

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –FEBRUARY 11, 2021**

A Regular Meeting of the City Council was held on **February 11, 2021** 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.

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 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.

Attendee Name	Title	Status
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
Robert R. Brown, Jr.	Council Member, District 4	Present in person

STAFF PARTICIPATING:

City Attorney Dan Santee, City Manager Tim Patek, Finance Director Laura Zella, Parks and Recreation Director Anne Dollery, Tourism Director Ashley Simper, Main Street Manager Liz

Reiley, Building Official James Cowey, City Engineer Keith Schauer 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 commented on the availability of the COVID-19 vaccine.
- Recognition of actions by City employees
Chief Crow presented Officer Marisol Sanchez with a letter of commendation.
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

The following individuals were present in person and spoke:

Executive Director of the Chamber of Commerce Daisy Scheske Freeman spoke in support of item 4.2 regarding the funding from the Gonzales Convention and Visitors Bureau to the Chamber in the amount of \$149,592.05.

Former Gonzales Chamber President Rebekah Morgan also spoke in support of item 4.2 regarding the funding from the Gonzales Convention and Visitors Bureau to the Chamber in the amount of \$149,592.05.

PROCLAMATION

- 1.1 Mayor Kacir read the proclamation for the Golden Crescent Regional Planning Commission-2-1-1 Day.

CONSENT AGENDA ITEMS

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

- 2.1 **Minutes** - Approval of the minutes for the January 14, 2020 regular meeting.
- 2.2 Acknowledging Receipt of the 2020 Annual Racial Profiling Report
- 2.3 Discuss, Consider & Possible Action on **Resolution #2021-09** Declaring Certain City Property Surplus and Authorizing the Sale of Said Property in the manner most advantageous to the City of Gonzales
- 2.4 Discuss, Consider & Possible Action on **Resolution #2021-10** Authorizing the City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Homeland Security Grant Program (HSGP) for up to \$40,000 in HGSP grant funds for a UTV with Emergency Equipment for the Police Department

- 2.5 Discuss, Consider & Possible Action on **Resolution #2021-11** Authorizing the designation of Mayor Connie Lynn Kacir, City Manager Timothy Wayne Patek, Finance Director Laura Leah Zella and City Secretary Kristina Marie Vega as authorized signatories and removing all others for all accounts in the City of Gonzales' name at all financial institutions
- 2.6 Discuss, Consider & Possible Action on **Resolution #2021-12** 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 26-27, 2021

ACTION: Items 2.1 to 2.6 **APPROVED**
 Council Member Schurig moved to approve the consent agenda as presented. Council Member Brown seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

PUBLIC HEARING

- 3.1 Conduct a public hearing and consider approval of **Ordinance #2021-08** Amending the Gonzales Code of Ordinances Chapter 14 Zoning

Note: Individuals will be able to speak during the public hearing via teleconference. Please email citysecretary@gonzales.texas.gov to participate.
 Mayor Kacir opened the hearing to public comment at 6:14 p.m.

No one was signed in to speak.

Bryce Cox of Urban Dynamic briefed the Council on the major changes within the new zoning ordinance and explained that several of the changes were done to be in compliance with state law.

Mayor Kacir closed the hearing to public comment at 6:29 p.m.

ACTION: Item 3.1 **APPROVED**
 Council Member Brown moved to approve **Ordinance #2021-08**. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

RESOLUTIONS

- 4.1 Discuss, Consider & Possible Action on **Resolution #2021-13** Authorizing the City Manager to Execute a License Agreement with the Gonzales Little League

ACTION: Items 4.1 **APPROVED**
 Council Member O'Neal moved to approve **Resolution #2021-13** Authorizing the City Manager to Execute a License Agreement with the Gonzales Little League. Council Member Schroeder seconded the motion.

The Council discussed that they would like to include the request for the little league's financials within the agreement.

Mayor Kacir asked if the Council would like to amend the motion to include that requirement?

Council Member O'Neal moved to amend his motion on **Resolution #2021-13** Authorizing the City Manager to Execute a License Agreement with the Gonzales Little League to include the request for financials to be included in the agreement. Council Member Brown seconded the amendment. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.2 Discuss, Consider & Possible Action on **Resolution #2021-14** Approving the Recommendation from the Gonzales Convention and Visitors Bureau for funding for the Gonzales Chamber of Commerce and Visitor Center in the amount of \$149,592.05

ACTION: Items 4.2

APPROVED

Council Member O'Neal moved to approve **Resolution #2021-14** Approving the Recommendation from the Gonzales Convention and Visitors Bureau for funding for the Gonzales Chamber of Commerce and Visitor Center in the amount of \$149,592.05. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.3 Discuss, Consider & Possible Action on **Resolution #2021-15** Approving the hosting of a public event by the name of Toast to Texas, hosted by the City of Gonzales, and held at Texas Heroes Square on March 2, 2021.

ACTION: Items 4.3

APPROVED

Council Member O'Neal moved to approve Approving **Resolution #2021-15** Approving the hosting of a public event by the name of Toast to Texas, hosted by the City of Gonzales, and held at Texas Heroes Square on March 2, 2021. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ORDINANCES

- 5.1 Discuss, Consider & Possible Action on **Ordinance #2021-09** Amending the Gonzales Code of Ordinances Chapter 10 Subdivision Regulation

Bryce Cox of Urban Dynamic briefed the Council the changes to the subdivision regulations and explained that most of the of the changes were done to be in compliance with state law.

ACTION: Items 5.1

APPROVED

Council Member O'Neal moved to approve Approving **Ordinance #2021-09** Amending The Gonzales Code of Ordinances Chapter 10 Subdivision Regulation. Council Member

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

5.2 Discuss, Consider & Possible Action on **Ordinance #2021-10** Authorizing Budget Amendments for the 2020-2021 Fiscal Year

ACTION: Items 5.2

APPROVED

Council Member Schurig moved to approve Approving **Ordinance #2021-10** Authorizing Budget Amendments for the 2020-2021 Fiscal Year. Council Member O’Neal seconded the motion Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

STAFF/BOARD REPORTS

6.1 Financial Report for the month of January 2021

6.2 City Manager, Tim Patek provided an update to the City Council on the following:

- Brush Truck
- Rate Study
- Electric Meters

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 7:00 p.m.

7.1(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. Existing and future water rights and sources

(b) 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, to wit, existing and future water rights and sources.

RETURN TO OPEN SESSION

The Council convened into open session at 8:03 p.m.

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

ACTION: Items 8.1

APPROVE ENGAGEMENT

Council Member O’Neal moved to retain the services of the Branscomb Law Firm for the purpose of conducting an evaluation and due diligence to the city’s current and future water supply. Council Member Brown seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

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 second by Council Member Schurig, the meeting was adjourned at 8:04 p.m.

Approved this 11th day of March, 2021.



City Secretary



Connie Kacir, Mayor