

**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
MINUTES –SEPTEMBER 3, 2020**

The Special Meeting of the City Council was held on **August 11, 2020** at 1:00 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 6:06 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, Finance Director Laura Zella, Administrative Services Director/City Secretary Kristi Gilbert, Police Chief Tim Crow, Revenue Services Supervisor Michaela Estrada.

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

### **HEARING OF RESIDENTS**

Steve Hendershot requested the City not increase the taxes by 8% and commented about the Governor's position on COVID and the disaster declaration for the 8%.

Rob Brown commended the Council on all of the infrastructure projects currently underway and made a suggestion to research federal funding and grants. Mr. Brown requested postponing any tax rate increase this year.

### **PUBLIC HEARING**

#### **Citizens are invited to provide public comments on the following matters:**

The City Council of the City of Gonzales has approved a preliminary tax rate of \$0.3511, which exceeds the lower of the no-new revenue or voter-approval tax rate, and that if adopted, would increase the total tax revenues from properties on the tax roll in the preceding tax year by 3.88%.

- 1.1 **Public Hearing** for citizen input regarding the use of City Funds for Fiscal Year beginning October 1, 2020 and ending September 30, 2021. This budget will raise more total property taxes than last year's budget by \$246,843 or 17.78% and of that amount \$8,961 is tax revenue to be raised from new property added to the tax roll this year.

Mayor Kacir opened the hearing to public comment at 6:11 p.m.

Mayor Kacir stated this budget will raise more total property taxes than last year's budget by \$246,843 or 17.78% and of that amount \$8,961 is tax revenue to be raised from new property added to the tax roll this year. The proposed tax rate and budget will be voted on September 10, 2020 at 6:00 p.m. at the Gonzales Municipal Building located at 820 St. Joseph Street, Gonzales, Texas.

No one was signed in to speak.

Mayor Kacir closed the hearing at 6:12 p.m.

### **DISCUSSION**

- 2.1 Presentation, discussion and deliberation on the Proposed Budget for the Fiscal Year Beginning October 1, 2020 and Ending on September 30, 2021, including the 2021 proposed Ad Valorem Tax Rate and Amendments to the Fiscal Year 2019-2020 Budget.

Mayor Kacir stated that all Council Members voted in favor of the preliminary maximum tax rate and stated there were two items that had been discussed to change in the budget including removing the street sweeper and contracting out those services, and adding in improvements to the end of Saint Lawrence to realize \$50,000 in savings to group with other projects to pay for from enterprise funds.

Council Member Schroeder stated he and Mayor Pro Tem Blakemore disagreed on the tax rate at the previous meeting. Council Member Schroeder stated he was requesting that the tax rate be set at 0.2992 based on communications with the citizens that have reached out to him.

Mayor Kacir asked Mr. Schroeder what he proposed to cut to meet the revenue shortfall. Council Member Schroeder stated he did not have suggestions at this time.

Mayor Kacir stated that she understood that this year has been challenging for the residents.

Mayor Pro Tem Blakemore stated that the proposed tax rate is within a penny difference of what the rate was 20 years ago before taxes were cut and damage was done to infrastructure. Mr. Blakemore continued in stating that there has been thought into all of the items in the budget and the City is faced with having to fix problems that had not been addressed in several years.

Council Member O'Neal inquired as to the proposed rates for the county and the hospital. Mr. O'Neal stated he does not like taxes any more than anybody else, however, we have infrastructure and equipment that is run down and there are safety issues that are important to address.

Council Member Schurig stated he had several phone calls within and outside of his district. Mr. Schurig received comments on how the city was operating with such a low tax rate and has received comments on all of the projects that the city has underway.

Mayor Kacir stated the county rate was proposed at 0.3958, the hospital proposed at 0.325 hospital, and the emergency services rate went up slightly. Mayor Kacir stated she had been concerned that firefighters had not been using certified SCBA's in the past, raw sewage in certain areas, and deteriorating electrical infrastructure.

## **ACTION ITEMS**

- 3.1 Discuss, Consider & Possible Action Approving **Resolution #2020-83** Approving the Amendment of the Job Description and Position Classification for the Chief Executive Officer for the Economic Development Corporation to Economic Development Director and Amend Duties.

### **ACTION: Item 3.1**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-83** Approving the Amendment of the Job Description and Position Classification for the Chief Executive Officer for the Economic Development Corporation to Economic Development Director and Amend Duties. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

## **CONVENE INTO CLOSED SESSION:**

The Council convened into executive session at 6:43 p.m.

- 4.1 Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales entered into 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
4. Utility Billing Issues

#### **RETURN TO OPEN SESSION**

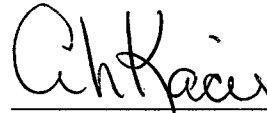
Reconvene into Open Meeting at 8:11 p.m.

- 5.1 Discuss and Consider any Action Resulting from Closed Session as Necessary
- 5.2 Discuss, Consider & Possible Action Approving **Resolution #2020-84** Authorizing the City Manager to execute a Professional Services Agreement for a Utility Rate Study.

#### **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 8<sup>th</sup> day of October 2020.



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Connie Kacir, Mayor

  
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Kristi Gilbert, City Secretary