

**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
MINUTES –AUGUST 13, 2020**

The Regular Meeting of the City Council was held on **August 13, 2020** at 6:00 p.m. via teleconference **pursuant to Section 551.045 of the Texas Government Code and in accordance with the March 16, 2020 order by the Governor of the State of Texas.**

The meeting notice, agenda and agenda packet were posted online at [www.gonzales.texas.gov](http://www.gonzales.texas.gov).

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

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

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

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

**CALL TO ORDER, INVOCATION AND PLEDGE**

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

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

**STAFF PARTICIPATING:**

City Manager Tim Patek, City Attorney Dan Santee, Administrative Services Director/City Secretary Kristi Gilbert, Finance Director Laura Zella, Building Official James Cowey, Interim EDC Director Kim Tucker, Main Street Manager Liz Reiley and Police Chief Tim Crow.

### **CITY EVENTS AND ANNOUNCEMENTS**

- Announcements of upcoming City Events

Mayor Pro Tem Blakemore thanked the Police Chief for the department's job in protecting the citizens during the Juneteenth event.

- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor

The Museum Advisory Board is working on the foundation of the museum and discussed a donation for the cleaning of the museum; however, the cleaning does not meet the requirements of the Texas Historical Commission. The Airport Advisory Board met twice during the month to discuss the Airport Layout Plan, runway lighting and funding. There has been a donation of a service car for the airport. The Gonzales Economic Development Corporation has been working with all the boards and commissions on improvement projects.

- Recognition of actions by City employees
- Recognition of actions by community volunteers

### **HEARING OF RESIDENTS**

The following individuals were present in person and spoke:

James Cowey introduced himself to the City Council as the new Building Official for the City of Gonzales.

David Tacy addressed the Council regarding work on erecting a monument and interpretive panels showing the diversity of the community.

Greg Ramirez introduced the first semi-pro soccer team, Steel Cannons, based out of the City of Gonzales. Mr. Ramirez stated the next phase begins on Monday with the first women's semi-pro soccer time.

Daniel Barrientos, Assistant Coach for the Steel Cannons introduced himself to the City Council and thanked the Council for their support.

Isaac Anzaldua spoke regarding the Steel Cannons soccer team.

Kim Tucker, Interim Economic Development Director, introduced herself and stated she was enjoying the interim work with the city.

Glenda Gordon stated that she was speaking on behalf of Preservation Gonzales, Inc, a 501(c)3 that was formed a few years ago for preservation efforts. Ms. Gordon spoke about grant availability.



Quincy Johnson shared ideas on erecting a monument on the square showing the diversity of the community. Mr. Johnson suggested recognizing Mr. Frank Fryer, Mrs. Clara Fryer and Mr. Jessie Smith which were citizens that educated themselves and many in the Black community during segregation at Edwards High School. Each of the three continued in the education field after desegregation in Gonzales ISD teaching all races.

Payton Moore, a young man starting his freshman year at Gonzales High School, presented historical information on the formation of downtown originally laid out as a Spanish cross and the naming of the square. Mr. Moore stated Jail Square was the original name of the square some locals refer to as Confederate Square and was never officially renamed to Confederate Square. Mr. Moore stated changing the name would not represent the history and requested the city leadership move forward with continuing the historical name of Jail Square.

### **CONSENT AGENDA ITEMS**

- 1.1 **Minutes** - Approval of the minutes for the July 9, 2020 Regular Meeting
- 1.2 Discuss, Consider & Possible Action on **Resolution #2020-70** Authorizing the Designation of Mayor Connie Kacir, City Manager Tim Patek, Finance Director Laura Zella and City Secretary Kristi Gilbert as Authorized Signatories and Removing All Others For All Accounts in the City of Gonzales' Name With All Financial Institutions
- 1.3 Discuss, Consider & Possible Action on **Resolution #2020-71** Declaring Certain City Property Surplus and Authorizing the Sale, Donation or Destruction of Said Property in the manner most advantageous to the City of Gonzales

#### **ACTION: Items 1.1 through 1.3**

#### **APPROVED**

Council Member O'Neal moved to approve the consent agenda as presented. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

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

- 2.1 Discuss, Consider and Conduct the second of two (2) required readings of **Resolution #2020-72** for the approval of a Type B Economic Development Project and Performance Agreement between the Gonzales Economic Development Corporation and Ace Invest, LLC, pursuant to Section 505.158 of the Texas Local Government Code.

#### **ACTION: Items 2.1**

#### **APPROVED**

Mayor Pro Tem Blakemore moved to approve **Resolution #2020-72** approving a Type B Economic Development Project and Performance Agreement between the Gonzales Economic Development Corporation and Ace Invest, LLC, pursuant to Section 505.158 of the Texas Local Government Code. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.2 Discuss, Consider and Possible Action on **Ordinance #2020-15** Authorizing Budget Amendments for the 2019-2020 Fiscal Year.

**ACTION: Items 2.2**

**APPROVED**

Council Member O'Neal moved to approve **Ordinance #2020-15** Authorizing Budget Amendments for the 2019-2020 Fiscal Year. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.3 Discuss, Consider & Possible Action Approving **Resolution #2020-73** Taking a Record Vote on Setting the Preliminary Maximum Ad Valorem Tax Rate for Fiscal Year 2020-2021 and Scheduling a Public Hearing.

**ACTION: Items 2.3**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-73** Taking a Record Vote on Setting the Preliminary Maximum Ad Valorem Tax Rate for Fiscal Year 2020-2021 and Scheduling a Public Hearing as the Voter Approval Tax Rate. Council Member O'Neal seconded the motion.

Council Member O'Neal referenced Mayor Pro Tem Blakemore's statement during the budget work session that we are at the rate from the year 2000 at 34 cents. Council Member Schurig stated that there was work being done in every area of the city.

Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.4 Discuss, Consider & Possible Action on **Resolution #2020-74** Determining that an Area of the City Contains Conditions Which Are Detrimental to the Public Health, Safety and Welfare of the Community and Constitutes a Blighted Area Under the Terms of the TxCDBG Program.

**ACTION: Items 2.4**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2020-74** Determining that an Area of the City Contains Conditions Which Are Detrimental to the Public Health, Safety and Welfare of the Community and Constitutes a Blighted Area Under the Terms of the TxCDBG Program. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.5 Conduct a Public Hearing to Discuss, Consider & Possible Action on **Resolution #2020-75** Authorizing the City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas Department of Agriculture for a grant of up to \$500,000 in TxCDBG Main Street grant funds for Infrastructure Improvements.

Mayor Kacir opened the public hearing at 6:50 p.m. There were no comments. The public hearing was closed at 6:51 p.m.

**ACTION: Items 2.5**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-75** Authorizing the City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas Department of Agriculture for a grant of up to \$500,000 in TxCDBG Main



Street grant funds for Infrastructure Improvements. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.6 Discuss, Consider & Possible Action Approving **Resolution #2020-76** Authorizing the City Manager to Enter into an Agreement for Grant Writing and Administrative Services

**ACTION: Items 2.6**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2020-76** Authorizing the City Manager to Enter into an Agreement for Grant Writing and Administrative Services with JET Development LLC. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.7 Discuss, Consider & Possible Action Approving **Resolution 2020-77** Authorizing the City Manager to Enter into an Agreement for Environmental Services for the CDBG-DR Grant

**ACTION: Items 2.7**

**APPROVED**

Council Member O'Neal moved to approve **Resolution 2020-77** Authorizing the City Manager to Enter into an Agreement for Environmental Services for the CDBG-DR Grant with Terracon in an amount not to exceed \$7,671. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.8 Discuss, Consider & Possible Action on **Resolution #2020-78** Authorizing the City Manager to execute a license agreement with Michael Tuch for an unopened street between Lot No. 9, Range 10 and Lot No. 9, Range 11, East of Water Street, in the Original Outer Town of Gonzales.

**ACTION: Items 2.8**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-78** Authorizing the City Manager to execute a license agreement with Michael Tuch for an unopened street between Lot No. 9, Range 10 and Lot No. 9, Range 11, East of Water Street, in the Original Outer Town of Gonzales. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.9 Discuss, Consider & Possible Action Approving **Resolution #2020-79** Appointing a Citizen Representing District 3 to fill the unexpired term of Robert Ramirez on the Charter Review Commission Empaneled from August 1, 2020 through January 31, 2021 as required by Section 11.11 of the City of Gonzales Charter.

**ACTION: Items 2.9**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2020-79** Appointing Pat Mosher to serve as the Citizen Representing District 3 to fill the unexpired term of Robert Ramirez on the Charter Review Commission Empaneled from August 1, 2020 through January 31, 2021 as required by Section 11.11 of the City of Gonzales Charter. Mayor

Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.10 Discuss, Consider & Possible Action Approving **Resolution #2020-80** Authorizing the Appointment of Two Council Members to the Golden Crescent Regional Planning Commission General Assembly from September 1, 2020 to August 31, 2021.

**ACTION: Items 2.10**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2020-80** Authorizing the Appointment of Mayor Connie Kacir and Council Member Dan Blakemore to the Golden Crescent Regional Planning Commission General Assembly from September 1, 2020 to August 31, 2021. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.11 Discuss, Consider & Possible Action on designating a location(s) for the placement of interpretive panels.

**ACTION: Items 2.11**

**APPROVED**

Mayor Pro Tem Blakemore moved to approve designating the location as presented [see Exhibit "A" to the minutes]. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.12 Discuss, Consider & Possible Action Approving **Resolution #2020-81** Authorizing the City Manager to Execute Addendum Two to the Agreement with Guadalupe Valley Electric Cooperative for Power Supply Consulting Services to Solicit and Evaluate Request for Proposals from Qualified Market Participants.

**ACTION: Items 2.12**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-81** Authorizing the City Manager to Execute Addendum Two to the Agreement with Guadalupe Valley Electric Cooperative for Power Supply Consulting Services to Solicit and Evaluate Request for Proposals from Qualified Market Participants. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: 4-0-1. With Council Member O'Neal abstaining due to active employment with GVEC.

- 2.13 Discuss, Consider and Possible Action Approving **Ordinance #2020-16** Amending the General Election Order for the May 2, 2020 Election Postponed to November 3, 2020.

**ACTION: Items 2.12**

**APPROVED**

Council Member O'Neal moved to approve **Ordinance #2020-16** Amending the General Election Order for the May 2, 2020 Election Postponed to November 3, 2020. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.



## **STAFF/BOARD REPORTS**

- 3.1 Financial Report for the month of July 2020 and the third quarter of Fiscal Year 2019-2020.
- 3.2 City Manager, Tim Patek will update the City Council on the following: Mr. Patek updated the City Council on the district clean-ups with the next one on Saturday, August 22<sup>nd</sup> for District 3 with the next clean-up on September 26<sup>th</sup> in District 2. Mr. Patek updated the Council on the status of amending the zoning regulations with Urban Dynamics which should be completed within the next couple of months with opportunities for public input.

## **CONVENE INTO CLOSED SESSION:**

The Council convened into executive session at 7:25 p.m.

PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

- 4.1 (a) Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:
  1. In Re Estate of J. B. Wells litigation
  2. Patricia Bennett and Gloria Knight v. City of Gonzales, Texas Cause No. 27,500
  3. A Guerra Enterprise LLC D/B/A Holiday Inn Express & Suites Cause No. 27,591
- (b) Pursuant to Section 551.086 of the Texas Government Code, to deliberate, vote or take final action on a competitive matter related to certain public power utilities
  1. Consider matters related to contracts for electric service

## **RETURN TO OPEN SESSION**

Reconvene into Open Meeting at 8:11 p.m.

- 5.1 Discuss and Consider any Action Resulting from Closed Session as Necessary

### **ACTION: Item 5.1**

No Action

## **CITY COUNCIL REQUESTS AND ANNOUNCEMENTS**

- Requests by Mayor and Councilmembers for items on a future City Council agenda
- Announcements by Mayor and Councilmembers
- City and community events attended and to be attended
- Continuing education events attended and to be attended

## ADJOURN

On a motion by Council Member O'Neal and a second by Mayor Pro Tem Blakemore, the meeting was adjourned at 8:13 p.m.

Approved this 10<sup>th</sup> day of September 2020.

  
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Connie Kacir, Mayor

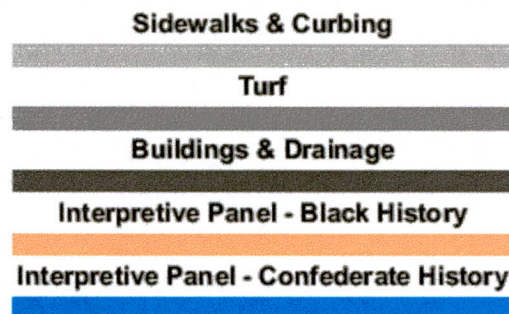
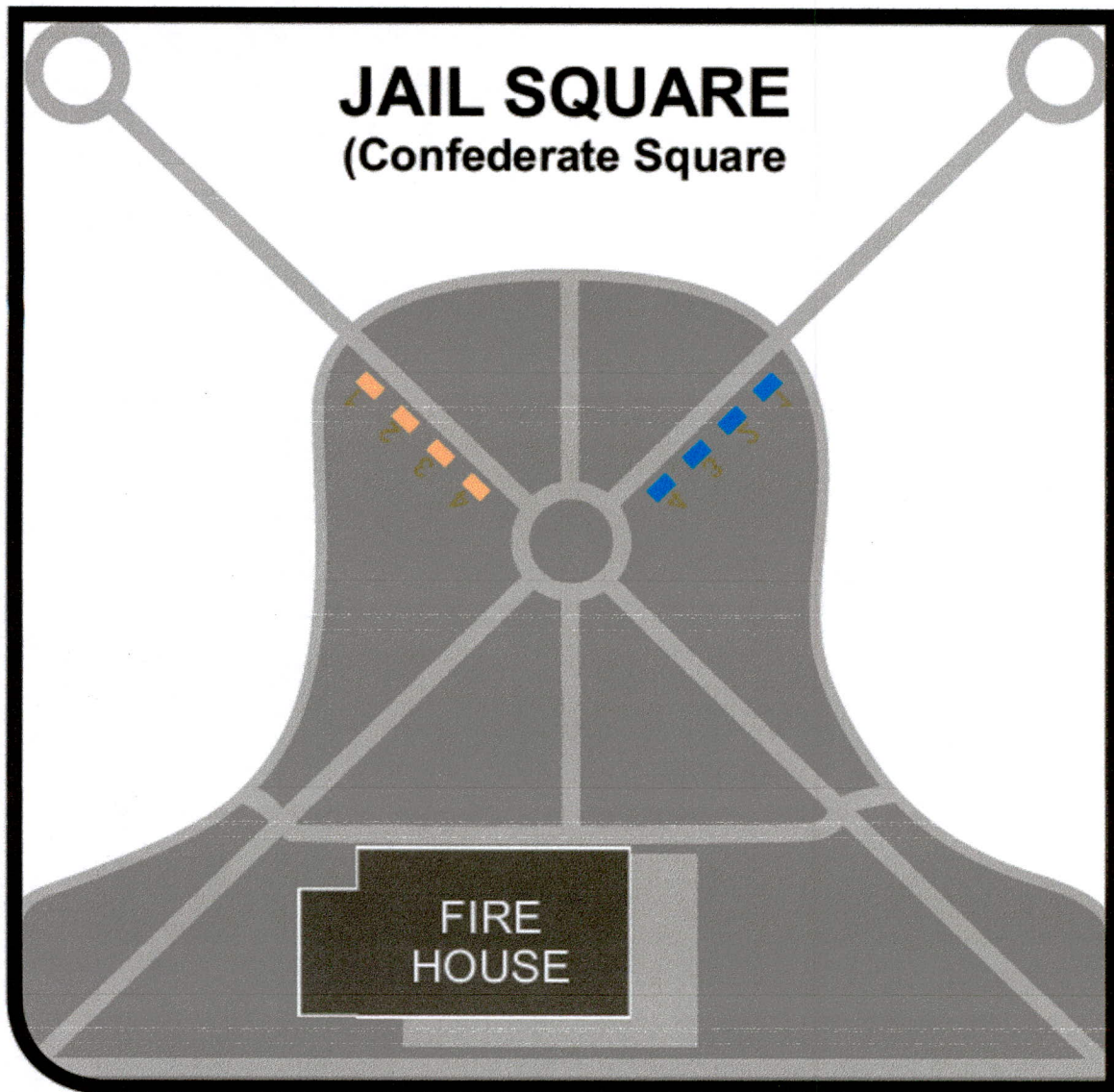
  
\_\_\_\_\_  
Kristi Gilbert, City Secretary

CITY OF GONZALES



COME AND TAKE





Note for Black and White Copy: Black History Panels on left, Confederate History on right  
(indicated by reversed numbers)