an associate thereof. So if you have retirement income. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.7, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-74** Authorizing the City Manager to Negotiate and Execute an Agreement for Administrative Services between the City of Gonzales and the Gonzales Economic Development Corporation. Council in you have in your packet the brief, the agreement as prepared by our City Attorney. Counselor if I may have you review the contract terms and conditions please. City Attorney, Dan Santee stated this was on my to do list from the very first meeting that I had with Council members that were present on things that were outstanding that they wanted addressed when our firm when we came onboard, and anytime you have a Development Corporation which is a separate entity from the City that is utilizing City services. The City's prevented by the statute chapter 501 of the Local Government Code from providing anything of benefit to that

Corporation. You cannot provide things in aid of a Corporation except in a 380 agreement, because of that what cities do is they have a services contract because Genora is a City employee and I think there's another City employee who provides services to the Corporation. Additionally, the City provides the finance services to the Corporation. Mayor Kacir stated and if I might add counselor, the only employee that we have with EDC is Genora, and I will defer to Genora. Genora for clarification are you the only. City Attorney Santee stated, so Genora and depending on the situation, there could be others, but at the same time, we also provide other services from the City Secretary, City Manager in oversight, and from the Finance Department. Because of that we need to have an agreement that spells out what the responsibilities are of the City, because the City receives funds from the Corporation to cover the expenses of those individuals. There was an agreement in place, it was rather dated, it did not contain a lot of the terms that we like to see in our standard agreement that we recommend. So what you have before you is more like a standardized agreement like we like to see, it has more specifics on what the duties and responsibilities are because the Corporation is relying on the City to basically do all of the day-to-day operations for that Corporation which is represented by a Board of Directors which you appoint. How this will work from this point forward though, if we get the Council to approve this, since it's such a drastic change I wanted to bring it to you first. Give you the opportunity to look at it, give you the opportunity to bless this and authorize Tim and Genora to take it to the Board of Directors; it would also go to Jeff Moore their Legal Counsel. I would anticipate they might have some questions, changes or markups, but if they do those would come back to the City Council, if they don't, then we would ask them to approve it as well. It is most imperative that it be done before the next Fiscal Year, but we're bringing it to you now, if we can get it in effect before then, then it's fine, but it's certainly critical that it be in place before the next fiscal year because we want to be able to put in here the amounts that are budgeted and we would like those to be known as possible going in and I know the City would like that also. GEDC President, Dewey Smith stated that he has no comments to make at this time, I received the agreement but at this time we have not had ample time to review and discuss with the board. We are just grateful for the opportunity to move into negotiations and adopt an agreement that all parties involved can agree upon. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-74** Authorizing the City Manager to Negotiate and Execute an Agreement for Administrative Services between the City of Gonzales and the Gonzales Economic Development Corporation with the understanding that this is just for negotiation purposes, because I would like the EDC Board to be in agreement with the terms of it before it comes back to Council for final approval. Mayor Kacir stated Councilman for point of clarification, we are the lessor, they are the leasee, so we are presenting it to them, but the contract would it be approved this evening, the contract would not be effective until both parties execute the agreement. If there are

any changes it would come back to us and negotiations will continue. City Attorney, Santee stated, understand too that you are the governing body, it's actually whatever you say. They can look at it, they can make suggestions, but anything they do is subject to your approval. Councilman Schroeder seconded the motion. Councilman Blakemore stated that he is understanding that this is a template to be reviewed by Legal Counsel of the EDC and the EDC Board and they have the ability to come back with revisions to be negotiated. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

ORDINANCES

4.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-19** Amending Article 4.800 Garage Sales of the Gonzales Code of Ordinances. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-19** Amending Article 4.800 Garage Sales of the Gonzales Code of Ordinances. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-20** Closing and Abandoning to the Abutting Property Owners Portions of Certain Unimproved Streets. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-20** Closing and Abandoning to the Abutting Property Owners Portions of Certain Unimproved Streets. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-21** Amending Chapter 6, Health and Sanitation, Article 6.300 Unsanitary and Unsightly Conditions on Private Premises, Section 6.301 Designation of Prohibited Conditions, Section 6.302 Notice to Owner to Remedy or Remove Condition and Section 6.303 Correction or Removal of Conditions by City; Adding New Section 6.306 Enforcement And Penalties. Council in the Ordinance please look at under E. under exemptions to remove exemption number 2 that we will maintain exemption 1 and 3. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-21** Amending Chapter 6, Health and Sanitation, Article 6.300 Unsanitary and Unsightly Conditions on Private Premises, Section 6.301 Designation of Prohibited Conditions, Section 6.302 Notice to Owner to Remedy or Remove Condition and Section 6.303 Correction or Removal of Conditions by City; Adding New Section 6.306 Enforcement And Penalties and removing exemption number 2 of the ordinance. Councilman Blakemore seconded the motion. Councilman Blakemore stated he struggles passing an ordinance to take action against the citizens when the city itself is

not in compliance, and until we can get in compliance I struggle with issuing or working with someone to get their own property in place. Councilman Schurig stated he agreed and certain neighborhoods get harder than others with code compliance. The Mayor stated that she was going to call on staff member Mr. Ince to make comments we had discussed earlier in regards to the ordinance. William Ince, Superintendent of Public Works, I agree with your statements. In the beginning we had the issue of who was responsible for maintaining to the curb. This clarified this and this will be addressed with education first. Councilman Blakemore suggested for this ordinance that we get in compliance before we start issuing citations and have this go into effect and delay the implementation of this ordinance for 60 days. Councilman O'Neal modified his motion with an implementation day of 60 days. Councilman Blakemore seconded the amendment. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-22** Amending the Code of Ordinances of the City of Gonzales, Texas, Chapter 8, Offenses And Nuisances, Article 8.200 Junked Vehicles. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-22** Amending the Code of Ordinances of the City of Gonzales, Texas, Chapter 8, Offenses And Nuisances, Article 8.200 Junked Vehicles. Councilman Blakemore seconded the motion. Councilman Schurig stated he feels the same about this as the weeds and grass, there are some locations where we have cars parked day and night within eight feet of the street. Of the places that I've seen where they have fences built up so you don't see this and there's a couple places in town that this is happening. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.3, Mayor, Connie Kacir stated that as additional information that I failed to give you, earlier, we had two LCRA agenda items tonight. On agenda item 3.3 Discuss, Consider & Possible Action Approving **Resolution #2018-70** Accepting an offer to purchase an amended easement from the Lower Colorado River Authority (LCRA) for an existing electric transmission line, and authorizing the City Manager to execute any and all necessary documents to complete the transaction. Per the statute as I have read it and understand it with additional information the Council can change their vote and take action with an additional motion. What I failed to report to Council is that I reached out to LCRA and spoke with the author of our letter regarding the offer. I spoke with Susan Eschenburg and her representative and I have made a counter offer on the easement and they are favorable at this point, however, they asked to call for a meeting next week and get everyone around the table to firmly negotiate that. With that being additional information I would like to call for motion to postpone final acceptance until final negotiation is done. City Attorney, Dan Santee stated it is a two-step procedure. You

will need a motion to reconsider. If that motion gets a second and that motion passes then you can call for a motion to table. The Mayor asked for a motion to reconsider. Councilman Schurig made a motion to reconsider. Councilman Schroeder seconded the motion to reconsider. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye." The Mayor then asked for a motion to table this item to a future agenda following final negotiations. Councilman O'Neal made a motion to table the item until a future agenda. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye"

4.5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-23** Approving a Budget Amendment Amending the Organizational Staffing Structure in the Police Department by Eliminating the Cadet Position. Council in your packet we have an overview for that request and in brief, during our HR audit and positions being reviewed and job descriptions and so forth, it was the recommendation of Legal Counsel that we amend the organizational structure and eliminate the cadet position as that position is currently reflected in the job description. It had not been approved by Council prior. What we can do is work to offer a hiring incentive that would be across the organization. Councilman O'Neal asked this won't affect if the Chief has someone that he wants to send to the academy? City Attorney, Dan Santee stated yes it would for this Fiscal Year it would, by eliminating the cadet position it is freeing up that money for other uses. There's not one now and there's three months left in the Fiscal Year. Chief Crow stated that the cadet position is an open position and in the reorganizational thoughts for the upcoming fiscal year it includes the elimination of the cadet position, but my intent was that if I have a current open position then I would be able to fill that position and send somebody to the academy at a lesser pay rate, graduate the academy and once they complete the academy they would come in as a police officer, and yes eliminating the position off the budget it's gone, but I still need to be able to send people to the academy. I still need to have this avenue to be able to send them to the academy. This academy that begins this fall is filled with other candidates that are sponsored by other agencies. They are not accepting candidates that are not sponsored because that is how many agencies that are sending people to the academy. We started the cadet program in 2008, since 2008 we have sent 10 people through the academy. This program is successful in keeping local talent here. I would appreciate that if we do eliminate the cadet position off of the budget that I be able to utilize and open police position and send somebody to the academy. Mayor Kacir stated let me clarify though; you have someone that you currently offered the cadet position to? Chief Crow stated I have currently four open positions. Mayor Kacir stated, what I am asking is under the job description that HR has have you offered those terms to someone to attend the academy. Chief Crow stated we have started the process in getting a candidate lined out for the academy, since then,

we have another local individual who is applied that is very promising that we could also send to the academy. Mayor Kacir asked when the academy started. Chief Crow stated August. Mayor Kacir stated, so the issue is we can't continue the current description that we have, we can offer an employment incentive if that's what Council chooses to do as a reimbursement to be utilized as a recruitment incentive and pay for the training, for the educational part? What we currently have as the cadet position that is on file was never approved by Council. Chief Crow stated I believe it was approved in 2009 because David Huseman was the City Manager at the time and that was approved by Council. Mayor Kacir stated that she would defer to staff; I was told that there was no Council action. City Secretary, Kristina Vega stated I was not able to locate anything, I do not have any backup that it did or didn't. I didn't have a time frame to look, I did the best I could with what I had and I wasn't able to locate anything. Mayor Kacir stated that the current position that I have on file, under the cadet position, it reflects that that individual is hired as an employee, they are paid an hourly wage while they go to school, in a city vehicle, they have benefits, they start accruing vacation and sick leave, health benefits, while they are in class and then upon graduation assuming they pass satisfactorily they automatically become an employee on your force. Chief Crow stated they are an employee and once they graduate the academy and pass the TCOLE test, then they become a Police Officer. Mayor Kacir stated and then the job description, they can use excessive force, participate in arrests and work an investigation. Chief Crow stated the excessive force thing I take issue with it. Mayor Kacir started with those issues as I understood it, with those issues as I understood it, Legal Counsel, we could not put someone on as an employee, classify them as an employee with benefits, drive a city car, accrue vacation while sitting in a classroom as a cadet, but what we could do. Chief Crow asked how does City of San Antonio do it and other cities do it. I would like to know how other cities are legally doing it and we can't legally do it. City Attorney, Dan Santee stated Mayor let's go into executive session.

At this time I am going to call for an executive session.

CLOSED SESSION

At 9:32 p.m. the City Council moved into Closed Session

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

- a. In Re Estate of J. B. Wells litigation

RETURN TO OPEN SESSION

At 9:53 p.m. the Council returned to Open Session.

4.5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-23** Approving a Budget Amendment Amending the Organizational Staffing Structure in the Police Department by Eliminating the Cadet Position. Mayor Kacir asked for a motion. Councilman Blakemore made a motion to approve **Ordinance #2018-23** Approving a Budget Amendment Amending the Organizational Staffing Structure in the Police Department by Eliminating the Cadet Position. Councilman O'Neal seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

I will for the record direct staff to get with Chief for options for a future agenda in regards to a hiring incentive.

STAFF/BOARD REPORTS

5.1, Financial Report for the Month of June 2018 & Investment Report for the Second Quarter 2018. Mayor Kacir stated that the Financial Report for the month of June 2018 & Investment Report for the Second Quarter 2018 is available for review and asked the Council if they had any questions. No comments or questions were made.

5.2, City Manager, Tim Patek updated the City Council update the City Council on the possibility of Alcohol Sales at the Gonzales Independence Golf Course, addressing the citizen concerns regarding motorized scooters on City Right of Way.

The Mayor asked if there were any other motions resulting from Executive Session. No other motions were made.

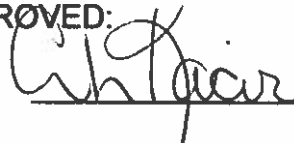
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 9:11 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CITY COUNCIL MEETING
AUGUST 9, 2018 MINUTES**

The City Council convened the Council meeting at 6:04 p.m., August 9, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney- T. Daniel Santee

Staff Present: Laura Zella, Clint Hille, Genora Young, Anne Dollery, William Ince, Tim Crow, Gayle Autry, Keith Schmidt, Keith Schauer

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Mayor, Connie Kacir stated, at this we will have the hearing of residents. This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes. All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting. Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

DISCUSSION ITEM

1.1 Discussion to receive formal Council direction regarding acquiring a license from the Texas Alcoholic Beverage Commission in order to sell alcohol at the Gonzales Independence Golf Course.

Parks Director, Anne Dollery and City Manager, Tim Patek gave information regarding the liability, costs associated and the fact that they could only locate two cities that had signed the application with TABC for the alcohol license, and that the other municipalities sold alcohol through a concessionaire or was operated by a golf association. The individual who signs the application would take personal liability for the application.

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 Councilmember.

The Mayor read the consent items as follows:

- 2.1 **Minutes** - Approval of the minutes for the Regular Meeting of July 12, 2018
- 2.2 Discuss, Consider & Possible Action Approving Resolution #2018-75 Authorizing the City Manager to Execute an Oil, Gas and Mineral Lease with 2BZ, Inc. for 4.099 acres.
- 2.3 Discuss, Consider & Possible Action Approving Resolution #2018-76 Declaring Certain City Property as Surplus and Authorizing the Sale of Said Property.
- 2.4 Discuss, Consider & Possible Action Approving Resolution #2018-77 Authorizing the Use of Texas Heroes Square Including the Parking Lot for the Gonzales Master Gardeners 2018 Fall Plant Sale on October 20, 2018.
- 2.5 Discuss, Consider & Possible Action Approving Resolution #2018-78 Authorizing an Appointment of a member to the Gonzales Convention & Visitor's Bureau.
- 2.6 Discuss, Consider & Possible Action Approving Resolution #2018-79 Authorizing the Expenditure in an amount not to exceed \$2,000.00 for Travel & Training for the Municipal Court Security Officer from the Restricted Use Municipal Court Building Security Fund.

The Mayor asked for a motion to approve the consent agenda items. Councilman Schurig made a motion to approve the consent items. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

HEARING OF RESIDENTS

The Mayor gave a presentation regarding Victoria College and requested the hearing of residents be conducted at this time.

Jackie Mikesh, Jennifer Yancey, Vince Ortiz, David Hinds, Bland Proctor, Mike Bond, Dee Sengelmann, Frank Wallace, Amanda Frederick, Kim Haynes, James Knox, W.R. Low, Mary Ann MacLean, Lucas Hill, Josh Wilson, Mike Wilson, Beverly Pirkle, Vicki Frenzel, Al O'Donnell, Dawn O'Donnell, Jason Obelger, Greg McLain, Barbara Crozier, Commie Hisey all spoke in regards to Victoria College.

REGULAR AGENDA ITEMS

RESOLUTIONS

3.1, Mayor, Connie Kacir stated she was going to read the agenda item and then stated that she spoke with Counselor Santee and we discussed, when we take action on an item that has multiple levels such as the lease agreement and Interlocal Agreement. There are several things that are within those documents. We are going to itemize what Council's desires are and then we are going to turn it over to Mr. Patek to execute that agreement, so with your permission can I call for a motion on each individual item. City Attorney, Dan Santee stated that the idea is that you are not bound to vote all or nothing on an entire document whether it is this item or any item. You can have separate discussion on different elements because there are so many different moving parts to it. Getting consensus vote on the majority of what the Council wants to see on that. At the end of the discussion as we keep track of that, you will have a final vote at the very end to approve that document and whatever those terms were.

Mayor read Discuss, Consider & Possible Action Approving **Resolution #2018-80** Authorizing the City Manager to Execute an Interlocal Cooperation Contract and Lease Agreement between Victoria College and the City of Gonzales.

The Mayor read comments from Darren Schauer, CEO of Guadalupe Valley Electric Cooperative and Dr. Humberto Rivas, Pediatrician at Siever's Medical Clinic in regards to Victoria College

Two of the items in the City's proposal were that we have a fire academy in the City of Gonzales. We specifically asked that the High School academy which TEEX can implement. It does not require the Victoria College's permission because it is certified and commissioned differently. Also, the career fire academy, there are two options TEEX can come in and they can do the academic component and they can do the technical component without requiring permission from Victoria College, however, it is my understanding that if we elect that option, those credit hours are not transferable to anything other than a certified fire fighter. If Victoria College gave us permission to do the educational component, then those cadets could then transfer those hours should they go pursue other degrees and certifications. Fire Chief, Keith Schmidt added that the statement as it was stated was spot on. We can do our fire academy with or without Victoria Colleges blessing, or permission, but it is my understanding is that if someone chose to go through a fire academy and then they wanted to get a Fire Science Degree, then we would need Victoria's blessing, so those hours could work towards their associates degree, but as far as becoming a fire fighter, there's two ways like we talked about before, with the State Fire Marshal's Association which is your volunteers or through your career which is Texas Commission on Fire Protection. We can do that program with TEEX, either an online academy, or there are several different choices,

and we would not need Victoria's blessing for that. I would think that we would love, from my perspective to have the support of VC.

Councilman O'Neal stated that would be an issue between your folks and the school board, correct.

Chief Schmidt stated yes and it is my understanding from the one conversation that I had with Dr. Strozier I think that she was very excited about it, but whether they would decide to implement it that would be up to them.

Councilman O'Neal stated so this has nothing to do with Victoria College then at all?

Chief Schmidt stated no sir, we would love to have their blessing behind it, but I don't know that I would have to have it to implement what we are doing.

Councilman Schurig stated I believe Dr. Strozier has already given us permission.

Mayor Kacir stated she did.

Dr. Strozier expressed that she did not give permission, she does not know enough about the program to make any decision, she has not spoken to the school board about this, and she is very excited as long as it does not compete or interrupt her partnership with Victoria College.

Mayor Kacir asked for a motion from the Council to include in the Interlocal Agreement with Victoria College the High School Fire Academy and the career Fire Academy as being a part of this Interlocal Agreement and to allow TEEX to do the educational component subject to Fire Science only. That will not compete with Victoria College; they are not offering it now. The Mayor asked for a motion. Councilman Blakemore made a motion to include in the Interlocal Agreement with Victoria College the High School Fire Academy and the career Fire Academy as being a part of this Interlocal Agreement and to allow TEEX to do the educational component subject to Fire Science only. Councilman O'Neal seconded the motion for discussion. Councilman Schroeder stated he spoke to Dr. Hinds because he is partial to our Fire Department.

Dr. Hinds stated the college would never stand in the way of training for anything that we can or cannot or unwilling to provide, which includes fire training. The issue they have with another institution coming in may be that there may be a direct competition in programs. It would depend on the type of fire program if it has a direct completion with Victoria College.

Councilman O'Neal stated if it's not part of the Interlocal Agreement then take it out.

The Mayor asked for a roll call vote. Councilman Schurig, Schroeder and O'Neal voted "nay". Councilman Blakemore and the Mayor all voted "aye".

Mayor Kacir asked for a motion from the Council to include in the Interlocal Agreement with Victoria College the High School Fire Academy only. Councilman Blakemore made a motion to include in the Interlocal Agreement with Victoria College the High School Fire Academy. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman Blakemore, Schurig, Schroeder and the Mayor all voted "aye". Councilman O'Neal voted "nay".

Mayor Kacir asked for a motion from the Council to include in the Interlocal Agreement with Victoria College the Career Fire Academy without the credit hours approved, so in other words, we can bring an academy in, we don't need Victoria College's approval, but the people that come to our academy, we are going to be limited in our marketing efforts because they are only going to be a certified fire fighter. They can't transfer credits. The Mayor asked for a motion. Councilman Blakemore made a motion to include in the Interlocal Agreement with Victoria College the Career Fire Academy without the credit hours approved. Councilman O'Neal seconded the motion for discussion. Councilman Blakemore asked Chief Schmidt in this county and surrounding counties that you work with, in their volunteer groups, how many are we talking about that this would be a benefit to. Chief Schmidt stated in Gonzales County alone we have at least 200 volunteers, at least half of those volunteers need this training. Those are already firemen trying to do the job today but they really need the training. The Mayor asked for a roll call vote. Councilman Blakemore, Schroeder and the Mayor all voted "aye". Councilman O'Neal and Schurig voted "nay".

Mayor Kacir asked for a motion to name the term of the lease, either a one year with an auto renewable up to five years or a five year lease. The Mayor asked for a motion. Councilman O'Neal made a motion for a five year lease. Councilman Schroeder seconded the motion. The Mayor asked for any further discussion. Councilman Blakemore stated to Victoria College, that we are entering into agreements financially and we don't know how they're going to work. The one year with a five year renewable on that makes the most sense so that we don't get into a long term agreement that we are presently in right now that we can't come to agreements on. I think we need to take a year and look at it again and review it. Mayor Kacir asked for a roll call vote. Councilman Schroeder, O'Neal and Schurig voted "aye". Councilman Blakemore and the Mayor voted "nay".

Mayor Kacir asked for a motion to include in the lease that Victoria College would consider capital improvements up to \$5,000.00 per occurrence and they would seek funding for anything additional over and above the \$5,000.00. The Mayor asked for a motion. Councilman O'Neal made a motion to include in the lease that Victoria College would consider capital improvements up to \$5,000.00 per occurrence and they would seek funding for anything additional over and above the \$5,000.00. Councilman Schurig seconded the motion. The Mayor asked for any further discussion. The Mayor

called for a roll call vote. Councilman Blakemore, Schurig, Schroeder, O'Neal and the Mayor all voted "aye".

Mayor Kacir asked for a motion to either to retain the billboard or allow the city to dispose of the billboard. The Mayor asked for a motion. Councilman Blakemore made a motion to allow the city to dispose of the sign. Councilman Schroeder seconded the motion. The Mayor asked for any further discussion. Councilman Schroeder stated there is so much here, is it in our agreement or in theirs that they proposed. Mayor Kacir stated it was in their agreement that they keep it and it was not added back in ours because we had an opportunity to sell it. The Mayor called for a roll call vote. Councilman Blakemore, Schurig, Schroeder, O'Neal and the Mayor all voted "aye".

Mayor Kacir asked for a motion on the lease amount of \$2,500.00 per month, or \$1.00 per year. The Mayor asked for a motion. Councilman O'Neal made a motion to the \$1.00 per year as it has been and the reason being the quality life and what Victoria College has done for us as far as educating people, those people are in our work force, they shop at Wal-Mart and HEB, they are supporting our economy. Councilman Schurig seconded the motion. The Mayor stated she would consider the \$1.00 a year rent if our citizens get the in county tuition at a minimum. Any further comments. Councilman Schroeder stated, I think it's unfortunate that we have to pay the out of county expense too, but you don't get everything. I am not going to put that on them, and the reason I am supporting everything that Victoria College has proposed in their agreement is because the people that put me in this chair said that's what they want me to do, so I am representing the people that put me here. Councilman O'Neal asked Dr. Hinds if that was a possibility. Dr. Hinds stated the idea of; we all want to pay less for education. The board sets tuition rates in county and out of county for Victoria College. The only offset for out of county tuition and fees is maintenance taxation or full annexation of the taxing district by the college. The board doesn't have the authority to set one out of district rate for one county and another for another county unless their taxing scenario in that county is different. The Mayor called for a roll call vote. Councilman Schurig, Schroeder and O'Neal voted "aye". Councilman Blakemore and the Mayor all voted "nay".

Mayor Kacir asked for a motion for the in county or out of county tuition as approvable by the statute. The Mayor asked for a motion. Councilman Blakemore I don't think that anyone sitting on the dais that doesn't want that, but I am confused because the explanation that we just had has nothing to do with statute, it has everything to do with what their board approves. City Attorney, Dan Santee stated that it is in the statute, and there is a process you have to follow to annex the territory for them to be able to offer that. If you want to make this a motion and I think that's fine, but the proper place would be the Interlocal and it would be something that you would ask to explore. You look into doing on this end as well and they have to agree as well, but there is a process in

statute. Mayor Kacir asked if we took action for in county tuition that would be our action that would be what is put in the Interlocal. We would be cognizant that it still has to meet approval, but we put it in there subject to their approval. City Attorney Santee stated if you want to put something in the Interlocal what you're really stating in the Interlocal is that the two parties to the Interlocal would commit to look at the annexation process, because it is a process that voters have to vote on. They are going to be taxed by that district, but that's how you get the in county tuition. The Mayor asked how that would be worded. City Attorney Santee stated the two things that aren't in the Interlocal that I heard discussed were the position of a member of Council on an advisory board, that would probably be appropriate in an Interlocal and that the parties agree to discuss the process by which you can get in county tuition. There is a process in the statute and if both parties want to look into that there's a way for them to do that. I would also point out for Councilman Blakemore, who made a comment that it's too late, both the Interlocal and the Lease can be amended by agreement of the parties, it's not like whatever is in here you are bound to for five years, it's a matter of if both parties want to seek an amendment, both to have to agree to it though, and either party can terminate as well even though it is five years. The Mayor asked for a motion. Councilman Blakemore made a motion to include in the Interlocal Agreement that we establish and that there be dialogue held with our advisory capacity and the board of Victoria College to explore in county rates for Gonzales citizens. Councilman O'Neal seconded the motion. The Mayor called for a roll call vote. Councilman Blakemore, Schurig, Schroeder, O'Neal and the Mayor all voted "aye".

Mayor Kacir stated that serving on the advisory board, the college did ask for a member of the Council or member of staff to serve. The Mayor asked for a motion to include in the Interlocal Agreement that a member of Council or a member of staff will serve on the advisory board. Councilman O'Neal made a motion to include in the Interlocal Agreement that a member of Council or a member of staff will serve on the advisory board. Councilman Blakemore seconded the motion. The Mayor called for a roll call vote. Councilman Blakemore, Schurig, Schroeder, O'Neal and the Mayor all voted "aye".

The Mayor asked for a motion. Councilman O'Neal asked City Attorney Santee on the resolution itself, if you go to the 5th, 6th and 7th paragraph where it begins whereas, can those be deleted it begins with, City staff, Mayor and Mayor Pro Tem have engaged in multiple meetings with Victoria College Administration over the period of a year to further negotiate new terms of an agreement with Victoria College; and, a formal agreement has not been reached by both parties at this time; and, the City Council has found that the capital replacement costs could be subsidized if a monthly lease payment in the amount of \$2,500.00 was received from Victoria College. City Attorney Santee states, the whereas clauses are the legislative findings so if they no longer match what

was approved in those other votes so when you make your motion except those out and Kristina will remove those before the resolution is signed. Councilman O'Neal made a motion to approve **Resolution #2018-80** Authorizing the City Manager to Execute an Interlocal Cooperation Contract and Lease Agreement with the changes that the council has voted on between Victoria College and the City of Gonzales and removing the 5th, 6th and 7th whereas clauses. Councilman Schurig seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-81** Authorizing the City Manager to Enter into a Five Year License Agreement with Jamie Crandall Equipment Corporation DBA Richmond Equipment as an exclusive vendor of golf carts at JB Wells. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-81** Authorizing the City Manager to Enter into a Five Year License Agreement with Jamie Crandall Equipment Corporation DBA Richmond Equipment as an exclusive vendor of golf carts at JB Wells. Councilman Schroeder seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-82** Rejecting the Proposal Received to Perform the Building, Erosion and Water Intake Renovations for the Gonzales Hydro Station and Authorizing the City Engineer to Re-Advertise and Seek Competitive Bids/Proposals in the manner most advantageous to the City. City Engineer, Keith Schauer stated we put the hydro station building renovations and water intake structures out to bid, we had a pre-bid meeting on July 12th, had a good participation at the pre-bid meeting, had five or six general contractors show up to it. Opened bids on July 26th and received one bid. The bid was around \$680k, it was a little over what we thought it should be, so we are proposing to reject all bids. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-82** Rejecting the Proposal Received to Perform the Building, Erosion and Water Intake Renovations for the Gonzales Hydro Station and Authorizing the City Engineer to Re-Advertise and Seek Competitive Bids/Proposals in the manner most advantageous to the City. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-83** Authorizing the City Manager to Execute a Lease Agreement with Motorola for the Lease Purchase of a Motorola Dispatch Console for the Gonzales Police Department. Chief Crow stated this console that we have is 11 or 12 years old

and is beyond its life cycle. It will also become out of its maintenance cycle because Motorola will no longer be making parts for it. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-83** Authorizing the City Manager to Execute a Lease Agreement with Motorola for the Lease Purchase of a Motorola Dispatch Console for the Gonzales Police Department. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

3.5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-84** Authorizing the Purchase of Twenty-One (21) APX8000 Motorola Radios in the Amount of \$94,573.50 for the Gonzales Police Department. Chief Crow stated that the handheld radios are very dated and stretched beyond expectancy. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-84** Authorizing the Purchase of Twenty-One (21) APX8000 Motorola Radios in the Amount of \$94,573.50 for the Gonzales Police Department. Councilman O'Neal seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.6, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-85** Authorizing City staff to Seek Competitive Bids/Proposals in the manner most advantageous to the City for IT Services. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-85** Authorizing City staff to Seek Competitive Bids/Proposals in the manner most advantageous to the City for IT Services. Councilman Blakemore seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.7, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-86** Authorizing a Preliminary Maximum Ad Valorem Tax Rate for Fiscal Year 2018-19 and Scheduling Public Hearings. Councilmen what we have been presented is the maximum tax rate, actually doing the proposed tax rate. I will state briefly what we discussed during budgeting last year we stated we needed to take a step forward to get our city recapitalized, and we took that step and we also made comment that we would look at small steps going forward as I recall 2 to 3 cent increase, and phasing that in over a period of time. If you will note our Finance Director has our current rate is \$.02750, our effective rate is \$0.2761, and with the effective tax rate you see we would raise \$4,180.00 increase above last year. The other rates, the Finance Director has run those to give you an idea should that rate is elected and how much revenue it would increase. The rollback rate is \$0.4639, so those are our rates. I need a motion on the floor what our maximum rate would be and we would set that rate later in the budget session. The Mayor asked for a motion. Councilman Blakemore

made a motion to approve **Resolution #2018-86** Authorizing a Preliminary Maximum Ad Valorem Tax Rate of \$.3050 per \$100 valuation for Fiscal Year 2018-19 and Scheduling Public Hearings. Councilman O'Neal seconded the motion. The Mayor called for discussion. That rate would add \$114k to our budget this year. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig and the Mayor all voted "aye". Councilman Schroeder voted "nay".

ORDINANCES

4.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-24** Amending Article 1.300 Corporate Seal of the City of Gonzales Code of Ordinances. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-24** Amending Article 1.300 Corporate Seal of the City of Gonzales Code of Ordinances. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

STAFF/BOARD REPORTS

5.1 Financial Report for the Month of July 2018 is available to review.

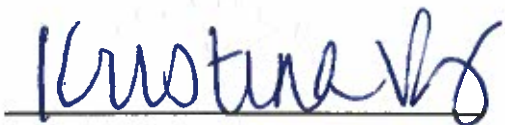
5.2 City Manager, Tim Patek updated the City Council on Code Enforcement Actions, maintenance efforts on City property leased to Sacred Heart Church and the Historic Ordinance Subcommittee meeting that was held on July 26, 2018.

CLOSED SESSION

Items #6.1 and 7.1 The City Council did not move into Closed Session

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 9:14 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
SPECIAL CALLED CITY COUNCIL MEETING
AUGUST 15, 2018 MINUTES**

The City Council convened the Special Called Council meeting at 4:30 p.m., August 15, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega

Staff Present: Marland Mercer, Nick DeLeon, Todd Remschel, Keith Schmidt, Keith Schauer, Anne Dollery, William Ince, Laura Zella, Barbara Friedrich, Tim Crow

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Mayor, Connie Kacir stated, at this we will have the hearing of residents. This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes. All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting. Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

No comments were made.

PUBLIC HEARINGS AND ORDINANCES

1.1, Mayor, Connie Kacir read Public Hearing, Discussion & Possible Action on **Ordinance #2018-25** Amending Chapter 14 Zoning of the City of Gonzales Code of Ordinances adding section 14.308.2 Planned Development (PD) District and Section 14.804 Planned Development (PD) District Procedures. At this time I will call for a staff presentation.

City Attorney, Dan Santee stated this is a little bit different than what has normally come before the Council. Over the last couple of months there were a couple of instances that came before Kristina as your Planning & Zoning Director. There wasn't a good fit

in the zoning ordinance for particular uses. One was more of a development circumstance and was a specific type use. The first we will discuss is a solution that I think every City should have that you currently don't have. It is a tool that you need in your tool box and it is called a Planned Development District. What a Planned Development District is, it's pretty prevalent in older communities or communities that have places that are really ready for redevelopment. Gonzales has a lot of what I would consider substandard parcels where they were platted land, they don't have to be replatted but maybe the parcels are not ideally sized. So if you have someone that comes in and wants to redevelop property within there, they are not going to be able to meet the setback requirements. Sometimes you can cure that through a process through the Board of Adjustment, but sometimes it's just not possible. Planned Development is an overlay district and that's what we will walk through. It's an overlay district and what it does, is you place that in an area where you have a known development that is going to come in. If I come in and want to develop property but number one, it is not going to be the right size or the surrounding uses are not completely compatible for what I want to do there, I have limited options with your current ordinance. I could get a conditional use permit, maybe, but the way your ordinance is written, if I don't fall under one of the categories that are allowed, I can't get a conditional use permit. Then I could try to rezone it, but if your comprehensive plan doesn't call for that particular zoning in that particular location, you can't grant that zoning to me unless I first amend your Comprehensive Plan. The beauty of a Planned Development District as an overlay district doesn't change the underlying zoning. Just like anything else we've already gone through all of the pre-requisites of publishing the Public Hearing that is going to take place after I do this presentation. This has already been before the Planning & Zoning Commission. Published on July 26th, went to the Zoning Commission on August 7th. They gave their approval and we also published that we would hold this Public Hearing today. Those are all pre-requisites that are required under the Local Government Code and your Zoning Ordinance before you can make this type of change. Even though this isn't an actual zoning change this is a change in your zoning regulations and it still requires publication and public hearing. The only thing that it doesn't require is a 200 foot notice mail out like you do when you are changing zoning. The purpose is stated here and is directly from the ordinance that you're going to be adopting is to allow uses on property where they wouldn't otherwise be eligible to be in place. So let's say I have a property with an underlying zoning of C-1 general business but I want to put a development in there that is actually more intensive than what C-1 would allow, but it's not even listed in your permitted use chart. A Planned Development District would allow you to put PD zoning on that property, I have to give you a concept plan, I have to tell you here's how I am going to develop this property, and then we can put safeguards in place, like maybe we make you do more landscaping than I would otherwise do, or maybe I would have to build a masonry wall, or maybe I would have to have a different set back variations, or maybe I can only operate during certain hours. Those are all things the P&Z or Council can do through a Planned Development that you don't have the ability to do just in your regular zoning ordinance other than if you have a regular conditional use permit. I don't particularly want to go the conditional use permit route exclusively because anybody within a district has the right to seek a conditional use permit, whereas a Planned Development District

is a standalone zoning ordinance. Like I said it's an overlay, you don't change what that base zoning is, so for example in a Planned Development in the example that I gave you, it would be in this particular Planned Development District you could allow anything that you allow in C-1 plus this one specific use, whatever my use is with the following conditions. It is a standalone ordinance that would be adopted by the P&Z and the City Council. You have in the City of Gonzales already a Planned Unit Development which is a type of Planned Development District and it was in place for residential, but you did so without ever having the ability to do it through your Zoning Ordinance which is a unique way to do it, because it's a standalone Zoning Ordinance, I don't think that it is invalid, but by doing this and placing it in your zoning ordinance, anyone that is coming here to develop knows that this is a tool that is available to you. In that particular one it worked out fine, it was well written, a developer out of Austin did it, I believe. It's not illegal and it's not improper how it was done, but by placing it in the actual Zoning Ordinance then we have the ability to do more of those and just not the ability to do as one offs. It is intended to encourage flexibility and it is good for adjustment of whatever the typical conditions are and it allows for redevelopment. In your downtown area we have been struggling with some very challenging circumstances with your downtown area with property boundaries, and the way those parcels sit and parking for example. These are all things a PD helps solve if a developer came in and wanted to redevelop downtown. Here are the common scenarios, there are a bunch listed in the Ordinance in the packet but I picked out some of the most common ones. The land consists of unusually configured parcels that cannot be developed efficiently under the base district standards, because your base district standards are going to have the setback requirements, and the minimum lot size, so this would alleviate that concern and each one is established as an overlay zoning district that combines with one or more base zoning districts. Development in a PD district must be consistent with a Concept Plan that is incorporated as part of the district by the adopting ordinance for the PD. You can't apply for Planned Development without attaching the concept plan and that is part of the ordinance that is adopted. It may allow for uses that are not allowed in the base zoning but may be permitted because they have specific things attached to them. This is not something that you will use very often but when you really need it, it will be very useful. All your doing today is making this available.

The Mayor opened the Public Hearing.

No comments were made.

The Mayor closed the Public Hearing.

The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-25** Amending Chapter 14 Zoning of the City of Gonzales Code of Ordinances adding section 14.308.2 Planned Development (PD) District and Section 14.804 Planned Development (PD) District Procedures. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

1.2 Mayor, Connie Kacir read Public Hearing, Discussion & Possible Action on **Ordinance #2018-26** Amending Chapter 14 Zoning of the City of Gonzales Code of Ordinances amending Chapter 14 Zoning; Section 14.310 Permitted and Specific Uses by District; (d) C-1 Business District; (1) Permitted Uses. Adding Tattoo Parlor to the list of permitted uses. At this time I will call or a staff presentation.

City Attorney, Dan Santee stated turns out that you don't have tattoo parlors listed anywhere in your permitted use charts. This is not unusual. Tattoo parlors for whatever reason, I think that the way that public views them and the prominence of tattoo parlors has evolved greatly and so we need to get them in the permitted use chart. There are other options though. It is a table of permitted, conditional and prohibited uses for all of your different districts and each zoning district has a list of those uses. If your use is on that list, it's permitted by right so you don't have to have special permission. If you're in C-1 zoning and what you want to do is listed there, you come in, get your permit and get busy on building or whatever you want to do. The other way to do this is through a specific use permit where you can place different conditions on that particular use if it is going to be in that district. The way that I do this is when I am deciding whether or not something is more appropriate to be a permitted use on the chart versus a special use permit that has additional review and more safe guards. I look what are the similarities of it with other businesses that are already permitted by right, by similarities I look at the intensity of the use. That is the only thing in a zoning perspective that really matters. That's when you get into, what are the hours of operation, what are the parking needs, what kind of traffic comes to this particular business, things such as that. I looked at your chart and I found barber shop and beauty parlor are already in C-1 as permitted use. To me those are the closest thing in relation in your C-1 chart to a tattoo parlor. My conclusion is that at tattoo parlor be permitted in the C-1 Business District by right and that was my recommendation to Kristina, and that's what she carried to the Planning & Zoning Commission and they recommended that change to your C-1 permitted use chart.

The Mayor opened the Public Hearing.

No comments were made.

The Mayor closed the Public Hearing.

The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-26** Amending Chapter 14 Zoning of the City of Gonzales Code of Ordinances amending Chapter 14 Zoning; Section 14.310 Permitted and Specific Uses by District; (d) C-1 Business District; (1) Permitted Uses. Adding Tattoo Parlor to the list of permitted uses. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

RESOLUTIONS

2.1 Discuss, Consider & Possible Action Approving **Resolution #2018-87** Authorizing the City Manager to Terminate the following customer service contracts with the Lower Colorado River Authority (LCRA)

- a. Tree Trimming Services in the amount of \$11,122.02 annually
- b. Visual Inspection Agreement in the amount of \$8,217.72 annually
- c. Infrared Inspection Agreement in the amount of \$5,015.04 annually
- d. 5-Year Engineering System Study in the amount of \$21,999.96 annually

The Mayor asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-87** Authorizing the City Manager to Terminate the following customer service contracts with the Lower Colorado River Authority (LCRA). Councilman Schroeder seconded the motion. The Mayor asked for discussion. Councilman O'Neal asked if there was a penalty to terminate the contracts. City Manager, Tim Patek stated that no penalty, but we do not get any refund. The tree trimming was incorporated within the contract with GVEC and met with them about the other services that GVEC will provide and be able to eliminate the contracts with LCRA. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

2.2 Discuss, Consider & Possible Action Approving **Resolution #2018-88** Authorizing the Finance Director to transfer the Certificate of Obligation 2017 Series from Sage Capital Bank to TexPool. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-88** Authorizing the Finance Director to transfer the Certificate of Obligation 2017 Series from Sage Capital Bank to TexPool. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

WORKSHOP

3.1 The City Council and staff deliberated regarding the proposed budget for Fiscal Year Beginning October 1, 2018 Ending September 30, 2019

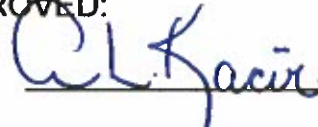
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Blakemore seconded the motion and the meeting adjourned at 9:45 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CALLED CITY COUNCIL MEETING
AUGUST 23, 2018 MINUTES**

The City Council convened the Called Council meeting at 6:00 p.m., August 23, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega

Staff Present: Laura Zella, Genora Young,

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

PUBLIC HEARING

Citizens are invited to provide public comments on the following matter: The City Council of the City of Gonzales has approved a preliminary tax rate of \$0.3050, which exceeds the lower of the effective or rollback tax rate, and that, if adopted, would increase total tax revenues from properties on the tax roll in the preceding tax year by 10.47%.

The Mayor opened the Public Hearing

Don Page on behalf of the Tax Payer's Association regarding the tax rate.

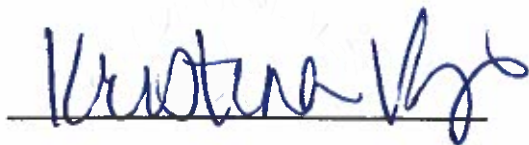
The Mayor closed the Public Hearing

SECOND PUBLIC HEARING NOTICE

The City Council has set a second public hearing on September 6, 2018 at 6:00 p.m. in the City Council Meeting Chambers of the Gonzales Municipal Building located at 820 St. Joseph Street, Gonzales, Texas.

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schroeder seconded the motion and the meeting adjourned at 6:09 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
SPECIAL CALLED CITY COUNCIL MEETING
SEPTEMBER 6, 2018 MINUTES**

The City Council convened the Special Called Council meeting at 6:00 p.m., September 6, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega

Staff Present: Laura Zella, Genora Young,

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

PUBLIC HEARING

The City Council of the City of Gonzales has approved a preliminary tax rate of \$0.3050, which exceeds the lower of the effective or rollback tax rate, and that, if adopted, would increase total tax revenues from properties on the tax roll in the preceding tax year by 10.47%.

The Mayor opened the Public Hearing.

Don Page on behalf of the Tax Payer's Association regarding the tax rate.

The Mayor closed the Public Hearing.

Public Hearing for citizen input regarding the use of City Funds for Fiscal Year Beginning October 1, 2018 and ending September 30, 2019. This budget will raise more total property taxes than last year's budget by \$121,303.03 or 10.47% and of that amount \$13,636.18 is tax revenue to be raised from new property added to the tax roll this year.

The Mayor opened the Public Hearing

Daisy Scheske Freeman spoke on behalf of the Gonzales Chamber of Commerce spoke in regards to a budgetary request for the visitor center.

The Mayor closed the Public Hearing

WORKSHOP

The Mayor asked for a motion to postpone the adoption of the proposed budget for Fiscal Year October 1, 2018 and ending September 30, 2019 to the next regularly scheduled meeting of September 13, 2018. Councilman O'Neal made a motion to postpone the adoption of the proposed budget for Fiscal Year October 1, 2018 and ending September 30, 2019 to the next regularly scheduled meeting of September 13, 2018. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

The Mayor asked on the workshop of there were any modifications or suggestions for a budget workshop. Finance Director stated that it was mainly to see if Council had any questions or looking at cutting anything additional, adding anything, or any last minute changes or questions about anything. Councilman O'Neal stated he would like to at some point in time moving forward with the automated water meter readers. Councilman Schroeder stated that he thought maybe some of the handouts get cut and those monies go to something like that.

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schroeder seconded the motion and the meeting adjourned at 6:15 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CITY COUNCIL MEETING
SEPTEMBER 13, 2018 MINUTES**

The City Council convened the Council meeting at 6:06 p.m., September 13, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Tommy Schurig, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney- T. Daniel Santee

Staff Present: Laura Zella, Clint Hille, Genora Young, Anne Dollery, William Ince, Tim Crow, Keith Schmidt, Keith Schauer, Marland Mercer, Barbara Friedrich, Angie Kessler, Caroline Helms

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

David Tucs, President of Edwards Association spoke on behalf of and requested the approval of the funding to the Edwards Association for the upcoming Fiscal Year.

PUBLIC HEARING AND ADOPTION OF THE 2018-2019 BUDGET AND TAX RATE

The Mayor opened the Public Hearing for the Budget and Tax Rate. There was no one signed up for the Public Hearing and no comments were made.

1.1 Mayor, Connie Kacir read Staff presentation of the 2018-2019 fiscal year budget to advise the City Council and public of any adjustments made since the filing of the budget and receipt of City Council and public input; followed by an additional public hearing. Finance Director, Laura Zella stated she will just go down the list of the changes that were in the budget that was presented Monday compared to the proposed budget. We are recommending changes to the organizational chart for the City. We would ask that the Main Street Manager and Parks and Recreation Director directly report to the City Manager. After reviewing the budget that you received on Monday, I noticed that the second page of the budget that states this budget will raise more revenues from property taxes than last year's budget by an amount of \$121,303.03 which is a 10.47% increase from last year's budget, the percentage should have stated 11.69%. We have added the JB Wells budget in with the General Fund since it is not self-sufficient. JB Wells will be considered a component of the General Fund, but we will keep track of their revenues and expenditures separately for bookkeeping purposes.

Personnel Expenses in all funds

In all departments there will be increases in the Personnel Expenses due to City Council asking us to budget a 3% merit increase for full time employees. You have also asked us to budget longevity for full time employees only, so you will see a decrease in some of the departments that have part time employees.

General Fund Revenues

On the Tax Revenue there was an increase due to calculating the property tax revenue at the proposed \$0.3050. There was also an increase for the Mixed Drink Tax since we increased the percentage that we receive. On the Franchise Revenue, we increased some of the revenue due to recalculating the estimated average of the various franchise fees we receive. On the License/Fees/Permits, we increased some of the revenue due to recalculating the majority of them using the average for the last 12 months. On the Parks Fees, there were some changes made to the swimming pool related items due to decreases in revenues. The RV Camper Site Rental by the golf course has been partly opened so we did increase that proposed revenue. With receiving the new golf carts, we have seen an increase just in the last month or so with all related golf course revenue. On the Municipal Court Revenue, Miscellaneous Revenue and Interest Income, we reviewed the most recent income and decided to adjust some of the various revenues. On other Financing Revenue, we increased the sale of assets by \$40,000 to reflect the sale of the brush truck that the Fire Department is proposing to sell. We also increased the sale of land by \$148,500 because we are in the process of trying to sell some unopened streets. On the Transfers, we decreased the total amount of the electric, water and wastewater transfers to the general fund compared to last year's budget by \$271,391. The Tourism and GEDC transfer that goes to the general fund to cover the cost of their salaries, there was a small increase to cover their 3% merit increase that we had budgeted in their individual departments.

General Fund Expenses

In the City Council Department we decreased \$17,640 as per your request during the budget workshops for the special requests. In the City Manager Department we decided to budget the Superintendent of Public Works position completely in this department. So there will be changes in the majority of the personnel expenses reflecting that. We removed the \$6,000 moving allowance that was originally in the proposed budget. In the Community Development there is a decrease in personnel expenses since we moved the Superintendent position to the City Manager Department. In the Non-Departmental budget we increased the special contracts by \$320 since we received all of the quotes for that line item. We increased the attorney/court/legal based on where we are ending this budget. We decreased the liability/comp/fire insurance,

and we also decreased the amount budgeted for training in non-departmental. In the Building Maintenance Department we zeroed out the Maintenance to Victoria College, but budgeted \$75,000 to repair one of the roofs. I have been informed by William Ince that they are working on a grant to get those repairs covered at 100%, but I left the amount in there just in case the grant option didn't work out. In the Parks Department we decided to budget for the Parks and Recreation Director Position in this department, it was split between JB Wells and Parks, now it is completely in the Parks Department. Due to that, there are changes in the majority of the personnel expenses reflecting that. We increased the Capital Improvements by \$19,200 to cover our part of the bank stabilization project with the USDA for the river bank. In the Fire Department we decided to decrease the Capital Improvement by \$10,000, we are going to try to do that in-house and have our building maintenance do it. In the Police Department the proposed budget was filed with two additional Sergeant Positions and two less Patrol Officers, Chief Crow has decided to leave them as Patrol Officers. We decreased the structures line item by \$22,300, same as Fire Department; we are going to try to do in house. In the Airport Department the only change that we have made is the Airport fuel be changed to \$38,000. In the Street Department we moved the repayment of the two Deere Credit Contracts from the Debt Service Fund Governmental Activities that is paid by the ad valorem taxes and instead we moved it to the Street Department in the General Fund, so the Street Department expenses increased by \$75,863.52. In the JB Wells Department we looked at some of the revenues and recalculated what our proposed amounts will be. There is a decrease in personnel expenses since we combined the Parks and Recreation Director with the Arena Operations Manager.

Electric Fund Revenues

In the Electric Department we increased the sale of assets by \$50,000 which represents how much we are estimating to receive for selling some of the electric department equipment or trucks.

Electric Fund Expenses

While looking through the Electric Fund Expenses and comparing the transfers, I found that there was a discrepancy in the budget book that was presented to each of you for today. It was a simple error and the transfer to the general fund from the electric fund should match the amount listed in the general fund revenue side.

Water Fund Revenues

In the Water Department we adjusted two general ledger revenue accounts by a total of \$2,050 after recalculating the estimated averages.

Water Fund Expenses

In the Water Department we decreased the Liability/Comp/Fire Insurance by \$2,000. We decreased the transfer to the General Fund by another \$25,200. On the budgeted positions, we changed it to reflect that there are three Operator I positions and one Operator II position.

Wastewater Fund Revenues

In the Wastewater Department we recalculated some of the estimated averages of the revenues and have that input into the budget.

Wastewater Fund Expenses

In the Wastewater Department for bad debts, we decreased that by \$3,000 after reviewing the average of the last 12 months. The franchise fee increased due to the sales increasing slightly, it's based on a percentage of the sales. The transfer to the general fund from the wastewater fund was decreased by another \$25,000. On the budgeted positions, we changed it to reflect there being one Crew Leader, two Operator I positions and two Operator II positions.

Solid Waste Fund Revenues

In the Solid Waste Department we took into consideration the amounts that we have received in the last few months and adjusted some of the general ledger revenue accounts.

Solid Waste Fund Expenses

On the expense side of Solid Waste Department we decreased the amount that was budgeted for Liability/Comp/Fire Insurance.

Debt Service Fund for Proprietary Revenues and Expenses

In the Proprietary Debt Service Fund we decreased the transfer from the Electric Fund by \$75,863.52 and also decreased the expenses by that same amount. We split the repayment of the Certificate of Obligation Series 2017 between the two Debt Service Funds.

Debt Service Fund for Governmental Expenses

In the Governmental Debt Service Fund we made some changes to the expense side, but the amount stayed exactly the same. We originally had the repayment of two Deere Credit Contracts budgeted to be paid out of this fund totaling \$75,863.52, but we moved those repayments to the Street Department to be paid from the General Fund. We added \$75,863.52 of the repayment of the Certificate of Obligation Series 2017 to be paid out of this Debt Service Fund.

Restricted Use Fund Expenses

In the Tourism Department the amount that was listed for the Come and Take It Event was mistakenly listed as \$9,000.00, after talking with Clint, I found that the document he gave me did say \$5,000 which Council was informed of during the Budget Workshop. In the Memorial Museum Department the Capital Improvements amount was decreased to match the proposed revenue that they would be receiving in their restricted use income. In the Robert Brothers Department for the Library's Restricted Use Funds we increased the Liab/Comp/Fire Insurance by \$128 after reviewing the rates from TML. We also increased the Capital Improvements by \$80,000 to cover the cost of fixing the roof at the Library.

GEDC Fund Expenses

In the Economic Development Department their board asked that we create a line item called Business Development and to combine the amounts that were budgeted for Expansion/Retention of Business and New Business into that one line item. The justification form for that new line item is going to be updated combining those two justifications in one. Staff recommends the elimination the following positions based on an evaluation of such positions and job duties by the City Manager, Finance Director and Department Heads.

Elimination of Positions

These are not really budget items, but they are changes in our different departments. Some of the positions are elimination or creation of positions. Staff recommends the elimination of the following positions based on an evaluation of such positions and job duties by the City Manager, Finance Director, and Department Heads. There is an elimination of Police Department – Captain; Street Department – Equipment Operator I; Water Department – Operator II; Parks Departments – Equipment Operator I; Electric Department – 2 Lineman I; Electric Department – 2 Lineman II; Electric Department – 2 Lineman Apprentice; Electric Department – 1 Hydro Operator; Electric Department – 1 Hydro Operator Part Time; J.B. Wells – Equipment Operator I; Library Department- Part Time Librarian I.

Creation of Positions

Staff recommends the creation of the following positions based on an evaluation of each department and its needs. We are asking to create in the Police Department a Criminal Services Lieutenant; Full Time Librarian I in the Library Department; and a Part Time Administrative Assistant to President/CEO of the Economic Development Corporation.

City Manager, Tim Patek asked what number of employees were we at and what are we going to?

Finance Director, Laura Zella stated 119 employees to 106.

1.2 Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-27** Approving the Operating Budget for the City of Gonzales and the Gonzales Economic Development Corporation for the Fiscal Year Beginning October 1, 2018 and ending September 30, 2019 and Appropriating and Allocating the Funds for Said Budget, Renewing the City's Financial Policy, Investment Policy, and Budget Contingency Plan. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-27** Approving the Operating Budget for the City of Gonzales and the Gonzales Economic Development Corporation for the Fiscal Year Beginning October 1, 2018 and ending September 30, 2019 and Appropriating and Allocating the Funds for Said Budget, Renewing the City's Financial Policy, Investment Policy, and Budget Contingency Plan Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

1.3 Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-99** to ratify the property tax increase reflected in the budget as required by Texas Local Government Code Section 102.007 when adopting a budget that will require raising more revenue from property taxes than in the previous. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-99** to ratify the property tax increase reflected in the budget as required by Texas Local Government Code Section 102.007 when adopting a budget that will require raising more revenue from property taxes than in the previous. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

1.4 Mayor, Connie Kacir asked to move **Ordinance #2018-28** Approving the 2018 Ad Valorem Tax Rate and Levy of Assessed Valuation of All Taxable Property Within the Corporate Limits of the City of Gonzales, Texas to a future agenda.

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 Councilmember.

The Mayor read the consent items as follows:

2.1 **Minutes** - Approval of the minutes for the Regular Meeting of August 9, 2018; Called Meeting of August 15, 2018; August 23, 2018 & September 6, 2018

2.2 Discuss, Consider & Possible Action Approving **Resolution #2018-89** Authorizing the Use of Confederate Square including the Parking Lot for the Gonzales Main Street's 2018 Happy Fall Y'all event on October 20, 2018

2.3 Discuss, Consider & Possible Action Approving **Resolution #2018-90** Authorizing the Use of Confederate Square including the Parking Lot, Sale and Consumption of Alcoholic Beverages and Designated Street Closures for 2018 Santa's Market and the annual Lighted Christmas Parade on December 1, 2018

2.4 Discuss, Consider & Possible Action Approving **Resolution #2018-91** Authorizing the Gonzales First Shot Cook Off and GJHS Athletics the permission to close the 400 Block of St. Paul Street and Hold the First Shot Color Run on September 15, 2018

2.5 Discuss, Consider & Possible Action Approving **Resolution #2018-92** Accepting an Offer to Purchase an Amended Easement from the Lower Colorado River Authority (LCRA) for an Existing Electric Transmission Line, and Authorizing the City Manager to Execute any and all Necessary Documents to Complete the Transaction

2.6 Discuss, Consider & Possible Action Approving **Resolution #2018-93** Authorizing the Appointments to the City of Gonzales Board & Commissions: Gonzales Golf Course Advisory Board; Gonzales Economic Development Corporation; Gonzales Library Board; Main Street Advisory Board; Planning & Zoning Commission; Gonzales Convention & Visitors Bureau; Zoning Board of Adjustment & Sign Control Board; JB Wells Park Advisory Board; and Museum Advisory Board

The Mayor asked for a motion to approve the consent agenda items. Councilman O'Neal made a motion to approve the consent items. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

REGULAR AGENDA ITEMS

ORAL RESOLUTIONS

3.1 Mayor, Connie Kacir read Discuss, Consider & Possible Action Determining whether or not to renew the contract with the Chamber of Commerce for the hosting and operations of the Gonzales Visitor Information Center or authorize the City Staff to Seek Competitive Bids/Proposals in the manner most advantageous to the City. The Mayor asked for a motion. Councilman Blakemore made a motion to renew the contract with the Chamber of Commerce for the hosting and operations of the Gonzales Visitor Information Center. Councilman O'Neal seconded the motion. The Mayor called for

discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye"

3.2 Mayor, Connie Kacir read Consider Motion Casting the City's Vote in the Election to the Texas Municipal League Intergovernmental Risk Pool board of Trustees Election (Place 11, Place 12, Place 13 and Place 14). The Mayor asked for a motion. Councilman Blakemore made a motion to appoint in Place 11-Randy Criswell, Place 12-Robert D. Wilson, Jr, Place 13-Mike Jones, and Place 14-David J. Harris to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. Councilman O'Neal seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

RESOLUTIONS

4.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-94** Accepting the Proposals and Authorizing the City Manager to Execute an Agreement for the Hydro Station Renovation. City Engineer, Keith Schauer stated there are two items up, that work together. Last week we received bids on the building renovation/ building reconstruction part of the power station. We're reconstructing the service apron outside that also houses the intake pumps. We are purchasing two new intake pumps that will go on the new apron, and we are doing some bank stabilization as part of this. We received five bids last week. The low bidder was \$642,352. It is a well-qualified contractor so we would recommend that we go with Sullivan Contracting Services. As part of that bid we had a \$50k contingency built into it, and the contractor has already come to us with some ideas and ways to save some money on that. We are anticipating that the \$642K would be a not to exceed number and that we would do our best to make it come in below that number. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-94** Accepting the Proposals and Authorizing the City Manager to Execute an Agreement for the Hydro Station Renovation with Sullivan Contracting Services in an amount not to exceed \$642,352. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-95** Accepting the Proposals and Authorizing the City Manager to Execute an Agreement for the Gonzales Hydro-Mechanical/Electrical Renovations. City Engineer, Keith Schauer stated this is the electrical and mechanical renovations. We received a bid and after some negotiations we received a bid of \$986,498. Again, this would be a not to exceed number. This includes completely rebuilding all three gear boxes, purchasing new 300 KW generators and automating the plant where it can be run from your iPhone. We anticipate that at least two of those gear boxes will not need

to be completely rebuilt and that should potentially be a savings of \$100-140K if they are not rebuilt. There is no contingency built into that number because we think that not all three gear boxes will have to be rebuilt. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-95** Accepting the Proposals and Authorizing the City Manager to Execute an Agreement for the Gonzales Hydro-Mechanical/Electrical Renovations with Thomas Brothers Hydro Inc. and Cole Technology, Inc. in an amount not to exceed \$986,498. Councilman Blakemore seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-96** Authorizing the City Manager or his designee to Execute an Agreement with the United States Department of Justice, Drug Enforcement Administration (DEA). The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-96** Authorizing the City Manager or his designee to Execute an Agreement with the United States Department of Justice, Drug Enforcement Administration (DEA). Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

4.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-97** Authorizing the City Manager to Execute an Agreement with Guadalupe Valley Electric Cooperative for the Electric Utility Operations & Day-to-Day Maintenance Services. Darren Schauer, it's a pleasure to be here tonight to answer any questions that you may have in regards to the maintenance and operations agreement that we have been working on with the City. First of all I would like to thank the Mayor, City Manager, Mr. Patek and City staff as well as your attorneys. They have been very good to work with; we found them very professional and very willing to represent the City well. We are pleased with the agreement that you have before you tonight. We believe it represents an opportunity for both the City as well as GVEC to form a long lasting mutual relationship that we think will be very positive for the citizens of Gonzales. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-97** Authorizing the City Manager to Execute an Agreement with Guadalupe Valley Electric Cooperative for the Electric Utility Operations & Day-to-Day Maintenance Services. Councilman Schroeder seconded the motion. The Mayor called for discussion. The Mayor asked for a roll call vote. Councilman Blakemore, Schurig, Schroeder and the Mayor all voted "aye". Councilman O'Neal abstained.

4.5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-98** Authorizing Amendments to the City of Gonzales Personnel Policy Manual and stated that if the Council has no objection she would like to move the

item to the regular City Council Meeting in October allowing staff to work on that policy and give additional time to review that information.

ORDINANCES

5.1, Mayor, Connie Kacir read Public Hearing, Discuss, Consider & Possible Action Approving **Ordinance #2018-29** Amending the Official Zoning Map by Zoning Property Parcels Located on the East Side of Seydler Street from 530 Seydler Street to 1016 Seydler Street to Include all Parcels between in Gonzales, Texas from R-1 Single Family Residential to C-2 Heavy Commercial District. Zoning Administrator, Kristina Vega stated this item comes before you as a rezone that happened in 2012 that actually happened as a Resolution versus an Ordinance. Council gave direction to staff in March of this year to move forward with the complete rezone in order to correct those errors. We went ahead and did that. On July 23rd we did notifications to 51 property owners in a 200 foot radius of the properties that were going to be rezoned from R-1 to C-2. Of those letters two objection letters were received back, two letters with no objections were received. It was Planning & Zoning's recommendation to Council to move forward with that rezone. The Mayor clarified that there was no one signed up for the Public Hearing. There were none, and the Public Hearing was closed. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-29** Amending the Official Zoning Map by Zoning Property Parcels Located on the East Side of Seydler Street from 530 Seydler Street to 1016 Seydler Street to Include all Parcels between in Gonzales, Texas from R-1 Single Family Residential to C-2 Heavy Commercial District. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

5.2, Mayor, Connie Kacir read Public Hearing, Discuss, Consider & Possible Action Approving **Ordinance #2018-30** Amending the Official Zoning Map by Zoning 328 West Cone Street, Pt 1,2 5 Range I West Pt 3 Ab 25 Town of Gonz West, Gonzales, Texas from M-1 Industrial District to C-2 Heavy Commercial District. Zoning Administrator, Kristina Vega stated again this is another item that is coming before you as a correction to rezone. The same scenario happened, they went through the entire process, public hearing notices were mailed out and they sent it to Council as a recommendation and were adopted as a resolution. We went through the process all over again. 11 notices were mailed out at the time of the Commission meeting three notification letters were received back with no objection to the rezone. This item was recommended from the Planning & Zoning Commission to the City Council for the rezone. The Mayor asked for point of clarification from Chief Crow that no other signers for any of the following Public Hearings. Chief Crow stated no ma'am. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-30** Amending the Official Zoning Map by Zoning 328 West Cone Street, Pt 1,2 5 Range I West Pt 3 Ab 25 Town of Gonz

West, Gonzales, Texas from M-1 Industrial District to C-2 Heavy Commercial District. Councilman Schroeder seconded the motion. Councilman Blakemore stated he just wanted to clear one thing up, these ordinances that we are going through, these properties are already zoned this, but they were done. Zoning Administrator Vega stated they were done erroneously, so in all aspects, they were already rezoned to this designation; however, for whatever reason when they were presented to Council they were presented as a Resolution which is ineffective as a zoning change. Like I said Council gave me direction to go ahead do these rezones. City Attorney, T. Daniel Santee stated it would be more accurate to say they thought it was rezoned to how this is saying. Councilman Blakemore stated so what we are doing now is we are legally rezoning. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

5.3, Mayor, Connie Kacir read Public Hearing, Discuss, Consider & Possible Action Approving **Ordinance #2018-31** Amending the Official Zoning Map by Zoning 1912 Schurig Lane, Pt 6 Range VII, Gonzales, Texas from R-1 Single Family Residential District to R-2 Multi-Family District. Zoning Administrator, Kristina Vega stated again another one that came through in 2012; we went through the process again. Mailed letters to a 200 foot radius, 10 notification letters went out and at the time of the Commission meeting staff had received one letter back with no objection to the rezone. There were no objections to the rezone. It is Planning & Zoning's recommendation to Council to adopt the ordinance as stated and approve the zoning change. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-31** Amending the Official Zoning Map by Zoning 1912 Schurig Lane, Pt 6 Range VII, Gonzales, Texas from R-1 Single Family Residential District to R-2 Multi-Family District. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

5.4, Mayor, Connie Kacir read Public Hearing, Discuss, Consider & Possible Action Approving **Ordinance #2018-32** Amending the Official Zoning Map by Zoning 1301 E. Sarah Dewitt, Industrial Park Subd. Phase One and Sarah Dewitt Drive, Industrial Park Subd. Phase One, Gonzales, Texas from C-2 Heavy Commercial District to M-1 Industrial District. Zoning Administrator, Kristina Vega stated this again came through in 2012 and was presented to Council as a resolution. We went through the process all over again, there were 11 notification letters that went to the property owners in the surrounding 200 foot radius and two notification letters with no objection to the rezone were received. The Planning & Zoning Commission recommended the change to City Council for rezone. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-32** Amending the Official Zoning Map by Zoning 1301 E. Sarah Dewitt, Industrial Park Subd. Phase One and Sarah Dewitt Drive, Industrial Park Subd. Phase One, Gonzales, Texas from C-2 Heavy Commercial District

to M-1 Industrial District. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

STAFF/BOARD REPORTS

6.1 Financial Report for the Month of August 2018 is available to review.

6.2 City Manager, Tim Patek updated the City Council on the staff findings for the Alcohol Sales at the Golf Course, Progress of the Historic Ordinance Subcommittee and the Charter Review Commission.

CLOSED SESSION

At 7:07 p.m. the City Council moved into Closed Session

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

- a. In Re Estate of J. B. Wells litigation
- b. Patricia Bennett and Gloria Knight v. City of Gonzales, Texas

RETURN TO OPEN SESSION

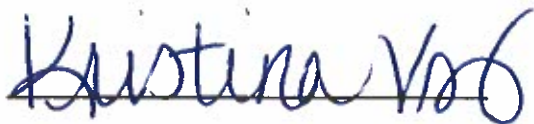
At 7:24 p.m. the Council returned to Open Session.

8.1 Discuss and Consider any Action resulting from closed session as necessary.

No action was taken.

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 7:25 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
SPECIAL CALLED CITY COUNCIL MEETING
SEPTEMBER 24, 2018 MINUTES**

The City Council convened the Special Called Council meeting at 6:30 p.m., September 24, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Tommy Schurig, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney- T. Daniel Santee, City Attorney-Clarissa Rodriguez

Staff Present: Laura Zella

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

CLOSED SESSION

At 6:33 p.m. the City Council moved into Closed Session

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

- a. Robert B. Scheske, et al vs The City of Gonzales, Texas, at al; Cause No. 27,159

RETURN TO OPEN SESSION

At 7:47 p.m. the Council returned to Open Session.

2.1 Mayor Kacir read Discuss and Consider any Action resulting from closed session as necessary. The Mayor asked for a motion resulting from closed session. Councilman O'Neal made a motion to approve Cause No. 27,159 Temporary Injunction Order. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

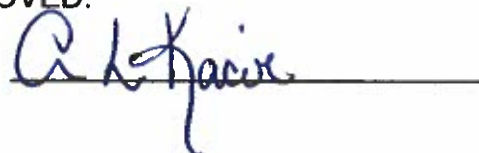
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Blakemore seconded the motion and the meeting adjourned at 7:48 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
SPECIAL CALLED CITY COUNCIL MEETING
SEPTEMBER 26, 2018 MINUTES**

The City Council convened the Special Called Council meeting at 6:31 p.m., September 26, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Tommy Schurig, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney- T. Daniel Santee

Staff Present: Barbara Friedrich, Todd Remschel, Genora Young, Laura Zella, Gayle Autry

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Paul Neuse, 1411 Gardien Street, encouraged the Council to adopt the tax rate originally proposed, and then let the citizens decide through an inevitable rollback election. I believe through a campaign to educate the citizens on the dire financial situation that the City is in a rollback election will come out in favor of adopted rate. The City has been operating with one of the lowest ad valorem tax rates in the state. The way that we have been able to do that is not by running in a lean and efficient manner, it's been by deferring maintenance of our infrastructure and equipment. Things are simply falling apart and we don't have the money to repair or replace them. I'm appalled that our City does not have enough money to purchase adequate trucks to maintain our own electrical system. While I am sure GVEC will do a great job, it's not the same as having our own people maintain our own system and our own timeline. If we end up back at what is the rollback rate we will certainly have to cut things from proposed budget. Do we cut streets and drainage repairs? Or do we tell our first responders at the Police Department and Fire Department that they can't have the new bullet proof vest or the breathing devices to go into burning buildings to look for victims. Do we do away with special request contracts from the local groups like the Edwards Association, Gonzales Senior Citizens and the Mental Health Advisory Board? Are we even going to be able to have the swimming pool opened next year, but this goes beyond maintenance and repairs. The biggest danger in going backwards in our tax rate is jeopardizing our bond rating. While Gonzales was very reluctant to borrow money in the past, it is essential that we maintain a favorable credit rating so that our option to borrow money is there in the event of an emergency. We have so much going for us right now, including the downtown, which you can't find a parking place on most evenings. We have the giant expansion of BYK; we need a rate where we can continue to move forward, and not backwards.

Greg McLain, 120 Contour Drive, I echo what Paul has just stated. I came here pretty much unprepared, but I did want to voice support of the Council and the Council's efforts. We voted you all in to watch after the City and from what I have seen; the Council has acted responsibly to manage our City Finances. All I know about the tax rollback is what I read in the paper, just a brief skimming of that article. My assumption is that Council did review through legal counsel and it is appropriate and we trust you all to manage the affairs of the City and I support you that you will do the right thing.

Finance Director, Laura Zella stated I would like to start off by explaining the spreadsheet that was given to each of you on Monday. You know as well as I do that there has been so many variables that have changed in such a short time that affects the two components of the Tax Rate and all of the numbers that we have looked at over the last month. With the lack of time for everything because this has been a rushed thing, I want to go into detail about the document that was prepared Monday morning based on not knowing whether or not you were going to approve the Agreed Temporary Injunction Order or move forward with a Court Hearing. So based on the facts that I had Monday morning, we knew that the difference of revenue between \$.3050 and \$.2248 was \$304,760.01. So before you approved the Agreed Temporary Injunction Order that has different rates than what was in the original Tax Rate Calculation Worksheet, we were thinking we would have to make cuts in the General Fund in the amount of \$304,760.01 and the \$111,045.92 for the fire truck being moved from the Debt Service Fund to the General Fund, but we didn't take into consideration that when you all approved the Agreed Temporary Injunction Order late Monday night after I did the spreadsheet, we had to use the new rates that changed all of the numbers. In good faith, I wanted to disclose to you that I should have waited on calculating that spreadsheet until after you all decided on whether or not you were going to approve the Agreed Temporary Injunction Order because it all depended on that. The day after you all approved the Order I worked on the calculations and the budget amendments that I felt were going to be needed to be in compliance with the Agreed Temporary Injunction Order. Those budget amendments are being presented tonight for the 2017-2018 Budget and there will be an end of the year journal entry and a transfer of funds from the General Fund to the Debt Service Fund in the amount of \$186,909 since the Debt Service Fund has already paid for those three items that we agreed to move to the General Fund. When you all approved that order that caused the Debt Service Rate to decrease, that in return increased the Maintenance and Operations, but that is if you were to adopt \$.3050. So that causes us to have more in Maintenance and Operations which would cover the cost of the Fire Truck to be moved to the General Fund and \$115,828.10 extra would be in the General Fund for M&O. So if you adopt \$.3050, that would bring in \$1,159,000.03, but you would have to subtract \$403,166 from it because we have to use that to pay our Certificate of Obligations which leaves \$755,834.03 for Maintenance and Operations. The amount that we budgeted to receive in property tax revenue was \$528,960.01 which leaves a positive difference of \$226,874.02, but then you have to subtract out the fire truck in the amount of \$111,045.92 that leaves the \$115,828.10 that I just mentioned that would be extra in the Maintenance and

Operations after subtracting out everything. Now if you were to approve the Rollback Rate of \$0.2248 that would be \$304,760.01 less in property tax revenue that we would receive, but due to you approving the Temporary Injunction Order that had different rates than the original Tax Rate Calculation Worksheet we would not be required to cut that much. Like I previously said my spreadsheet was done Monday morning before I could know which way you all were going to vote on whether or not you approved the Order and its terms. So if you all adopt the Rollback Rate of \$0.2248 we would receive \$854,240.02 in property tax revenue and then you have to subtract out the debt amount that we have to use to pay our Certificates of Obligations. The amount that we will be paying for those two Certificates of Obligation is \$590,075, but since the general fund has to pay back the Debt Service Fund in the 2017-2018 year in the amount of \$186,909, that amount will be sitting in the Debt Service Fund for next year which lowered the debt rate for next year, but we will be starting off the 2018-19 budget year \$186,909 less than what we had estimated for the General Fund Balance. So the amount that we need to subtract out of the total property tax revenue we will be receiving would be \$403,166 which would leave you with \$451,074.02, but we budgeted \$528,960.01 in property tax revenue because our budget was adopted based on \$0.3050. So if you are left with \$451,074.02 but we budgeted \$528,960.01 in our budget, that puts us at -\$77,885.99, but we still need to move the fire truck to the general fund and that amount is \$111,045.92 which would mean that we will need to make appropriate cuts in the budget in the amount of \$188,931.91. If there was a rollback election we would have to budget around \$15k for a rollback election for our fees, labor, postage, envelopes and the tax assessor had sent us a quote and also Kristina estimated around \$6k for the ballots, cost of elections workers and all of that. There are so many budget amendments needed for the 2018-19 budget due to the agreed terms in the Order and depending on what tax rate you all decide on will give me better direction on what all will be needed. I know that there were some in your agenda you received, but I don't feel comfortable with them since it was so rushed to get it done in one day after you all approved the Order and I have no idea what tax rate you are going to adopt so it is safe to say, it is not in our best interest to do any budget amendments for the 2018-2019 budget tonight. Those budget amendments will be prepared for the next Council meeting to give me adequate time to prepare them, since it affects a few of the funds. Also, once you adopt the tax rate tonight, I will know the definite amounts. I realize that I have given you tons of information and it is a lot to understand because there have been so many changes in the different tax rates, so if you have any questions, please feel free to ask and I will explain it the best I can. The 2017-2018 Budget Amendments are good to go tonight though.

ACTION ITEMS

1.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-33** Approving a Budget Amendment to the Operating Budget for the City of Gonzales and the Gonzales Economic Development Corporation for the Fiscal Year Beginning October 1, 2017 and ending September 30, 2018. This moves the three payments in our present year budget that total is \$186,909.44 and also the \$5,000 in regards to attorney's fees. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-33** Approving a Budget Amendment to the

Operating Budget for the City of Gonzales and the Gonzales Economic Development Corporation for the Fiscal Year Beginning October 1, 2017 and ending September 30, 2018. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

Mayor, Connie Kacir asked that the next two agenda items per the presentation given by the Finance Director, I asked for permission to move those to the October agenda.

1.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-34** Approving a Budget Amendment to the Operating Budget for the City of Gonzales and the Gonzales Economic Development Corporation for the Fiscal Year Beginning October 1, 2018 and ending September 30, 2019

1.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-100** Ratifying the property tax increase reflected in the budget as required by Texas Local Government Code Section 102.007 when adopting a budget that will require raising more revenues from property taxes than in the previous.

1.4 Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-35** Approving the 2018 Ad Valorem Tax Rate and Levy of Assessed Valuation of all Taxable Property within the Corporate Limits of the City of Gonzales, Texas. The Mayor asked for a motion. Councilman Schurig stated "I move that **Ordinance #2018-35** be adopted, and that the property tax rate be increased by the adoption of a tax rate of \$0.3050, which is effectively a 10.47 percent increase in the tax rate. Of that amount \$0.1990 is for maintenance and operations (M&O) and \$0.1060 is for the Interest & Sinking Fund (I&S)." Councilman O'Neal seconded the motion. The Mayor asked for discussion. Councilman Schroeder stated as our Finance Director pointed out we already budgeted this year for the \$.3050 and I think that we probably came to that because at the time we had the rollback and effective rate at higher numbers, so we thought we doing good by lowering it back to \$.3050, and then it was brought to our attention that we were erroneous in our numbering and once we got that corrected I was hoping we could break it back down for the citizens a little bit to lower it back down from the \$.3050 because I have been advised that there will certainly be a petition and if there is enough there will be an election for it and that's going to cost us more, and as Mr. Neuse so well spoke about the needs of the City, I know that we have a duty/responsibility up here to see that we keep our infrastructure in good running's but we did make a significant increase last year and even when we had legal counsel the other night it was mentioned that maybe we should lick our wounds this year and start fresh from zero and start over next year and I would just like to see us give the citizens a break and rework the budget numbers. I know that's not popular for staff, but I would like to see some cuts made and lower the tax rate. We are certainly going to save the money in the rollback election that's going to be coming because if they got the

signatures once, they are going to get them again. Councilman Schurig stated he personally would have liked to see us go up to the amount some of our surrounding cities are. Luling just adopted theirs at \$.56, Nixon \$.40, Lockhart is \$.71 and here we are still the lowest in the State of Texas. You haven't seen anything yet if we go back, you think the streets are bad now. I drove around for an hour while it was pouring down rain looking at the backup of the water. Mayor Kacir stated she concurred, and to Councilman Schroeder's point, when we adopted the tax rate the numbers that were put before us, included the amount of increase, that the amount that we would increase our budget, a budget must be predicated on the pro forma that is needed in revenue to run our city. That increase was calculated once the certified values came from the Appraisal Office and that increase was \$304,760.01, that didn't change, you are correct and in good faith we made an error, when we submitted the numbers to the Tax Assessor Collector. We also had qualified debt that could have been substituted and had a rollback rate correctly calculated that would have exceeded the \$.3050. So I just wanted clarity with Councilman Schroeder that the budget we had approved was based on the increased revenue of the \$304,760.01 that number never changed. To Councilman Schurig's point, I have asked individuals that represented the tax group what will you be saving? Do you know what amount you're saving the tax payers in going from \$.2750 to \$.3050, what will you be saving on a \$100k valuation; I have yet to have one person give me that number. I calculated the number; it is \$2.50 per month. \$2.50 per month on a \$100k valuation, I believe if challenged, our citizens will vote in favor of prospering their City. I believe that for an investment of \$2.50 a month on \$100k the return on investment that we can have in restoring our streets, our infrastructure, a safe water supply, giving our Police and our Fire Department the protection that they need and investing in the employees that serve this City on the front line every day. Employees who many years have not had a raise because there was not money to fund that raise. We did make an error in not reporting our debt and it was done in good faith because we had the qualified debt that we could have put in our I&S and protected us from a rollback. We compromised at the hearing and I believe that our citizens will stand up and they want this city to go forward. I apologize for the error, but I am dedicated to making fiscally sound decisions in the interest of this City as Mr. McClain said. Our City should not be held hostage to insolvency. I believe that this Council has the leadership to engage and educate our citizens on why that tax rate is needed and why we need that to sustain our future. Councilman Blakemore stated he would like to thank those that came tonight to speak. I want to go to one point in Mr. Neuse's comments that we should say. Councilman Schroeder you state that we should give the tax payers a break and I don't disagree with that, they need every break that they can get, but one of the breaks that they should get is to live in a city that is safe, sound, and good working order. As Paul so clearly stated this City was not run lean and mean. It was run with total disregard to maintenance and any infrastructure

improvements that would make this better for the citizens that they at that time that they were empowered to protect and serve. If we are subject to a rollback rate so be it, it is time for the citizens of this city to decide whether they want a sound fiscal government or if they want to allow the people that put us in this position to continue to influence the mismanagement of this city. This city is not mismanaged now and it is not going to be in the future. That is over and we need to make that statement. I echo the Mayor's sentiments about we made a mistake, I apologize for that, it was done, not with any malice, it was a mistake, humans make them, but we have mistakes of the past that we need to address and we're addressing them and we are moving forward. Councilman O'Neal added, it seems that over the past number of years it has gone down and then it goes down, down and down and how do you maintain your infrastructure, how do you maintain your Police Department, your Fire Department without the revenues, and I hope that anybody that decides to sign the petition that they will realize that they are putting themselves in a position to where there may be a cut in the Police, there may be a cut in the Fire Department, there may be cuts in the water maintenance and so forth, so, it can affect them adversely. Mayor Kacir stated to that point, I will take you back one year, and I know Councilman Schroeder is a fireman and he can relate to this as well. We were going over the Fire Department budget and to your point, we had firemen that didn't have SCBA's that gave their life for yours and for mine and we couldn't fund that equipment to put them in that structure, we got that corrected. This Council did that. We had department heads that have sacrificed and worked without equipment and all we have is citizens that complain, why their streets aren't fixed, well it wasn't his fault. It was the policy makers fault for not getting him money that he needed, and the equipment that he needed. We've got our Economic Development Director sitting out in our audience. There were times when I felt that we were our own worst enemy to economic development, because how can we ask you to recruit a new business to this city when our sidewalks are buckling and our curbs are falling off. When you are out there entertaining and recruiting a new business, if that's what our infrastructure looks like on the face, what does the water and wastewater look like? Those items that are first and foremost to me, and I appreciate Councilman Schurig's comments; we are all here to give our opinion. Councilman Schroeder stated the comment was made earlier that some of our staff or employees haven't received a raise, and ever since I was up here, and we have gone over the budget there has always been an increase in the wages at budget time. Every year. Because I'm very powerful for the employees and the staff. There was also a comment about the Fire Fighters not having the apparatus' that they need to do their job and the duration of the time that I have served this wonderful department, which has been over 15 years, I have never been on the incident where I didn't have proper breathing apparatus to go in. I haven't made every fire either, but there is bottle after bottle laid out empty, we have a place to restore them and refill them at the fire station. I know that it's making it

sound like I want to strip the cops of their guns and badges and the firemen of the fire hoses and we want to drive on gravel roads, and I am going to be the bad guy tonight because I am trying to starve the city, but that's not what this is about. Let me ask this, if we go with this and we do have the tax rate and as Mr. Neuse put the citizens might come up and they might say they don't mind the \$2.50 per month increase as the mayor had stated, we want our streets fixed, and we want our sewer lines fixed, that's great, but if they vote against it then what is the rate that we have to set then. The Mayor stated then it would be the rollback rate of \$.2248. Councilman Schroeder stated so then if after the election if it did pass then we would have to make those cuts regardless. Mayor Kacir stated correct, if the \$.3050 was adopted and a rollback election was called, and it failed then we would go back to the rollback rate and at that time those cuts would have to be made. The only other comment on the SCBA's that Chief told me was that they were out of date. You had them but they were not certified. The Mayor asked the Finance Director to speak to the raises so we have clarity before the Council votes. Finance Director, Laura Zella stated that the 15-16 year was the one year that we didn't do increases. I would like to say something about that though. Councilman Schurig asked, how many employees have we lost? Ms. Zella stated we have lost, the last time I calculated which was a month and a half ago; we lost more than 41 full time employees this year. So for this budget that you have adopted, we went from 119 to 106, so out of 106 we lost 41 employees, and I can tell you first had to talking to the majority of them, they left because we cannot compete with the pay that everyone else is paying. You can go to Buc-ee's for \$17/hour. We are starting off the street maintenance people at \$11.50, the parks department at \$11.50, we cannot compete with that. We cannot keep doing the things that are needed for the citizens without employees and we can't have those employees if we can't pay them. Councilman Schurig stated no new businesses are going to come just because we have the lowest taxes in Texas. The Mayor asked for a roll call vote. Councilman Schurig, O'Neal, Blakemore and the Mayor all voted "aye". Councilman Schroeder voted "nay".

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schroeder seconded the motion and the meeting adjourned at 7:08 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CITY COUNCIL MEETING
OCTOBER 11, 2018 MINUTES**

The City Council convened the Council meeting at 6:00 p.m., October 11, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Tommy Schurig, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney- T. Daniel Santee

Staff Present: Barbara Friedrich, Clint Hille, William Ince, Keith Schmidt, Angie Kessler, Laura Zella, Anne Dollery, Tim Crow, Genora Young

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Keith Schauer spoke on behalf of the Come & Take It Committee wanted to thank the City Council and city staff for all of their work for the celebration.

Barbara Friedrich, Mainstreet Administrator informed the City Council that the Randle Rather Building was selected as a finalist for the Texas Downtown Association's best rehabilitation/renovation award.

Keith Schmidt stated that the Fire Department was awarded the Texas Forest 2604 Grant so they will have a \$200k grant coming this way.

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 Councilmember.

The Mayor read the consent items as follows:

1.1 **Minutes** - Approval of the minutes for the Regular Meeting of September 13, 2018; Special Called Meeting of September 24, 2018 & September 26, 2018

1.2 Discuss, Consider & Possible Action Approving **Resolution #2018-101** Authorizing Revival Fitness the permission to close the 400 Block of Smith Street and Hold the Winterfest 5K & Kids 1K on December 1, 2018.

1.3 Discuss, Consider & Possible Action Approving Resolution #2018-102 Authorizing an Appointment to the Gonzales Convention and Visitor's Bureau

The Mayor asked for a motion to approve the consent agenda items. Councilman O'Neal made a motion to approve the consent items. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

REGULAR AGENDA ITEMS

RESOLUTIONS

2.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-103** Amending the City of Gonzales Personnel Policy Manual. Council I would like to ask our HR Representative Angie Kessler to give a highlight of some of the major changes and highlight of some things we have done favorably for our employees. As part of our ongoing HR Audit legal counsel and staff reviewed our current policy manual and made recommendations. The personnel manual in your packet is only a draft and if approved any corrections to formatting will be made prior to distributing to the employees. Some of the amendments to the current policy include: Changing our verbiage to be in compliance with FEMA for inclement weather. In our travel policy we are proposing that employees travelling to the same location carpool in order to save money. Sick and Comp Buyback is not something that we can really budget for without knowing the number of employees that will sell or the number of hours they will sell back. We recommend to replace the buyback with personal leave. I looked back at our 1999 version of the handbook that had personal leave in it and used the same language. Regular, full-time employees who are employed with the city for the full payroll year will qualify for up to three days of personal leave. I will post accrued personal leave to the eligible employees leave record in January each year after I review attendance for the previous year. The number of leave days earned is based on the following schedule:

If you use 0 hours of sick leave	You will receive 24 hours of personal leave
1-16 hours used	16 hours will be received
17-24 hours used	8 hours will be received
If you used More than 24 hours	you won't receive personal days

This will be added in Section 7 if approved.

Currently we can only donate accrued leave to an employee who is on FMLA. We are suggesting to open this leave donation up to any full time employee who has used all accumulated paid leave and who is unable to work for any reasons involving personal or family related issues. Currently our dress code policy is that tattoos should not be visible to the public while an employee is on duty. We are proposing to lift previous administrations no tattoo policy and replace it with no visible tattoos that contain nudity or profanity. Some of the other restrictions that were placed in the dress code included hair color and piercings. Upon your approval we will remove these items from the handbook. Currently employees can appeal any corrective action including termination. We are asking to change the appeal process to where it excludes termination. Section 9.03 is currently our complaint policy. This section has been completely revamped by legal counsel to become a grievance policy with proper procedures and documentation. On call: As I was going through our current handbook I found that when the personnel policies were redone in 2012 the on call policy was inadvertently left out. It was a simple mistake from previous administration and has since been overlooked. What is presented to you is what our current practice is we just need it to be in writing. No changes will be made, we will continue as is if approved. All other changes and new policies to add are what legal counsel suggest we need to have in our handbook to be in compliance with the most current HR laws. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-103** Amending the City of Gonzales Personnel Policy Manual. Councilman O'Neal seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

2.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-104** Authorizing the City Manager to Enter into an Agreement with Gonzales Dog Adoptions. Council this is the same as the previous agreement and in reviewing the set up with both the Gonzales Dog Adoptions and Friends of Gonzales Animal Shelter, Chief concurs that this is the most effective and financially feasible approach to the Gonzales Dog Adoptions and Friends of Gonzales Animal Shelter. It does curtail moneys going this route, having the volunteers and certainly curtail the amount that we would have to invest in the shelter to be state compliant should we go a different direction. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-104** Authorizing the City Manager to Enter into an Agreement with Gonzales Dog Adoptions. Councilman Blakemore seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

2.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-105** Authorizing the City Manager to Enter Into an Agreement with Friends of the Gonzales Animal Shelter. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-105** Authorizing the City Manager to Enter Into an Agreement with Friends of the Gonzales Animal Shelter. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

2.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-106** Approving the City of Gonzales Job Descriptions. Council we have a complete inventory of all of the job descriptions, net to the PD, they are completing theirs, they had some changes they will be providing those for us at the next meeting. Just as overview, additional or changes in, additions to employment positions, we have one part time Librarian position that was moved to full time that was justified and also the job descriptions would include a part time assistant for the EDC. All of the other descriptions are currently in effect at this time. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-106** Approving the City of Gonzales Job Descriptions. Councilman Blakemore seconded the motion. The Mayor called for discussion. Councilman Blakemore stated the part time position for EDC, while I understand at one time this was under consideration due to the number of reports that went into that position including Tourism, Mainstreet and other things that has since been distributed out to other departments or have become their own departments, and in our current state, I just struggle adding more part time positions when we have full time positions that we are trying to fill where we have shortages and we should look at our staff since some things have been evened out to see if clerical support may be available that is currently supporting maybe only one department. I think we should maybe put a freeze on it until we make sure that the employees that we have are properly utilized if that is the case and would request that we do not approve this position at this time. It is in the budget so it can be on another agenda item should that need continue, to see or if we cannot find that availability through other resources that we currently have. Councilman O'Neal stated we are approving the job description, not necessarily the hiring correct, it would then be up to the City Manager whether or not somebody fills that position if you have the position description, doesn't necessarily mean it has to be filled right? City Attorney, Dan Santee stated right, you should have a multitude of job descriptions. You can have positions that are funded and unfunded even in a budget; you can carry positions that are approved positions that are unfunded. This is just the job descriptions. Mayor Kacir asked as far as addressing a freeze on any positions, how would that need to be addressed. City Attorney Santee stated that's a separate agenda item, and if you would like to discuss amendments to your budget that would be on one of the upcoming agenda items, not this one. The Mayor stated that Council would have to request a future agenda item to seek Council's pleasure on

placing a freeze on any new positions. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

ORDINANCES

3.1, Mayor, Connie Kacir read Public Hearing, Discuss, Consider & Possible Action Approving **Ordinance #2018-36** Approving a Budget Amendment to the Operating Budget for the City of Gonzales for the Fiscal Year October 1, 2017 and ending September 30, 2018. Council we have a brief and overview if anyone has any questions for point of clarification. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-36** Approving a Budget Amendment to the Operating Budget for the City of Gonzales for the Fiscal Year October 1, 2017 and ending September 30, 2018. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.2, Mayor, Connie Kacir read Public Hearing, Discuss, Consider & Possible Action Approving **Ordinance #2018-37** Approving a Budget Amendment to the Operating Budget for the City of Gonzales for the Fiscal Year October 1, 2018 and ending September 30, 2019. Again, we have that overview, there are three amendments, our Finance Director did work with our auditor and confirmed the amendments were all done correctly. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-37** Approving a Budget Amendment to the Operating Budget for the City of Gonzales for the Fiscal Year October 1, 2018 and ending September 30, 2019. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.3, Mayor, Connie Kacir read Public Hearing, Discuss, Consider & Possible Action Approving **Ordinance #2018-38** Amending the Code of Ordinances of the City of Gonzales, Texas, Chapter 8, Offenses and Nuisances, Article 8.200, Section 8.204 Exceptions. This ordinance addresses the junked vehicle ordinance and just simply clarifies and aides us in the enforcement and abatement of vehicles in the city limits. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-38** Amending the Code of Ordinances of the City of Gonzales, Texas, Chapter 8, Offenses and Nuisances, Article 8.200, Section 8.204 Exceptions. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

STAFF/BOARD REPORTS

4.1 Financial Report for the Month of September 2018 is available to review.

4.2 City Manager, Tim Patek updated the City Council regarding the Economic Impact Study and Code Enforcement Efforts.

CLOSED SESSION

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

- a. In Re Estate of J. B. Wells litigation

The City Council did not move into closed session.

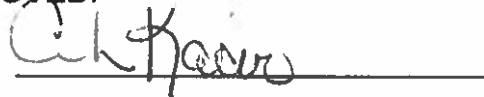
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 6:36 p.m.

A handwritten signature in blue ink, appearing to read "Kristina Vega", written over a horizontal line.

Kristina Vega, City Secretary

APPROVED:

A handwritten signature in blue ink, appearing to read "C. L. Harris", written over a horizontal line.

**CITY OF GONZALES
CITY COUNCIL MEETING
NOVEMBER 8, 2018 MINUTES**

The City Council convened the Council meeting at 6:00 p.m., November 8, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Tommy Schurig, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney- T. Daniel Santee

Staff Present: Angie Kessler, Todd Remschel, Laura Zella, Anne Dollery, Genora Young

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

Clint Lowery, Pastor of Memorial Heights Baptist Church and also sponsor Grace Christian Academy, stated he was very pleased and thanked the City Council and city staff for a crosswalk that was installed for the safety of the children at the academy.

Darren Schauer, GVEC gave the City Council an update on the agreement with GVEC and the City and that it is going very well.

OTHER BUSINESS

1.1 The Mayor swore in Police Officer Maurice Scarbrough

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 Councilmember.

The Mayor asked that items #2.7 and 2.8 be removed from the consent agenda and read the remaining consent items as follows:

2.1 **Minutes** - Approval of the minutes for the Regular Meeting of October 11, 2018

2.2 Discuss, Consider & Possible Action Approving **Resolution #2018-107** Declaring Certain City Property Surplus and Authorizing the Sale of Said Property

2.3 Discuss, Consider & Possible Action on **Resolution #2018-108** Authorizing the Relay for Life/American Cancer Society Permission to close the 400 Block of St. George and the use of Confederate Square including the Parking Lot for the Gonzales County Relay for Life on May 4, 2019

2.4 Discuss, Consider & Possible Action on **Resolution #2018-109** Approving the City of Gonzales 2019 Holiday Schedule

2.5 Discuss, Consider & Possible Action on **Resolution #2018-110** Authorizing the City Manager or his Designee to Execute an Agreement with the United States Department of Justice, Drug Enforcement Administration (DEA)

2.6 Discuss, Consider & Possible Action on **Resolution #2018-111** Approving the 2018 Final Tax Roll for the City of Gonzales

The Mayor asked for a motion to approve the consent agenda items. Councilman O'Neal made a motion to approve the consent items 2.1 through 2.6. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

REGULAR AGENDA ITEMS

2.7, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2018-112** Eliminating the Rental of City Owned Tables and Chairs. I did have several calls on this item requesting that we simply postpone the effective date for a few months to give some of our non-profits ample time to make other arrangements for tables and chairs. The Mayor asked for a motion. Councilman Schroeder made a motion to approve **Resolution #2018-112** Eliminating the Rental of City Owned Tables and Chairs. Councilman Schurig seconded the motion. The Mayor asked if the Council wished to name an effective date in the motion. Councilman Schroeder stated yes that effective date being 11/8/18. The Mayor called for discussion. She stated again that she had several calls that Council would simply postpone the effective date of the City no longer participating in the rental of tables and chairs. Councilman O'Neal asked how long. Mayor Kacir stated three to six months whatever the councils pleasure is. Councilman Blakemore could we discuss at this time declaring this inventory possibly surplus and auctioning off giving the non-profits the ability to get any or all of this inventory. The Mayor stated that she did speak to Mr. Patek about that possibility and spoke to one of the calls that I had and again they just asked if we could postpone for three months. They didn't have a problem with the city getting out of the rental business, I just explained to them that it is not a municipal service and our staff we felt better utilized doing city related functions and not in the chair and table rental business. Councilman O'Neal asked do we not need them. Mayor Kacir stated that staff would have to answer, but there are some that are being retained. City Manager, Tim Patek

stated I believe we have somewhere around 500 chairs that we lend out, tables there are maybe eight 8 foot tables. Councilman Blakemore asked if we needed any of the chairs for any function that the City has. Councilman Schurig stated he would like to postpone the effective date until March. Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "nay". The Mayor asked for another motion. Councilman Blakemore made a motion to approve **Resolution #2018-112** Eliminating the Rental of City Owned Tables and Chairs with an effective date of April 1, 2019. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

2.8, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2018-113** Authorizing the Payment of Longevity Pay for Fiscal Year 2018-2019. Council I did have inquiry in regards to the employee's longevity. Further in the agenda we are asking to postpone the raises and we have the longevity pay and we had the consent agenda. I had placed it on the consent agenda from the standpoint of that I felt that we needed to uphold that. It was approved in the budget, it was a smaller amount and not allow or subject the employees to wait on their longevity pay but being that I had calls in regards to that item I pulled it from the consent agenda. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-113** Authorizing the Payment of Longevity Pay for Fiscal Year 2018-2019. Councilman Schroeder seconded the motion. The Mayor called for discussion. Again, I just state that I feel very confident that that is the right move to make and that our employees do deserve the longevity pay and not subject them to a later point in the budget. Any other comments? There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

RESOLUTIONS

3.7, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-120** Approving the 2019 Insurance Provider for Health, Dental, Vision and Life. We are Bob Farish and Justin Clarke with Frost Insurance and have been your agents for the last four years. We have gone out to bid on all of the products that the Mayor has mentioned. We show Humana as the current carrier with a rate increase of 22.35% that is a result of the negative claims experience that the City has had. You are currently running at 115% medical loss ratio, meaning they have paid out 15% more than you have paid in in premiums. We did go out to bid to the available carriers, United Healthcare, Blue Cross and then there are declinations from AETNA, CIGNA and TML. United Healthcare has come in with what is a very competitive proposal. You will see that we have three different options with United Healthcare; one is very similar to the current plan with the \$250 deductible and a \$3,000 out of pocket, one with a \$500 deductible and one with the \$1,000 deductible. United is also offering

proposals for the dental, if we include dental, vision and life insurance with them they will reduce their rate by 3%. Mayor Kacir stated that if you selected Alternate 2 the increase to the budget would be \$4,073.00. Mr. Farish stated since then we added the life insurance bundle with it, they will reduce the medical another half point, so the number you read was at 2.5%, now we are a 3% reduction off of their rate. United would on their life insurance, the volume would be \$25k up from the current \$10k that an employee has now. There would be a slight increase in the premium for the life insurance but the savings on the medical makes up for that. The Mayor asked how that would affect Alternate 3. Mr. Farish stated instead of 11.4 it is now at 10.83. Mayor Kacir stated Alternate 2 would be an approximate \$4k increase to the budget, and Alternate 3 would be an approximate \$15k decrease to the budget. The major factors would be, what the employee would be out of pocket, what their deductibles would be. Staff put together comparisons of those they felt were in our peer group. We are very low; the average is \$1k out of pocket for the deductible. Mr. Farish we included for your consideration the comparisons of the wellness options. We have the dental, vision and life proposals, the employees pay the cost of the dental and the vision, the City pays the cost of the basic life insurance, the employee has the option to purchase additional. We included the information on the flexible spending account; we would be putting in a new cobra vendor which would be the same as the flexible spending account which is Proficient. Then the Colonial products that the employees would be paying for on their own, there are no city dollars allocated to that. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-120** Approving United Healthcare, Alternate 2 with Bundling as the 2019 Insurance Provider for Health, Dental, Vision and Life. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye." The Mayor added on the record that we have had Frost for five years and that she would like City Staff to go out for RFQ next year for transparency reasons.

3.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-114** Amending the Rental Fees for the JB Wells Park Facilities and Eliminating Special Pricing for Non-Profit Entities. Council in our packet we have our brief and could I ask Anne to come up and give an overview on the due diligence as you compared us with other community centers as far as pricing is concerned. Parks Director, Anne Dollery stated that Victoria Community Center and Seguin Coliseum are the same price for everyone. Refugio gives a 50% discount to 501C3's and schools are not charged since they are a government entity. New Braunfels gives a 20% discount on Monday through Thursday, Friday and Saturday is a 10% discount. Caldwell gives 501C3's and schools a 50% discount. Bee County Community Center said that community non-profit and charitable organizations they have to go to the board in lieu of payment of fees and if approved they get to have it for free. I have talked to some of

the 501C3's just to let them know what might happen and they seem to be okay with it, they know that we have to have money to run the place, and have had opposition from the school. Mayor Kacir stated that with another political subdivision there are occasions where we barter facilities and that needs to be lined out in an interlocal agreement. The Mayor asked for a motion. Councilman Schroeder made a motion to approve **Resolution #2018-114** Amending the Rental Fees for the JB Wells Park Facilities and Eliminating Special Pricing for Non-Profit Entities. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-115** Authorizing the Purchase of a 2018 John Deere 324G Skid Steer and 2018 John Deere Post Auger with 12" Auger Bit for the Street Department in the Amount \$36,864.70. Council we had proposed that in our budget, I did call Mr. Patek and I asked about warranty about this particular piece of equipment, it was not in the information that we were provided in our packet and he did verify the warranty. He did verify that the John Deere did come with the standard warranty and would cover any defects in materials or workmanship on our compact equipment two years after delivery or 2,000 hours. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-115** Authorizing the Purchase of a 2018 John Deere 324G Skid Steer and 2018 John Deere Post Auger with 12" Auger Bit for the Street Department in the Amount \$36,864.70. Councilman Schroeder seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

3.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-116** Approving the Proposed Postponement of funding for General Fund Expenditures. Council in our brief we have a narrative on the items that staff reviewed and had requested that we postpone those items in aggregate of \$407,512.44 until April of 2019 to reassess revenues and expenditures and economic uncertainties. We want to ensure our revenue streams are on point as well as our expenditures before we would approve releasing those funds. Those items include the Edwards Association in the amount of \$7,500, the Senior Citizen Association in the amount of \$7,500 and the Mental Health Advisory in the amount of \$2,640. The 3% merit increase for all full time employees that were budgeted which totaled \$160,249.90 and that included increases for FICA and retirement amounts. The Summer Youth Program was also approved in the budget for this year and totaled \$17,622.54. There was also a \$212,000 project in the Street Department to repair and resurface with HMAC on Fair Street, St. Andrew to St. Louis. If it would be your pleasure to approve these and or substitute other line

items or recommendation, at this time I will call for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-116** Approving the Proposed Postponement of funding for General Fund Expenditures. Councilman Schroeder seconded the motion. The Mayor called for discussion. Councilman Schroeder stated you said we could make substitutions. I would be okay with eliminating all of these with the exception of the 3% merit increase for the full time employees. Can we make that adjustment right now, or is it recommended that we go for the full amount. Mayor Kacir stated well the agenda item was to postpone. City Attorney, Dan Santee stated if I understood his question correctly, yes you can eliminate any of these things to be postponed it would be effective now as it was passed in the budget. Mayor Kacir stated I certainly want to see that all of our full time employees get their raise; the point of this item is that we are simply deferring this list to be reassessed in April due to economic uncertainty. That could be the collection of tax revenues. It could be sales tax revenue. There are numerous other issues, but we are just airing on the side of caution. We completed prior fiscal year with \$100k in the general fund, we completed last fiscal year with \$1.1m in the general fund so we are certainly as a Council, moving forward in the right direction, but there is a volatility as far as our financial condition is concerned, we are still far from the 25% minimum in reserves that gap requires and we won't have that number of course until audit comes in January and gives us our reserves. It appeared at our last Council meeting we were at about 12%, so again it's just to defer those until April and reassess. Councilman Blakemore stated we have volatility we have to worry about; we don't know what the results of the present national election are going to do to the policies. It could affect the price of oil, which is going to affect a lot of other things. I am ok with a postponement that can be addressed later, but I am going to be very opposed to eliminating employee raises because I am tired of the employees bearing the brunt of bad decisions in the past and bad decisions going forward by some people in this town, so as long as we are going to look at this again in April and make some decisions then I can get onboard with this. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

3.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-117** Directing Staff to Postpone Hiring of any Newly Created Part-Time Positions as created within the 2018-2019 Fiscal Year Budget until Further Notice. Council we had reviewed in the brief that there would simply be a freeze put on all part time positions. There has been reorganization within the City and reduction in staff over all. Again, this is asking for a freeze at this time. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-117** Directing Staff to Postpone Hiring of any Newly Created Part-Time Positions as created within the 2018-2019 Fiscal Year Budget until Further Notice effective November 8, 2018. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

3.5, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-118** Approving Changes to the Current Job Descriptions. Council in our last Council meeting we had a few that had not been completed requesting additional time and to work with Attorney Rodriguez on those job descriptions. Those have been completed in your packet with those updates in your packet redlined. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-118** Approving Changes to the Current Job Descriptions as presented. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

3.6, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-119** Authorizing the Renewal of the Municipal Court Judge's Term or Authorizing Staff to Advertise a Request for Qualifications for Said Position. Our brief addressed the agenda item and basically it was proposed as a best practice for transparency and consistent with TML Legal to post at standardized intervals allowing for other qualified or interested parties to seek out the opportunity. The Mayor asked for a motion. Councilman Schroeder made a motion to approve **Resolution #2018-119** Authorizing the Renewal of the Municipal Court Judge's Term for 36 months. Mayor Kacir stated it would be in contradiction with the Government Code. City Attorney, Dan Santee stated that it is a two year term. Your Charter doesn't allow for up to three, which it would be required to have it done by Charter or Ordinance. There was an attempt by your Council to have it done by Resolution one time, but it was ineffective. Councilman Schroeder amended his motion from 36 months to 24 months. Councilman O'Neal seconded the motion. The Mayor asked for any further discussion. Councilman Blakemore stated I don't have any problem with our Municipal Judge, I have a problem that we appoint and never do anything else and then people come up and ask how I do this. So I don't see a problem with going out for a RFQ just to establish a practice going forward instead of an appointment. That is the only thing I ask, if our current Municipal Judge is the only one that applies, there is no harm no foul. If someone else desire to do that then they have that opportunity and I think it's important that we allow that. Mayor Kacir stated I too don't have any issue with the current appointment but I would hope that we would follow TML's Legal advice and again just implement the standardization of going out for RFQ. It wouldn't matter even if we had multiple applicants, that doesn't say that it wouldn't be awarded to the one that is currently holding that position. It would be up to Council to select who they thought was best seated for that appointment. The Mayor asked for a roll call vote. Councilman O'Neal, Schurig, Schroeder all voted "aye." Councilman Blakemore and the Mayor voted "nay." Mayor Kacir asked that the staff that is working with the Charter Review Committee for consideration that we remove that the Municipal Judge has to be a registered voter of the City. City Secretary, Kristina Vega stated we have already concluded our Charter Review Commission. The report will be given to the City Council

next month from what I understand and those will be recommendations from the Charter Review Commission and again as I understand the Council can make other recommendations during that time as well.

ORDINANCES

4.1, Mayor, Connie Kacir read Public Hearing, Discuss, Consider & Possible Action Approving **Ordinance #2018-39** Repealing Ordinance 2016-15 Appointing a Temporary Municipal Judge. In our packet the brief explained that our current appointment is in violation of the Charter. We are being asked that we take action on this issue and again that just segues back to the comment I just made. It would open up that pool of applicants to be broader than only a registered voter. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-39** Repealing Ordinance 2016-15 Appointing a Temporary Municipal Judge. Councilman Blakemore seconded the motion. Councilman Schroeder asked so we are changing the ordinance so for instance Judge Becker was on there but according to our Charter it is a violation. So we are wanting to change the Charter so it will open it up to other people. City Secretary, Kristina Vega added the Temporary Judge was only appointed in an instance where the Presiding Judge was unable to serve. However, they serve the same term of two years, however Government Code 29.007 states that the municipality to appoint one or more temporary judges however the temporary judge must have the same qualifications as the presiding judge, which our Charter states that, that individual must be a registered voter of the City. We don't have to necessarily have to appoint a temporary judge unless the presiding judge requests a temporary judge be appointed if she knows that she is going to be absent. We did that in that particular circumstance but his appointment stayed for two years. City Attorney, Dan Santee stated the other part of that is you need to act before 90 days expires past the end of his term or he is reappointed, but he is not eligible to be reappointed. So Councilman Schroeder to your point yes if this Council makes a recommendation that is placed on the Charter Election next May and it changes that provision then certainly if the pleasure of the Council then you could appoint him anew. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye". Mayor Kacir asked staff to put together comparable as far as compensation for Municipal Judge. I know that we have gone from meeting weekly to twice a month. I don't know how much their positions put in outside of court itself but we need to look at the hours. It appears that the hours have been cut in half so I want to make sure that our compensation is commensurate with the position.

STAFF/BOARD REPORTS

5.1, 5.2, Financial Report for the Month of October 2018 and the Quarterly Investment Report Ending September 30, 2018 is available to review.

5.3 Economic Development Annual Report for Fiscal Year 2017-2018 is also available for review.

5.2 City Manager, Tim Patek updated the City Council on the Economic Impact Analysis report, the storage tanks at the Water Plant, GVEC Contract Services progress and the Hydro Plant Renovations

CLOSED SESSION

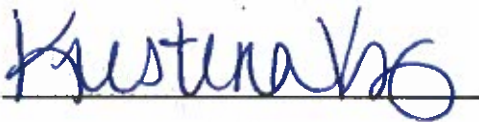
6.1 (1) Pursuant to Sections 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under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

- a. In Re Estate of J. B. Wells litigation

The City Council did not move into closed session.

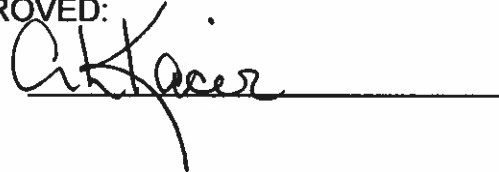
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 7:29 p.m.



Kristina Vega, City Secretary

APPROVED:



**CITY OF GONZALES
CALLED JOINT CITY COUNCIL MEETING AND ECONOMIC DEVELOPMENT
CORPORATION MEETING
DECEMBER 13, 2018 MINUTES**

The City Council convened the Special Called City Council meeting at 4:48 p.m., December 13, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Tommy Schurig, Dan Blakemore and Bobby O'Neal.

The following GEDC members were present constituting a quorum: President Dewey Smith, Gerri Lawing, Dan Blakemore and Larry Wehde.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney- T. Daniel Santee

Staff Present: GEDC President/CEO Genora Young

Mayor Connie Kacir called the meeting to order.

GEDC President Dewey Smith called the meeting to order.

CLOSED SESSION

The City Council and GEDC moved into closed session at 4:48 p.m.

1.1 (1) Pursuant to Section 551.087 of the Texas Government Code, the City of Gonzales will consult in closed session jointly and/or separately to deliberate regarding Economic Development Negotiations; to Deliberate Commercial or Financial Information the City Council and Gonzales Economic Development Corporation has received from a business prospect, and to deliberate the offer of a financial or other incentive to a business prospect.

*Project Elevate

RETURN TO OPEN SESSION

At 7:24 p.m. the Council returned to Open Session.

- 2.1 Project Elevate – Discussion and possible action relating to a preliminary commitment of GEDC funds and/or other financial incentives for the associated creation or retention of primary jobs and capital expenditures.
- 2.2 Project Elevate – Discussion and possible action relating to a preliminary commitment to provide financial incentives from the City of Gonzales under local Government Code Chapter 380 for the associated creation or retention of primary jobs and capital expenditures.

No motions were made resulting from closed session.

ADJOURN

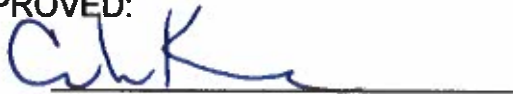
The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 5:47 p.m.

GEDC Board President Dewey Smith asked for a motion to adjourn. Board member Dan Blakemore made a motion to adjourn. Board member Larry Wehde seconded the motion and the meeting adjourned at 5:48 p.m.

A handwritten signature in blue ink, appearing to read 'K Vega', written over a horizontal line.

Kristina Vega, City Secretary

APPROVED:

A handwritten signature in blue ink, appearing to read 'C. K.', written over a horizontal line.

**CITY OF GONZALES
CITY COUNCIL MEETING
DECEMBER 13, 2018 MINUTES**

The City Council convened the Council meeting at 6:01 p.m., December 13, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Tommy Schurig, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney- T. Daniel Santee

Staff Present: Laura Zella, Marland Mercer, William Ince, Anne Dollery, Barbara Friedrich, Clint Hille, Tim Crow, Genora Young, Keith Schauer

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

David Tucs, President of Edwards Association stated that they will once again host the annual Martin Luther King March and Celebration January 18th. The march is scheduled to begin at 10 a.m. beginning at Texas Heroes Square and ending at the Edwards Community Center, and invited all to attend.

Michael Vytjala, requested something be done about the old Cartwheel Lodge building that has been vacant for 10 years. The building is in complete disarray and is covered in overgrown shrubs. Recently a victim of burglary and is requesting that the City tighten up on the requirements for vacant buildings.

Ken Colwell, spoke in favor of the car show coming to town. He works for the EMS and they have an opportunity to raise some money for their non-profit for rescue if the car show makes it. We were able to send some of the volunteers to some classes that were needed with the money that they made the last time that the car show was here and hope that they have the same opportunity again.

Clint Hille, representing the CVB Board, they met on Monday, where 7 of the 8 members were present and unanimously voted to approve the \$17k request from Hat Rod Productions. At a glance this request may seem a bit high, but in retrospect it is actually below similar requests which had been approved for events that would bring in similar attendance or possibly even less. When the Hot funds request was approved the board did set the expectation that the funding in future years would be reduced accordingly to ensure all events in our community that are seeking HOT funds are

treated the same. The reason given for relocating is primarily is to accommodate room for growth. The recommendation was based on the following factors; this is not a new event without a track record, this is a successful event with seven year history which has taken place 30 minutes up the road. It has grown to be the second largest car show in the state.

Janét Jones, Texas Disposal, for the past three years has worked on the car show with Joel Gammage which has been a great success. It has more than doubled since she first worked with it. Wanted to let you know that Texas Disposal is behind him and behind the City of Gonzales and look forward to a degree of sponsorship as well to help it be a successful show this year.

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 Councilmember.

The Mayor asked that items #2.7 and 2.8 be removed from the consent agenda and read the remaining consent items as follows:

1.1 **Minutes** - Approval of the minutes for the Regular Meeting of November 8, 2018

1.2 Discuss, Consider & Possible Action Approving **Resolution #2018-121** Declaring Certain Property Surplus and Authorizing the Sale of Said Property in the manner most advantageous to the City of Gonzales

1.3 Discuss, Consider & Possible Action on **Resolution #2018-122** Authorizing the Gonzales Economic Development Corporation to approve a Loan/Grant Application from Edwards Furniture for a New Roof in an amount not to exceed \$16,000

The Mayor asked for a motion to approve the consent agenda items. Councilman Schurig made a motion to approve the consent items. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

REGULAR AGENDA ITEMS

RESOLUTIONS

2.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-123** Authorizing the City Manager to Execute an Agreement with Joel Aaron Gammage, Hat Rod Productions, LLC for the Street Closures, Consumption of Alcohol on Public Property and the Recommendation for Funding from the Gonzales Convention and Visitor Bureau in the amount of \$17,000 and the in-kind contributions

from the City of Gonzales for the Hot Rods and Hatters on January 31, 2019 through February 3, 2019. Mr. Joel Gammage stated that there has been an overwhelming amount of support and excitement for the potential for this event. He explained the details and history of the event from the years past. Mr. Gammage presented the City Council with a packet and described the increase in revenues from year to year in Hotel Occupancy Tax and Sales Tax Revenues. He further described the logistics of the closures for the downtown area and the breakdown of the in-kind services. Mayor Kacir stated that you do have a packet that was at your seats with revisions there is a revised Car Show agreement, spreadsheet and comparisons in regards to in-kind services as it would relate to the Come & Take It event to this event. Councilman Blakemore stated that it is extremely difficult to put together the logistics of everything with a large event and you have talked about the success of your event at Lockhart and I don't deny that. You didn't outgrow your show this year, but here you are a month before the show asking for this money and I am having trouble being convinced that in the amount of time you have that you can take 1,200 participants and anywhere from 8,500 to 30,000 people and they are going to move 30 miles down the road and this is going to be a huge success. Mr. Gammage stated again that some of the feedback that I have received from some of our participants of the event are very much in favor of being a little closer to their homes. While you might cause an extra 30 miles for some you are actually shortening 30 miles or more for others, so participants are going to frequent I-10, Hwy 183 and other various roadways coming into this event, so the traffic to go a few miles down the road is not so significant that it would eliminate someone's ability to travel. The amount of additional promotion and media that starts through the end of December, traditionally every year, we start our final media push as well as the Month of January, January of every year is when a majority of our Hot Rod participants register. Mayor Kacir stated we are all cognizant that the HOT funds are restricted funds that can only be utilized for the promotion of the hotel industry. Although the Council administers over those funds, we cannot use those funds to fix our streets or copy paper for city hall if we wanted to. It has to go to promotion, so that \$17k that the CVB has approved, that is to further promote the hotel industry and that was their recommendation. On the in-kind services, you had originally proposed \$27,635 in in-kind. Mr. Gammage stated that was actually more specifically, that was not our document that was the City of Lockhart's document that was the projected number in in-kind services that would be provided for our 2019 event. Mayor Kacir stated this was our staff that put values to the in-kind. I would not embrace any dollar amount in-kind that was not already a budgeted item by the City. We have postponed employee raises and infrastructure projects, so it is just a matter of finance as far as our budget is concerned. We discussed that and it appears that you pulled out about \$10k of in-kind services. Our staff did a revision of what that in-kind would look like and I am still showing unbudgeted \$13,916 so what I would try to reconcile first is of the unbudgeted

items, how can we get into better terms there. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-123** Authorizing the City Manager to Execute an Agreement with Joel Aaron Gammage, Hat Rod Productions, LLC for the Street Closures, Consumption of Alcohol on Public Property and the Recommendation for Funding from the Gonzales Convention and Visitor Bureau in the amount of \$17,000 and authorizing the City Manager to negotiate the in-kind contributions from the City of Gonzales for the Hot Rods and Hatters on January 31, 2019 through February 3, 2019. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye."

2.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-124** Authorizing the City Manager to Execute an Agreement with Jay Hilscher DBA Lone Star Relays, LLC. for the Street Closures, Consumption of Alcohol on Public Property and the Recommendation for Funding from the Gonzales Convention and Visitor Bureau in the amount of \$2,500.00 for the Texas Independence Relay on March 29-30, 2019. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-124** Authorizing the City Manager to Execute an Agreement with Jay Hilscher DBA Lone Star Relays, LLC. for the Street Closures, Consumption of Alcohol on Public Property and the Recommendation for Funding from the Gonzales Convention and Visitor Bureau in the amount of \$2,500.00 for the Texas Independence Relay on March 29-30, 2019. Councilman O'Neal seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

2.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-125** Authorizing the City Staff to Seek Competitive Bids/Proposals in the manner most advantageous to the City for Water Meters and Software. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-125** Authorizing the City Staff to Seek Competitive Bids/Proposals in the manner most advantageous to the City for Water Meters and Software. Councilman Blakemore seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

STAFF/BOARD REPORTS

3.1, Financial Report for the Month of November 2018 is available to review.

3.2, City Manager, Tim Patek updated the City Council on the Victoria College roof repair, the storage tanks at the Water Plant and the community meeting on Code

Enforcement.

CLOSED SESSION

At 7:32 p.m. the City Council moved into Closed Session.

4.1 (1) Pursuant to Sections 551.071 (consultation with legal counsel), 551.072 (deliberations about real property), and 551.074 (personnel matters) of the Texas Government Code, the City of Gonzales will meet in closed session to discuss the following matters:

- a. In Re Estate of J. B. Wells litigation
- b. City owned property
- c. City owned Billboard
- d. Evaluation and setting the salary for the Municipal Court Judge

RETURN TO OPEN SESSION

5.1, Discuss and Consider any action resulting from Closed Session as Necessary.

The Mayor asked if there was any motion resulting from Closed Session. Councilman O'Neal made a motion to authorize the City Manager to proceed with the competitive process for sale of city owned property and city owned billboard. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

Mayor Kacir stated that we have the evaluation of our Municipal Court Judge and that has been requested that we hold that in open session per the statute, we will accommodate that. At this time we will open the discussion for setting the salary of Municipal Court Judge currently appointed is Deidra Voigt for a two year term. Deidra I would ask you if you have anything that you would like to address to the Council.

Judge Deidra Voigt addressed the City Council explaining that she was appointed in 2011 to fill an unexpired term of the previous presiding Judge. She further gave details of her educational requirements, experience, qualifications, job duties and average number of hours spent performing Municipal Court job functions. I would ask that the setting of the salary be the same.

Councilman Blakemore expressed his gratitude for Judge Voigt going on record and answering the questions and now if people ask questions then it will be easier to explain what you do, it gives insight in your dedication.

Councilman O'Neal stated he knows that we served on the Council for many years and you always impressed me there and as a Judge as well.

The Mayor asked for a motion on setting the salary of the Municipal Court Judge. Councilman O'Neal made a motion to keep the salary as is at \$1,950.00 per month.

Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

OTHER BUSINESS-WORKSHOP

7.1, City Council will discuss and give staff direction regarding Special Event License Policy and a Street Use License Policy and associated fees.

The Mayor stated this item will be moved to the next agenda.

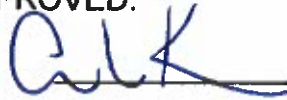
ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 8:29 p.m.

A handwritten signature in blue ink, appearing to be 'KV', written over a horizontal line.

Kristina Vega, City Secretary

APPROVED:

A handwritten signature in blue ink, appearing to be 'ALK', written over a horizontal line.

**CITY OF GONZALES
SPECIAL CALLED COUNCIL MEETING
DECEMBER 27, 2018 MINUTES**

The City Council convened the Special Called City Council meeting at 12:00 p.m., December 27, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Tommy Schurig, Dan Blakemore and Bobby O'Neal.

The following members were absent: Councilman Gary Schroeder

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega

Staff Present: Genora Young

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

SECOND READING

1, Mayor Kacir read Discuss, Consider & Possible Action on the second reading of **Resolution #2018-122** Authorizing the Gonzales Economic Development Corporation to approve a Loan/Grant Application from Edwards Furniture for a New Roof in an amount not to exceed \$16,000. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-122** Authorizing the Gonzales Economic Development Corporation to approve a Loan/Grant Application from Edwards Furniture for a New Roof in an amount not to exceed \$16,000. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig and the Mayor all voted "aye".

OTHER BUSINESS

2, Mayor Kacir read Acknowledging receipt and establishing the deadline for verification for the 2018 Tax Rate Rollback Petition for the City of Gonzales. City Secretary, Kristina Vega stated that December 21st at 2:27 p.m. we received the Rollback Petition. It had to be presented within 90 days to the governing body, which it satisfied that because they presented it on Friday and the deadline was on December 25th. In your motion, if you would, I have counted out and verified with the City Attorney just to be sure, we have to act not later than the 20th day after the date the petition was submitted. I verified that the 10th falls within that time frame, or that is actually the 20th day. We could actually have the resolution with the findings of the petition as well as, if it is found valid then we could go ahead and call the election on the same day, or you all could have a called meeting if you like between now and the 10th. The 10th is our regular meeting. So if you would just state that date as far as the deadline for verification. The

Mayor asked for a motion. Councilman O'Neal made a motion to acknowledge receipt of the 2018 Tax Rollback Petition for the City of Gonzales and establishing the deadline for verification of January 10, 2019. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig and the Mayor all voted "aye".

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Blakemore seconded the motion and the meeting adjourned at 12:06 p.m.



Kristina Vega, City Secretary

APPROVED:

