

**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
MINUTES –NOVEMBER 16, 2020**

A Special Meeting of the City Council was held on November 16, 2020 at 12:00 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 12:00 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	Absent
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 until 1:00pm
Robert R. Brown, Jr.	Newly Elected Council Member, District 4	Seated after canvass

### **STAFF PARTICIPATING:**

City Attorney Dan Santee, Administrative Services Director/City Secretary Kristi Gilbert, Finance Director Laura Zella, Economic Development Director Jennifer Kolbe, JB Wells Park Arena Manager Anne Dollery and Police Chief Tim Crow.

### **CITY EVENTS AND ANNOUNCEMENTS**

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor  
Mayor Kacir commended the Ministerial Alliance and City Departments for the successful Trunk or Treat event. Mayor Kacir also thanked Council Member Blakemore for his service to the city over the past three years.
- Recognition of actions by City employees
- Recognition of actions by community volunteers

### **HEARING OF RESIDENTS**

The following individuals were present in person and spoke:

Jennifer Kolbe, Director of Economic Development, introduced herself to the City Council.

Betty Vaughn, spoke regarding the Gonzales Housing Authority and stated that Donna Pick would be a good representation on the board.

Donna Pick, stated she was a 10 year resident of one of the complexes in the Gonzales Housing Authority and felt she would be a good fit on the Gonzales Housing Authority.

Thomas Enriquez, stated he was a represent of District 4 and stated he was excited to see change in District 4.

### **CONSENT AGENDA ITEMS**

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

- 1.1 Minutes - Approval of the minutes for the following meetings:
  - a. October 8, 2020 Regular Meeting
  - b. October 16, 2020 Special Meeting
- 1.2 Discuss, Consider & Possible Action on **Resolution #2020-109** Approving the Purchase of a 2020 Genie GTH-844 Extended Reach Forklift.
- 1.3 Discuss, Consider & Possible Action on **Resolution #2020-110** Approving the 2020 Final Tax Roll for the City of Gonzales.
- 1.4 Discuss, Consider & Possible Action on **Resolution #2020-111** Authorizing the Payment of Longevity Pay for Fiscal Year 2020-2021.

- 1.5 Discuss, Consider and Possible Action on **Resolution #2020-112** Authorizing the City Manager to execute an agreement with Gonzales County Restoration Association for the Pioneer Village Living History Center.
- 1.6 Discuss, Consider and Possible Action on **Resolution #2020-113** Authorizing the City Manager to execute an agreement with Preservation Gonzales regarding restricted use funds for the Gonzales County Jail Museum.
- 1.7 Discuss, Consider and Possible Action on **Resolution #2020-114** Authorizing the City Manager to execute an agreement with Gonzales Chapter Daughters of the Republic of Texas for the J.B. Wells House Museum.
- 1.8 Discuss, Consider & Possible Action on **Resolution #2020-115** Approving Work Order #67 in the amount of \$100,000 with for Engineering, Surveying and Project Management of the 2021 Water and Wastewater Improvement Projects and Authorizing the City Manager to Execute a Contract.
- 1.9 Discuss, Consider & Possible Action Approving **Resolution #2020-116** Authorizing the City Manager to Execute a Professional Services Agreement with Tank Industry Consultants for Professional Services Associated with the Rehabilitation of Tank No. 1 in an Amount Not to Exceed \$135,000.
- 1.10 Discuss, Consider & Possible Action on **Resolution #2020-117** Authorizing the Use of Downtown Square including the Parking Lot, and Designated Street Closures for the additional day of Friday, December 4<sup>th</sup>, for the Annual Winterfest Celebration.
- 1.11 Discuss, Consider & Possible Action on **Resolution #2020-118** Declaring Certain City Property Surplus and Authorizing the Sale, Donation or Destruction of Said Property in the manner most advantageous to the City of Gonzales.

**ACTION: Items 1.1 and 1.11**

**APPROVED**

Council Member O'Neal moved to approve the consent agenda as presented. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

**RESOLUTIONS, ORDINANCES AND COUNCIL ACTION**

- 2.1 Discuss, Consider & Possible Action on **Resolution #2020-119** Approving the 2021 Insurance Provider for Health, Dental, Vision and Life.

Mayor Kacir reviewed the health insurance information including the higher claims ratio. Justin Clark, Frost Insurance, stated multiple bids had been received in previous years. Mr. Clark stated a competitive bid had been provided by Blue Cross Blue Shield (BCBS) coming in at slightly lower than current rates with United Health Care (UHC). Mr. Clark stated if there was a desire to move, it would be most beneficial to move the entire package to realize the most savings. Mayor Kacir referenced Alternate #6 from the bid documents.

**ACTION: Items 2.1**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2020-119** Approving the 2021 Insurance Provider for Health, Dental, Vision and Life awarding the contract to Blue Cross Blue Shield for plan Alternate #6 [Blue Choice MTBCP014 Plan]. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.2 Discuss, Consider & Possible Action on **Resolution #2020-120** Authorizing Gonzales Main Street, Inc. to add dedicated benches to Texas Hero Square and benches throughout the downtown.

**ACTION: Items 2.2**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-120** Authorizing Gonzales Main Street, Inc. to add dedicated benches to Texas Hero Square and benches throughout the downtown and request that future requests include a design and location. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.3 Discuss, Consider & Possible Action on **Resolution #2020-121** Approving the Recommendation of the Gonzales Convention & Visitor Bureau to Approve Funding for the Design, Fabrication, and Installation of Eight Interpretive Panels, Under the Advisement of Preservation Gonzales, Inc., on the Historic Downtown Square, Not to Exceed the Amount of \$8,610.00.

**ACTION: Items 2.3**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-121** Approving the Recommendation of the Gonzales Convention & Visitor Bureau to Approve Funding for the Design, Fabrication, and Installation of Eight Interpretive Panels, Under the Advisement of Preservation Gonzales, Inc., on the Historic Downtown Square, Not to Exceed the Amount of \$8,610.00. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.4 Discuss, Consider & Possible Action on **Resolution #2020-122** Approving to Contract out Sweep Across Texas to Sweep all City Streets and Consider Frequency Options of Street Sweeping.

Mayor Kacir referenced the staff brief on the two proposals and discussed the budgeted amount of \$40,000.

**ACTION: Items 2.4**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2020-122** Approving to Contract with Sweep Across Texas to Sweep all City Streets for monthly sweeping services. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.5 Discuss, Consider & Possible Action on **Resolution #2020-123** Approving an Airport Courtesy Car Use Policy and Authorizing the Use of a City Owned Vehicle as a Courtesy Car.

**ACTION: Items 2.5**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-123** Approving an Airport Courtesy Car Use Policy and Authorizing the Use of a City Owned Vehicle as a Courtesy Car and ask the Advisory Board to come back with a recommendation for an amount of time for use and radius limitation. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.6 Discuss, Consider & Possible Action Approving **Resolution #2020-124** Authorizing Appointments to the Main Street Advisory Board.

**ACTION: Items 2.5**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2020-124** Authorizing the appointment of Christine Presley to a one-year unexpired term ending September 30, 2021 and Britney Caka to a two-year unexpired term ending September 30, 2022 to the Main Street Advisory Board. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.7 Discuss, Consider & Possible Action on **Resolution #2020-125** Approving Annex K – Public Works and Engineering and Annex P – Hazard Mitigation for the Gonzales Independent School District Hazard Mitigation Plan.

**ACTION: Items 2.7**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-125** Approving Annex K – Public Works and Engineering and Annex P – Hazard Mitigation for the Gonzales Independent School District Hazard Mitigation Plan. Mayor Pro Tem Blakemore seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.8 Discuss, Consider & Possible Action Approving **Ordinance #2020-24** Closing and Abandoning to the abutting property owner, Marilyn Schmidt Portions of an unopened city street (Center Street) generally located east of Moore Street Approximately 150 feet North of St. Lawrence and Authorizing the City Manager to Execute the Real Property Contract.

**ACTION: Items 2.8**

**APPROVED**

Council Member Schurig moved to approve **Ordinance #2020-24** Closing and Abandoning to the abutting property owner, Marilyn Schmidt Portions of an unopened city street (Center Street) generally located east of Moore Street Approximately 150 feet North of St. Lawrence and Authorizing the City Manager to Execute the Real Property Contract for zero additional fees. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

Council notated the applicant had expended \$1,366 for the appraisal and surveying of the property. This expenditure, along with the savings to the City of approximately \$2,500 in survey costs establishes a public purpose to transfer the property at no cost to Ms. Marilyn Schmidt.

- 2.9 Discuss, Consider & Possible Action Approving **Resolution #2020-126** Authorizing an Expenditure by the Gonzales Economic Development Corporation in an Amount Not to Exceed \$45,000.00 for Roof Repairs and Improvement to the Lynn Theater.

**ACTION: Items 2.9**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2020-126** Authorizing an Expenditure by the Gonzales Economic Development Corporation in an Amount Not to Exceed \$45,000.00 for Roof Repairs and Improvement to the Lynn Theater. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.10 Discuss, Consider & Possible Action Approving **Resolution #2020-127** Authorizing an Appointment to the Gonzales Housing Authority.

Mayor Kacir stated she had received a resignation from Dorothy Gossett last week and was recommending the appointment of Donna Pick.

**ACTION: Items 2.10**

**APPROVED**

Mayor Kacir moved to approve **Resolution #2020-127** Authorizing the Appointment of Donna Pick to the Gonzales Housing Authority serving as the resident board member. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.11 Discuss, Consider & Possible Action on **Ordinance #2020-25** on Amendments to the City of Gonzales Code of Ordinances Article 9.500 – Code of Ethics and Conduct for City Officials and Employees.

Mayor Kacir stated Council Member Schroeder was unable to attend the meeting due to a previously scheduled family medical appointment and had asked that the item be tabled to the next regular meeting.

**ACTION: Items 2.11**

**APPROVED**

Council Member Schurig moved to approve **Ordinance #2020-25** Amendments to the City of Gonzales Code of Ordinances Article 9.500 – Code of Ethics and Conduct for City Officials and Employees. Council Member O'Neal seconded the motion.

Council Member O'Neal stated he did not know what the benefit of tabling the item would be since we already have a policy in place.

Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 2.12 Discuss, Consider & Possible Action on **Resolution #2020-128** Authorizing the City Manager to Negotiate Outside Counsel for Edison Electric Institute (EEI) Agreement.

Darren Schauer, GVEC, stated competitive bids have come in and are entering the process of negotiating the terms of the contract. Mr. Schauer recommends Melissa Sykes as she specializes in energy law.

**ACTION: Items 2.12**

**APPROVED**

Council Member Schurig moved to approve **Resolution #2020-128** Authorizing the City Manager to Negotiate Outside Counsel for Edison Electric Institute (EEI) Agreement. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

**STAFF/BOARD REPORTS**

- 3.1 Financial Report for the month of October 2020.

- 3.2 City Manager, Tim Patek will update the City Council on the following:

- Update on District 1 Clean Up
- Rate Study Update
- Country Village/Harrell Addition Update
- Update on Christmas Party

No reports were provided.

**CANVASS ELECTION AND ADMINISTER OATHS**

- 4.1 Discuss, Consider & Possible Action Approving **Resolution #2020-129** Canvassing the Returns and Officially Declaring the Results of the November 3, 2020 City of Gonzales General Election.

**ACTION: Items 4.1**

**APPROVED**

Mayor Pro Blakemore moved to approve **Resolution #2020-129** Canvassing the Returns and Officially Declaring the Results of the November 3, 2020 City of Gonzales General Election with Bobby O'Neal elected in District 3 and Rob Brown elected in District 4. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

Mayor Kacir called a two-minute recess at 1:00 p.m. Mayor Pro Tem Blakemore left the meeting.

The meeting was reconvened at 1:02 p.m.

- 4.2 Issuance of Certificate of Election and Administer Oath of Office for Council Member District #3.

Mayor Kacir issued the Certificate of Election to Bobby O'Neal and administered the Oath of Office.

4.3 Issuance of Certificate of Election and Administer Oath of Office for Council Member District #4.

Mayor Kacir issued the Certificate of Election to Rob Brown. Judge Deidra Voight administered the Statement of Elected Office and Judge Patrick Davis administered the Oath of Office.

Council Member Brown took his seat at the dais.

**CONVENE INTO CLOSED SESSION:**

The Council did not convene into closed session.

**CLOSED SESSION**

5.1(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

**RETURN TO OPEN SESSION**

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

**CITY COUNCIL REQUESTS AND ANNOUNCEMENTS**

- Requests by Mayor and Councilmembers for items on a future City Council agenda
- Announcements by Mayor and Councilmembers


Mayor Kacir requested the Council consider a Public Information Officer, job description and compensation.

- City and community events attended and to be attended
- Continuing education events attended and to be attended

**ADJOURN**

On a motion by Council Member Schurig, the meeting was adjourned at 1:12 p.m.

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

  
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Connie Kacir, Mayor



*Kristi Gilbert*  
Kristi Gilbert, City Secretary

