

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –SEPTEMBER 9, 2021**

The regular meeting of the City Council was held on **September 9, 2021** at 6:00 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at the Gonzales Municipal Building, giving notice of time, date, place, and agenda thereof. The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

CALL TO ORDER, INVOCATION AND PLEDGE

Mayor Kacir called the meeting to order at 6:03 p.m. and a quorum was certified.

Attendee Name	Title	Status
Connie L. Kacir	Mayor	Present in person
Joseph Kridler	Council Member, District 1	Absent
Sherri Koepp	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	Absent

STAFF PARTICIPATING:

Tim Patek-City Manager, Kristina Vega-City Secretary, Liz Reiley-Main Street Manager/Tourism Director, Gary Schurig-Museum Director, Marty Ficken-Golf Course Superintendent, Caroline Helms-Library Director, Ralph Camarillo-Parks Director, James Cowey-Building Official, Billy Rhoades-Building Maintenance Superintendent, Wade Zella - Battalion Chief, Tim Crow-Police Chief, Todd Remschel-Street Director, Keith Schauer-City Engineer, Nick Deleon-Electric Director, Marland Mercer-Wastewater Superintendent, Ryan Wilkerson-Water Superintendent, Laura Zella-Finance Director.

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor-Mayor Kacir honored the life of Sheriff Robert Ynclan
- Recognition of actions by City employees-Chief Crow recognized and paid respect to the accomplishments and life of Sheriff Robert Ynclan
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

John Such spoke regarding all of the improvements that have been done at the Golf Course over the past several years.

Lew Cohn introduced himself as the new publisher at the Gonzales Inquirer.

Jesse Elizondo and Robert Ramirez spoke on behalf of the Ministerial Alliance regarding the upcoming Trunk or Treat event that they sponsor annually.

BUDGET AND TAX RATE ITEMS

- 1.1 Discuss, Consider & Possible Action on **Ordinance #2021-22** Approving the Operating Budget for the City of Gonzales and the Gonzales Economic Development Corporation for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; Renewing the City's Financial Policy, Investment Policy, and Budget Contingency Policy.

ACTION: Items 1.1

APPROVED

Council Member O'Neal moved to approve **Ordinance #2021-22** Approving the Operating Budget for the City of Gonzales and the Gonzales Economic Development Corporation for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; Renewing the City's Financial Policy, Investment Policy, and Budget Contingency Policy. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

- 1.2 Discuss, Consider & Possible Action Approving **Resolution #2021-69** 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 revenues from property taxes than in the previous year.

ACTION: Items 1.2

APPROVED

Council Member Koepp moved to approve **Resolution #2021-69** to ratify that the property tax rate be increased by the adoption of a tax rate of 0.3252, which is effectively a 5.11 percent increase in the tax rate (Percentage by which the proposed tax rate exceeds the No-New Revenue tax rate. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

- 1.3 Discuss, Consider & Possible Action on **Ordinance #2021-23** Approving the 2021 Ad Valorem Tax Rate and Levy of Assessed Valuation of All Taxable Property Within the Corporate Limits of the City of Gonzales, Texas.

ACTION: Items 1.3

APPROVED

Council Member O'Neal moved to approve **Ordinance #2021-23** approving an ad valorem tax rate of \$0.1736 on each \$100 of assessed valuation of taxable property for general city purposes and to pay the current maintenance and operations expenses of the City of Gonzales, for the fiscal year ending September 30, 2022, and to adopt Ordinance No. 2021-23, fixing and levying the same for a total tax of \$0.3252 on each \$100 of assessed valuation. I move that the property tax rate be increased by the adoption of a tax rate of 0.3252, which is effectively a 5.11 percent increase in the tax rate. (Percentage by which the proposed tax rate exceeds the No-New Revenue tax rate); and approving an ad valorem tax rate of \$0.1516 on each \$100 of assessed valuation of taxable property for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid and outstanding indebtedness, and related fees of the City of

Gonzales, for the fiscal year ending September 30, 2022, and to adopt Ordinance No. 2021-23, fixing and levying the same for a total tax of \$0.3252 on each \$100 of assessed valuation. I move that the property tax rate be increased by the adoption of a tax rate of 0.3252, which is effectively a 5.11 percent increase in the tax rate. (Percentage by which the proposed tax rate exceeds the No-New Revenue tax rate). Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

- 1.4 Discuss, Consider & Possible Action on **Resolution #2021-70** Authorizing and Adopting the Investment Policy for the City of Gonzales

ACTION: 1.4

APPROVED

Council Member Koepp moved to approve **Resolution #2021-70** Authorizing and Adopting the Investment Policy for the City of Gonzales. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

- 1.5 Discuss, Consider & Possible Action on **Ordinance #2021-24** Adopting the City of Gonzales Rate and Fee Schedule and for various city services; consolidating those fees for convenience; and amending the City of Gonzales Code of Ordinances

ACTION: Items 1.5

APPROVED

Council Member O'Neal moved to approve **Ordinance #2021-24** Adopting the City of Gonzales Rate and Fee Schedule and for various city services; consolidating those fees for convenience; and amending the City of Gonzales Code of Ordinances. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

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 August 12, 2021 Regular Meeting & September 2, 2021 Special Called Meeting
- 2.2 Discuss, Consider & Possible Action on **Resolution #2021-71** Declaring Certain City Property Surplus and Authorizing the Sale of Said Property in the manner most advantageous to the City of Gonzales
- 2.3 Discuss, Consider & Possible Action on **Resolution #2021-72** Authorizing the City Manager to Enter into an Agreement with United States Department of Justice, Drug Enforcement Administration ("DEA").

- 2.4 Discuss, Consider & Possible Action on **Resolution #2021-73** Authorizing the Use of the Independence Square by the Ministerial Alliance of Gonzales for a Trunk or Treat Event and Authorizing the Closure of Certain Streets.

ACTION: Items 2.1, 2.2, 2.3 and 2.4

APPROVED

Council Member O'Neal moved to approve the consent agenda items 2.1, 2.2, 2.3 and 2.4. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

RESOLUTIONS

- 3.1 Discuss, Consider & Possible Action on **Resolution #2021-74** Authorizing the City Manager to Execute Addendum Four to the Agreement with Guadalupe Valley Electric Cooperative for the Electric Utility Operations, Day-to-Day Maintenance Services, and Meter Data Collection.

ACTION: Items 3.1

APPROVED

Council Member Koepp moved to approve **Resolution #2021-74** Authorizing the City Manager to Execute Addendum Four to the Agreement with Guadalupe Valley Electric Cooperative for the Electric Utility Operations, Day-to-Day Maintenance Services, and Meter Data Collection. Mayor Kacir seconded the motion. Mayor Kacir called for a roll call vote. Council Member O'Neal abstained. The motion passed 2 to 0.

- 3.2 Discuss, Consider & Possible Action on **Resolution #2021-75** Authorizing Amendments to the City of Gonzales Personnel Manual incorporating a Mental Health Leave Policy and Quarantine Leave Policy for emergency personnel

This item will be considered after closed session.

- 3.3 Discuss, Consider & Possible Action on **Resolution #2021-76** Approving a Type B Economic Development Project Funding Agreement Relating to Financing Real Property Interests in J.B. Wells Park for the City of Gonzales, Texas by and between the City of Gonzales, Texas, and the Gonzales Economic Development Corporation, said agreement to be dated, September 15, 2021, and conditioned on the City not being receipt of a petition signed by more than 10% of registered voters by September 14, 2021

ACTION: Items 3.3

APPROVED

Council Member O'Neal moved to approve **Resolution #2021-76** Approving a Type B Economic Development Project Funding Agreement Relating to Financing Real Property Interests in J.B. Wells Park for the City of Gonzales, Texas by and between the City of Gonzales, Texas, and the Gonzales Economic Development Corporation, said agreement to be dated, September 15, 2021, and conditioned on the City not being receipt of a petition signed by more than 10% of registered voters by September 14, 2021. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

- 3.4 Discuss, Consider & Possible Action on **Resolution #2021-77** Approving an Administrative Services Agreement with The Gonzales Economic Development Corporation, A Type B Economic Development Corporation

ACTION: Items 3.4

APPROVED

Council Member Koepp moved to approve **Resolution #2021-77** Approving an Administrative Services Agreement with The Gonzales Economic Development Corporation, A Type B Economic Development Corporation. Council Member O’Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

- 3.5 Discuss, Consider & Possible Action on **Resolution #2021-78** Approving the Gonzales Economic Development Corporation’s Economic Development Lending and Collections Policy

ACTION: Items 3.5

APPROVED

Council Member O’Neal moved to approve **Resolution #2021-78** Approving the Gonzales Economic Development Corporation’s Economic Development Lending and Collections Policy. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

- 3.6 Discuss, Consider & Possible Action on **Resolution #2021-79** Approving an Amendment to Original Agreement Between the Gonzales Economic Development Corporation and Hotel Alcalde, Inc.

ACTION: Items 3.6

APPROVED

Council Member O’Neal moved to approve **Resolution #2021-79** Approving an Amendment to Original Agreement Between the Gonzales Economic Development Corporation and Hotel Alcalde, Inc. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

- 3.7 Discuss, Consider & Possible Action on **Resolution #2021-80** Approving an Amendment to Original Agreement and Amendments Between the Gonzales Economic Development Corporation and Come and Take It Properties, LLC, A Texas Limited Liability Company

ACTION: Items 3.7

APPROVED

Council Member Koepp moved to approve **Resolution #2021-80** Approving an Amendment to Original Agreement and Amendments Between the Gonzales Economic Development Corporation and Come and Take It Properties, LLC, A Texas Limited Liability Company. Council Member O’Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

- 3.8 Discuss, Consider & Possible Action on **Resolution #2021-81** Authorizing the City Manager to Execute a License Agreement with the Gonzales Youth Sports League

ACTION: Items 3.8

APPROVED

Council Member O’Neal moved to approve **Resolution #2021-81** Authorizing the City Manager to Execute a License Agreement with the Gonzales Youth Sports League. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

ORDINANCES

- 4.1 Discuss, Consider & Possible Action on **Ordinance #2021-25** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2020 and Ending September 30, 2021 in the amount of \$345,386.44

ACTION: Items 4.1

APPROVED

Council Member Koepp moved to approve **Ordinance #2021-25** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2020 and Ending September 30, 2021 in the amount of \$345,386.44. Council Member O’Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

STAFF/BOARD REPORTS

- 5.1 Financial Report for the month of August 2021
- 5.2 City Manager, Tim Patek will update the City Council on the following:
- District wide clean-ups
 - Hydro-electric inspection conducted by FERC

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 7:05 p.m.

- (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) state and local authority related to public health and safety decisions including mask mandates and potential vaccination incentives
- B) Opioid settlement funding

- (2) Pursuant to Section 551.087 of the Texas Government Code, the City of Gonzales will consult in closed session (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

A) Project A

RETURN TO OPEN SESSION

The Council convened into open session at 8:06 p.m.

- 3.2 Discuss, Consider & Possible Action on **Resolution #2021-75** Authorizing Amendments to the City of Gonzales Personnel Manual incorporating a Mental Health Leave Policy and Quarantine Leave Policy for emergency personnel

ACTION: Items 3.2

APPROVED

Council Member Koepp moved to approve **Resolution #2021-75** Authorizing Amendments to the City of Gonzales Personnel Manual incorporating a Mental Health Leave Policy and Quarantine Leave Policy for emergency personnel. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 to 0.

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

ACTION: Items 7.1

APPROVED

Council Member Koepp moved to approve the Resolution Joining with the State of Texas and Political Subdivisions of the State as a Party in the Texas Opioid Settlement Agreements secured by the Office of the Attorney General and authorizing the City Manager to execute settlement participation forms. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 3 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 Koepp the meeting was adjourned at 8:08 p.m.

Approved this 14th day of October, 2021.



City Secretary



Connie Kacir, Mayor