

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
AGENDA –JULY 14, 2022 6:00 P.M.**

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor
- Recognition of actions by City employees
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.

All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.

Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

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 June 9, 2022 Regular Meeting, June 21, 2022 Called Meeting, June 28, 2022 Called Meeting and Workshop and June 30, 2022 Workshop
- 1.2 Discuss, Consider & Possible Action on **Resolution #2022-66** Approving an amendment to an Agreement for Professional Services by and between the Gonzales Economic Development Corporation and B&P Clearing, LLC, A Texas Limited Liability Company
- 1.3 Discuss, Consider & Possible Action on **Resolution #2022-67** Approving a Performance Agreement by and between the Gonzales Economic Development Corporation and Gonzales Main Street, Inc., a Texas Non-Profit Corporation, Concerning the Gonzales Butterfly Garden

- 1.4 Discuss, Consider & Possible Action on **Resolution #2022-68** Authorizing the City Manager to submit and accept if awarded an application and associated document to the Economic Development Association for an EDA Grant for a new water tower in the Industrial Park
- 1.5 Discuss, Consider and Possible Action on **Resolution #2022-69** Authorizing Gonzales Main Street's Use of Independence Square including the parking lot and designated street closures and the consumption of alcoholic beverages for the Back to School Bash event on August 6, 2022

OTHER BUSINESS

- 2.1 Public Hearing, Discussion & Possible Action on **Resolution #2022-70** Authorizing the City Manager to Affirm and Adopt Via Resolution Civil Rights Requirements for the Texas Department of Agriculture TxCDBG Downtown Revitalization Grant

RESOLUTIONS

- 3.1 Discuss, Consider and Possible Action on **Resolution #2022-71** Approving the Event, Application for funding to the Come & Take It Committee for the originally budgeted amount of \$10,000.00 and \$15,000.00 in additional funding and Authorizing the City Manager to Negotiate and Execute an Agreement with Gonzales Chamber of Commerce for Funding the In-Kind contributions from the City of Gonzales for the Come and Take It Celebration on September 30, & October 1-2, 2022
- 3.2 Discuss, Consider & Possible Action on **Resolution #2022-72** Authorizing the Appointment to the Golf Course Advisory Board
- 3.3 Discuss, Consider & Possible Action on **Resolution #2022-73** Rejecting all proposals for the Gonzales Memorial Museum Restoration Underground Crawlspace Project and authorizing staff to readvertise the project
- 3.4 Discuss, Consider & Possible Action on **Resolution #2022-74** Rejecting all proposals for the J.B. Wells Park, Arena and Expo Feasibility Study
- 3.5 Discuss, Consider & Possible Action on **Resolution #2022-75** Rejecting all proposals for the J.B. Wells Park, Arena and Expo Professional Marketing Services
- 3.6 Discuss, Consider & Possible Action on **Resolution #2022-76** Authorizing the City Manager to Execute Amendment One to the Agreement with Frontier Access, LLC (Frontier Waste Solutions) for Solid Waste Collection and Disposal Services providing for a Correction of a Mutual Mistake in the Rate Chart in Section 9.B. of the Agreement

ORDINANCES

- 4.1 Discuss, Consider & Possible Action on **Ordinance #2022-12** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2021 and Ending September 30, 2022; \$757,919.98 in expenses and \$591,342 in revenue with an ending general fund balance decrease of \$166,577.98

- 4.2 Public Hearing, Discussion & Possible Action on **Ordinance #2022-13** Amending the Official Zoning Map by Zoning Property Parcel #11782 located at 624 St. James Street from C-1 Light Commercial District to DMU Downtown Mixed Use District
- 4.3 Public Hearing, Discussion & Possible Action on **Ordinance #2022-14** Amending the Official Zoning Map by Zoning Property Parcel #11972 located at 305 St. George Street from C-1 Light Commercial District to DMU Downtown Mixed Use District

STAFF/BOARD REPORTS

- 5.1 Finance Director will provide feedback on any questions regarding:
- Financial Reports for funds as of June 30, 2022
 - Cash & Investment by Fund as of June 30, 2022
- 5.2 City Manager, Tim Patek will update the City Council on the following:
- AR Guerra Holdings, LLC dba Sleep Inn and Suites
 - Timeline on Capital Improvement Projects
 - Recently Completed Projects
 - Projects Currently in Process
 - Upcoming Projects

CLOSED SESSION

- 6.1 (1) Pursuant to Section 551.074 of the Texas Government Code, the City of Gonzales will meet in closed session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

A) City Manager Evaluation

- (2) 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 if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person:

A) Oil and Gas Leases

RETURN TO OPEN SESSION

- 7.1 Discuss, Consider & Possible Action regarding matters discussed in closed session, and/or other actions necessary or recommended related to such discussions in closed session.

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

EXECUTIVE SESSION: The City Council reserves the right to discuss any of the above items in Executive Closed Session if they meet the qualifications in Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, of Chapter 551 of the Government Code of the State of Texas.

I certify that a copy of the July 14, 2022, agenda of items to be considered by the Gonzales City Council was posted on the City Municipal Building bulletin board on the 7th day of July, 2022 at 5:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting. I further certify that the above agenda was removed on _____ day of _____, 2022 at _____ am/pm. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.

Kristina Vega, City Secretary

The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please Contact the City Secretary's office at (830)672-2815 for further information.

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –JUNE 9 , 2022**

The regular meeting of the City Council was held on **June 9, 2022** 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 Pro Tem O’Neal called the meeting to order at 6:00 p.m. and a quorum was certified.

Attendee Name	Title	Status
Connie L. Kacir	Mayor	Present
Joseph Kridler	Council Member, District 1	Absent
Sherri Koepp	Council Member, District 2	Present
Bobby O’Neal	Council Member, District 3, Mayor Pro Tem	Present
Ronda Miller	Council Member, District 4	Present

STAFF PARTICIPATING:

Tim Patek-City Manager, Kristina Vega-City Secretary, Tim Crow-Police Chief, Tiffany Padilla-Main Street Director

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events-Mayor stated that the Summer Concert Series is coming up and will be held every Friday in June, and June 13th will be the dedication of the mural by Ida McGarity
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor-relayed that the Texas Jr. High State Finals went really well
- Recognition of actions by City employees
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

No comments were made.

OTHER BUSINESS

- 1.1 Discuss, Consider & Possible Action regarding the proposal from the Chamber of Commerce and Visitor’s Center for increased funding with discussions to include but are not limited to funding, agreement negotiations and possible functions within said agreement.

The City Council authorized the City Manager, Tim Patek to move forward with the negotiations of an agreement with the Chamber of Commerce for additional funding and Tourism related services.

- 1.2 Discuss, Consider & Possible Action Regarding the Disposition and Potential Sale of Surplus Real Property

The City Council expressed the desire to potential sell parcel ID's 24628 and 24521 and authorized the City Manager to move forward with disposing of said property.

PUBLIC HEARING

- 2.1 The City Council of the City of Gonzales will hold a Public Hearing for Early citizen input regarding the use of City Funds for Fiscal Year Beginning October 1, 2022 and ending September 30, 2023

Mayor Kacir opened the public hearing.

No comments were made.

Mayor Kacir closed the public hearing.

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.

- 3.1 **Minutes** - Approval of the minutes for the May 12, 2022 Regular Meeting & May 16, 2022 Called Meeting
- 3.2 Discuss, Consider & Possible Action on **Resolution #2022-52** Approving an amendment to an Agreement for Professional Services by and between the Gonzales Economic Development Corporation and B&P Clearing, LLC, A Texas Limited Liability Company
- 3.3 Discuss, Consider & Possible Action on **Resolution #2022-53** Approving the Termination of Original Agreement by and Between the GEDC and Storey Jewelers, INC., A Texas Corporation
- 3.4 Discuss, Consider & Possible Action on **Resolution #2022-54** Authorizing the City Manager to Enter into an Agreement for Environmental Services for the CDBG-MIT Grant

ACTION: Items 3.2 through 3.4

APPROVED

Council Member O'Neal moved to approve the consent agenda items 3.2 through 3.4 removing item number 3.1 for separate discussion. Council Member Miller seconded the motion. Mayor Pro Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 3.1 **Minutes** - Approval of the minutes for the May 12, 2022 Regular Meeting & May 16, 2022 Called Meeting

ACTION: Items 3.1**APPROVED**

Council Member O'Neal moved to approve the minutes for May 12, 2022 Regular Meeting and May 16, 2022 Called Meeting with the addition of the names appointed in Resolution 2022-49. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

RESOLUTIONS

- 4.1 Discuss, Consider & Possible Action on **Resolution #2022-55** Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to M&C Fonseca Construction Co., Inc.

This item will be postponed until the June 21, 2022 Called Council meeting.

- 4.2 Discuss, Consider & Possible Action on **Resolution #2022-56** Authorizing the Removal of a board member and Appointment to the Main Street Advisory Board

ACTION: Items 4.2**APPROVED**

Council Member Koepp moved to approve **Resolution #2022-56** Accepting the resignation of Robbie Massey and appointing Michelle Tucker to the Main Street Advisory Board. Council Member Miller seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 4.3 Discuss, Consider & Possible Action on **Resolution #2022-57** Authorizing Gonzales Main Street's use of Independence Square including the parking lot and designated street closures for the Apache Pow-Wow Dance Competition on March 10, 2023

ACTION: Items 4.3**APPROVED**

Council Member O'Neal moved to approve **Resolution #2022-57** Authorizing Gonzales Main Street's use of Independence Square including the parking lot and designated street closures for the Apache Pow-Wow Dance Competition on March 10, 2023. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 4.4 Discuss, Consider & Possible Action on **Resolution #2022-58** Authorizing the Use of the Independence Square and Texas Heroes Square and closure of Certain Streets by Gonzales Main Street, Inc. and the Ministerial Alliance of Gonzales for Happy Fall Y'all and Trunk or Treat Event on Saturday, October 29, 2022

ACTION: Items 4.4**APPROVED**

Council Member Koepp moved to approve **Resolution #2021-58** Authorizing the Use of the Independence Square and Texas Heroes Square and closure of Certain Streets by Gonzales Main Street, Inc. and the Ministerial Alliance of Gonzales for Happy Fall Y'all and Trunk or Treat Event on Saturday, October 29, 2022. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. The motion passed 4 to 0.

ORDINANCES

- 5.1 Discuss, Consider & Possible Action on **Ordinance #2022-9** Appointing Crystal Cedillo, Gonzales County Tax Assessor-Collector, as the Individual to Calculate and Prepare the 2022 No-New Revenue and Voter-Approval Tax Rates for the City of Gonzales

ACTION: Items 5.1

APPROVED

Council Member Koepp moved to approve **Ordinance #2022-9** Appointing Crystal Cedillo, Gonzales County Tax Assessor-Collector, as the Individual to Calculate and Prepare the 2022 No-New Revenue and Voter-Approval Tax Rates for the City of Gonzales. Council Member Miller seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 4 to 0.

- 5.2 Public Hearing, Discussion & Possible Action on **Ordinance #2022-10** Amending the Official Zoning Map by Zoning Property Parcel #11861 located at 525 St. Joseph Street from C-1 Light Commercial District to DMU Downtown Mixed Use District

Mayor Kacir opened the Public Hearing.

No comments were made.

Mayor Kacir closed the Public Hearing.

ACTION: Items 5.2

APPROVED

Council Member Koepp moved to approve **Ordinance #2022-10** Amending the Official Zoning Map by Zoning Property Parcel #11861 located at 525 St. Joseph Street from C-1 Light Commercial District to DMU Downtown Mixed Use District. 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

- 6.1 Finance Director will provide feedback on any questions regarding:
- Financial Reports for funds as of May 31, 2022
 - Cash & Investment by Fund as of May 31, 2022
- 6.2 City Manager, Tim Patek updated the City Council on the following:
- Dam Inspection by FERC
 - Certified Public Manager Program
 - Timeline on Capital Improvement Projects
 - Recently Completed Projects
 - Projects Currently in Process
 - Upcoming Projects

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 7:13 p.m.

CLOSED SESSION

- 7.1 (1) Pursuant to Section 551.074 of the Texas Government Code, the City of Gonzales will meet in closed session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

a) City Manager Evaluation

RETURN TO OPEN SESSION

The Council convened into open session at 7:38 p.m.

- 8.1 Discuss, Consider & Possible Action regarding matters discussed in closed session, and/or other actions necessary or recommended related to such discussions in closed session.

Council member O’Neal moved regarding closed session item 7.1(1) (A) to extend the City Manager’s contract until July 31, 2022. Council member Miller seconded the motion. Mayor Kacir called for a roll call vote. The motion passed 4 to 0.

Council member O’Neal moved regarding closed session item 7.1(2) (B) to reimburse Gonzales Main Street Inc. the late filing penalty. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. The motion passed 4 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 7:41 p.m.

Approved this 14th day of July, 2022.

S.H. Sucher, Mayor

Kristina Vega, City Secretary

**CITY OF GONZALES, TEXAS
CALLED CITY COUNCIL MEETING
MINUTES –JUNE 21, 2022**

The Special Called meeting of the City Council was held on **June 21, 2022** at 4:30 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

Mayor Kacir called the meeting to order at 4:30 p.m. and a quorum was certified.

Attendee Name	Title	Status
Connie L. Kacir	Outgoing Mayor	Present
Steve Sucher	Incoming Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Sherri Koepp	Council Member, District 2	Present
Bobby O’Neal	Council Member, District 3-Mayor Pro Tem	Present
Ronda Miller	Council Member District 4	Present

HEARING OF RESIDENTS

No Public Comments were made.

ACTION ITEMS

- 1.1 Discuss, Consider & Possible Action on **Resolution #2022-59** Canvassing the Returns and Officially declaring the results of the June 14, 2022 City of Gonzales Mayoral Runoff Election

CANDIDATE	Early Voting	Absentee	Election Day	TOTAL VOTES
S.H. “Steve” Sucher	331	32	181	544
Isaac Anzaldua	289	18	186	493
Total Votes Counted	620	50	367	1037

ACTION: Items 1.1

APPROVED

Council Member O’Neal moved to approve **Resolution #2022-59** Canvassing the Returns and Officially declaring the results of the June 14, 2022 City of Gonzales Mayoral Runoff Election. Council Member Miller seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 1.2 Issuance of the Certificate of Election and Swearing in of City of Gonzales Mayor Steve Sucher

Judge Deidra Voigt conducted the Swearing in of Mayor Steve Sucher, followed by Mayor Kacir issuing the Certificate of Election.

- 1.3 Discuss, Consider & Possible Action on **Resolution #2022-60** Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to M&C Fonseca Construction Co., Inc

ACTION: Items 1.3

POSTPONED

Council Member Miller moved to postpone **Resolution #2022-60** Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to M&C Fonseca Construction Co., Inc, and requested staff to re-bid the project. City of Gonzales Mayoral Runoff Election. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: 4. The Mayor did not vote. The motion passed 4 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 Discuss, Consider & Possible Action on **Resolution #2022-61** Approving a termination of original agreement by and between the Gonzales Economic Development Corporation and Arnulfo and Ruth Guerra, D/B/A A. Guerra Enterprise, LLC, A Texas Limited Liability Company
- 2.2 Discuss, Consider & Possible Action on **Resolution #2022-62** Approving a termination of original agreement by and between the Gonzales Economic Development Corporation and Arnulfo And Ruth Guerra, D/B/A Sleep Inn & Suites
- 2.3 Discuss, Consider & Possible Action on **Resolution #2022-63** Authorizing and approving the Gonzales Economic Development Corporation, A Type B Economic Development Corporation and a Texas Non-Profit Corporation, to Execute a Commercial Real Estate Sales Contract and any and all documents necessary to Acquire Block 33, Lot Pt 2, Gonzales Blocks Addition, an addition to the City of Gonzales, Gonzales County, Texas, and Generally Located at 510 Saint Paul Street, Gonzales, Texas

ACTION: Items 2.1 through 2.2

APPROVED

Council Member Koepp moved to approve the consent agenda items 2.1 through 2.2 and removing item 2.3 for separate discussion. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: 4. The Mayor did not vote. The motion passed 4 to 0.

- 2.3 Discuss, Consider & Possible Action on **Resolution #2022-63** Authorizing and approving the Gonzales Economic Development Corporation, A Type B Economic Development Corporation and a Texas Non-Profit Corporation, to Execute a Commercial Real Estate Sales Contract and any and all documents necessary to Acquire Block 33, Lot Pt 2, Gonzales Blocks Addition, an addition to the City of Gonzales, Gonzales County, Texas, and Generally Located at 510 Saint Paul Street, Gonzales, Texas

ACTION: Items 2.3

APPROVED

Council Member Kridler moved to approve **Resolution #2022-63** Authorizing and approving the Gonzales Economic Development Corporation, A Type B Economic Development Corporation and a Texas Non-Profit Corporation, to Execute a Commercial Real Estate Sales Contract and any and all documents necessary to Acquire Block 33, Lot Pt 2, Gonzales Blocks Addition, an addition to the City of Gonzales, Gonzales County, Texas, and Generally Located at 510 Saint Paul Street, Gonzales, Texas. Council Member O'Neal seconded the motion. Mayor Sucher called for a roll call vote. For: 4. The Mayor did not vote. The motion passed 4 to 0.

CLOSED SESSION

The Council convened into closed session at 4:58 p.m.

CLOSED SESSION OF CITY COUNCIL AND GONZALES ECONOMIC DEVELOPMENT CORPORATION. BOTH THE CITY COUNCIL AND GONZALES ECONOMIC DEVELOPMENT CORPORATION MAY MEET JOINTLY AND/OR SEPARATELY IN CLOSED SESSION WITH THEIR RESPECTIVE LEGAL COUNSEL TO DELIBERATE THE FOLLOWING MATTERS

- 3.1 (1) 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 2022-6

RETURN TO OPEN SESSION

The Council convened into open session at 5:50 p.m

- 4.1 Discuss, Consider & Possible Action regarding matters discussed in closed session, and/or other actions necessary or recommended related to such discussions in closed session.

No action was taken.

ADJOURN

On a motion by Council Member O’Neal and second by Council Member Kridler, the meeting was adjourned at 5:51 p.m.

Approved this 14th day of July, 2022.

S.H. Sucher, Mayor

Kristina Vega, City Secretary

**CITY OF GONZALES, TEXAS
CALLED CITY COUNCIL MEETING
MINUTES –JUNE 28, 2022**

The Called Meeting and Workshop of the City Council was held on **June 28, 2022** at 5:00 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

Mayor Sucher called the meeting to order at 5:00 p.m. and a quorum was certified.

Attendee Name	Title	Status
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Sherri Koeppe	Council Member, District 2	Present
Bobby O’Neal	Council Member, District 3-Mayor Pro Tem	Present
Ronda Miller	Council Member District 4	Absent

Mayor Sucher asked that a moment of silence be recognized on behalf of the life of Lt. Colonel Kenneth McGinty.

STAFF PARTICIPATING

Tiffany Hutchinson-Padilla-Main Street Director, Jennifer Kolbe-GEDC Director, Wade Zella-Fire Chief, Billy Rhoades-Building Maintenance Superintendent, Nick DeLeon-Electric Superintendent, Caroline Helms-Library Director, Gary Schurig-Museum Director, Marty Ficken-Golf Course Manager, Ralph Camarillo-Parks & Recreation Director, Amanda Garza-JB Wells Park Area Operations Manager, Tim Patek-City Manager, Laura Zella-Finance Director, Kristina Vega-City Secretary.

HEARING OF RESIDENTS

Billy Bob Low spoke on behalf of the JB Wells Advisory Board and about the improvements that are needed at JB Wells Park in order to continue keeping the Jr. High Rodeo in Gonzales as well as possibly getting the High School Rodeo here.

ACTION

- 1.1 Discuss, Consider & Possible Action on **Resolution #2022-64** Appointing a Mayor Pro Tem for the City of Gonzales

ACTION: Items 1.1

APPROVED

Council Member O’Neal moved to approve **Resolution #2022-64** Appointing Sherri Koeppe as Mayor Pro Tem for the City of Gonzales. Council Member Kridler seconded

the motion. Mayor Sucher called for a roll call vote. For: 3. The Mayor did not vote. The motion passed 3 to 0.

- 1.2 Discuss, Consider & Possible Action on **Resolution #2022-65** Authorizing the City Manager to execute an Interlocal Cooperation Agreement between Gonzales County and the City of Gonzales

ACTION: Items 1.2

APPROVED

Council Member O'Neal moved to approve **Resolution #2022-65** Authorizing the City Manager to execute an Interlocal Cooperation Agreement between Gonzales County and the City of Gonzales. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: 3. The Mayor did not vote. The motion passed 3 to 0.

WORKSHOP

- 2.1 Presentation and discussion regarding Departmental Budget Requests for Fiscal Year Beginning October 1, 2022 Ending September 30, 2023.

The City Council and staff deliberated regarding the proposed budget requests for Fiscal Year Beginning October 1, 2022 Ending September 30, 2023.

ADJOURN

On a motion by Council Member O'Neal and second by Council Member Koepp, the meeting was adjourned at 8:30 p.m.

Approved this 14th day of July, 2022.

S.H. Sucher, Mayor

Kristina Vega, City Secretary

**CITY OF GONZALES, TEXAS
CITY COUNCIL WORKSHOP
MINUTES –JUNE 30, 2022**

The Workshop of the City Council was held on **June 30, 2022** at 5:00 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 5:00 p.m. and a quorum was certified.

Attendee Name	Title	Status
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Sherri Koepp	Council Member, District 2	Present
Bobby O’Neal	Council Member, District 3	Present
Ronda Miller	Council Member, District 4	Absent

STAFF PARTICIPATING:

Tim Crow-Police Chief, Micaela Estrada-Revenue Collections Supervisor, Marland Mercer-Water and Waste Superintendent, Ryan Wilkerson-Water and Wastewater Director, Todd Remschel-Street Director, Tim Patek-City Manager, Laura Zella-Finance Director, Kristina Vega-City Secretary.

CALL TO ORDER

HEARING OF RESIDENTS

No individuals were signed in or present to speak.

WORKSHOP

- 1.1 Presentation and discussion regarding Departmental Budget Requests for Fiscal Year Beginning October 1, 2022 Ending September 30, 2023.

The City Council and staff deliberated regarding the proposed budget requests for Fiscal Year Beginning October 1, 2022 Ending September 30, 2023.

ADJOURN

On a motion by Council Member O’Neal and a second by Council Member Koepp, the meeting was adjourned at 8:11 p.m.

Approved this 14th day of July, 2022.

S.H. Sucher, Mayor

Kristina Vega, City Secretary

BOARD AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2022-66 Approving an Amendment to Agreement for Professional Services By and Between the Gonzales Economic Development Corporation and B&P Clearing, LLC, a Texas Limited Liability Company; and Providing For an Immediate Effective Date

DATE: July 14, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

At its January 24, 2022, meeting, the GEDC unanimously approved awarding a bid to B&P Clearing Services to demolish structures at 2521 Harwood Road. The original bid was for \$29,280.

At its May 23, 2022, meeting the GEDC unanimously approved a change order to B&P Clearing Services for an additional \$5,500.00 to demolish and fill a cistern bringing the bid total to \$34,780.00.

On June 23, 2022, B&P issued a new completion estimate of \$65,380.00 to cover the cost of price increases and additional equipment needed to handle unforeseen concrete buried beneath the home and all other structures that were originally on the property. The final bid estimate including the cistern and hauling off all unforeseen concrete will bring the final bid to \$70,880.00 upon completion of the project. The project completion date is set for no later than July 30, 2022.

POLICY CONSIDERATIONS:

The GEDC is authorized to enter into contracts for Professional Services.

FISCAL IMPACT:

The GEDC will need to pay a total cost of \$70,880.00 upon completion of demolition and hauling off all debris from the 2521 Harwood Rd property. GEDC has funds in the Professional Services line item of the 2021-2022 FY year budget.

ATTACHMENTS:

Original Professional Services Agreement
Original Bid Estimates
New Final Bid Estimate
Cistern Estimate

STAFF RECOMMENDATIONS:

Staff recommends City Council to take action deemed necessary.

RESOLUTION NO. 2022-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING AN AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION AND B&P CLEARING, LLC, A TEXAS LIMITED LIABILITY COMPANY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Gonzales Economic Development Corporation is a Type B economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended (hereinafter referred to as the “GEDC”); and

WHEREAS, the City Council of the City of Gonzales, Texas, desires to approve an Amendment to Agreement for Professional Services by and between the Gonzales Economic Development Corporation and B&P Clearing, LLC, a Texas limited liability company, a copy of which is attached hereto as *Exhibit A* and is incorporated herein for all purposes (hereinafter referred to as the “Agreement”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, THAT:

Section 1. The City Council of the City of Gonzales, Texas, does hereby approve the Amendment to Agreement for Professional Services, a copy of which is attached hereto as *Exhibit A*, and is incorporated herein for all purposes.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

Exhibit A

[Amendment to Agreement for Professional Services]

AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES

This **AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES** (hereinafter referred to as the “First Amendment”) is made and entered into by and between the **GONZALES ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as “GEDC”), and **B&P CLEARING, LLC**, a Texas limited liability company (hereinafter referred to as “B&P Clearing”):

RECITALS:

WHEREAS, on or about March 11, 2022, the GEDC and B&P Clearing entered into the original Agreement for Professional Services (hereinafter referred to as the “Original Agreement”) regarding the clearing and removing certain structures located on land owned by the GEDC; and

WHEREAS, on June 27, 2022, GEDC approved an additional **Five Thousand Five Hundred and No/100 Dollars (\$5,500.00)** for an unknown approximately 20 feet by 12 feet cistern well which needs to be demolished and filled in (hereinafter referred to as the “Additional Project”); and

WHEREAS, GEDC and B&P Clearing now desire to amend Section 5.1 of the Original Agreement to provide a maximum not to exceed amount of **Seventy Thousand Eight Hundred Eighty and No/100 Dollars (\$70,880.00)** which includes the previously approved **Five Thousand Five Hundred and No/100 Dollars (\$5,500.00)** amount.

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the GEDC and B&P Clearing agree as follows:

SECTION 1. FINDINGS INCORPORATED.

The foregoing recitals are hereby incorporated into the body of this First Amendment and shall be considered part of the mutual covenants, consideration and promises that bind the parties.

SECTION 2. AMENDMENT TO ORIGINAL AGREEMENT.

- (a) **Amendment to Original Agreement.** That Section 5.1 of the Original Agreement is hereby amended to read as follows:

“5.1 GEDC shall pay Professional for the services specifically as set forth in *Exhibit A* by payment of a fee not to exceed **Seventy Thousand Eight Hundred Eighty and No/100 Dollars (\$70,880.00)** which includes the previously approved **Five Thousand Five Hundred and No/100 Dollars (\$5,500.00)** amount for the Additional Project.

SECTION 3. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are a part of this First Amendment:

- (a) **Amendments.** This First Amendment constitutes the entire understanding and agreement of the parties as to the matters set forth in this First Amendment. No alteration of or amendment to this First Amendment shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- (b) **Applicable Law and Venue.** This First Amendment shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Gonzales County, Texas. Venue for any action arising under this First Amendment shall lie in the state district courts of Gonzales County, Texas.
- (c) **Assignment.** This First Amendment may not be assigned without the express written consent of the other party.
- (d) **Binding Obligation.** This First Amendment shall become a binding obligation on the signatories upon execution by all signatories hereto. GEDC warrants and represents that the individual executing this First Amendment on behalf of the GEDC has full authority to execute this First Amendment and bind the GEDC to the same. B&P Clearing warrants and represents that the individual executing this First Amendment on B&P Clearing's behalf has full authority to execute this First Amendment and bind it to the same.
- (e) **Caption Headings.** Caption headings in this First Amendment are for convenience purposes only and are not to be used to interpret or define the provisions of the First Amendment.
- (f) **Counterparts.** This First Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.
- (g) **Effective Date.** The effective date (the "Effective Date") of this First Amendment shall be the date of the latter to execute this First Amendment by and between the GEDC and B&P Clearing.
- (h) **Original Agreement and any Amendments.** All of the terms, conditions, and obligations of the Original Agreement, and any amendments remain in full force and effect except where specifically modified by this First Amendment.
- (i) **Severability.** The provisions of this First Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this First Amendment is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation have the force and effect of the law, the remaining portions of the First Amendment shall be enforced as if the invalid provision had never been included.
- (j) **Time is of the Essence.** Time is of the essence in the performance of this First Amendment.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed.

GEDC:

**GONZALES ECONOMIC
DEVELOPMENT CORPORATION,**
a Texas non-profit corporation

By: _____
Andy Rodriguez, President
Date Signed: _____

B&P CLEARING:

B&P CLEARING, LLC,
A Texas limited liability company

By: _____
Name: _____
Title: _____
Date: _____

BOARD AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2022-67 Approving a Performance Agreement by and between the Gonzales Economic Development Corporation and Gonzales Main Street, Inc., a Texas Non-Profit Corporation, Concerning the Gonzales Butterfly Garden; and Providing for an Immediate Effective Date.

DATE: July 14, 2022

RESOLUTION TYPE:

Resolution

BACKGROUND:

On Friday May 13th, 2022, the GEDC received a request for funds from Main Street regarding a Beautification Project-The Gonzales Butterfly Garden. The Butterfly Garden was planted in February 2012 after a City Council Resolution was passed. The Butterfly Garden is located at the corner of St. Louis and St. Paul Street and falls in the Historic Gonzales Main Street District. The property has fallen to Gonzales Main Street, Inc for restoration, beautification, and ongoing upkeep. The Gonzales Main Street District is currently in need of funding for the initial restoration of this project.

POLICY CONSIDERATIONS:

Sec. 505.152. PROJECTS RELATED TO RECREATIONAL OR COMMUNITY FACILITIES. For purposes of this chapter, "project" includes land, buildings, equipment, facilities, and improvements found by the board of directors to be required or suitable for use for professional and amateur sports, including children's sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of the items described by this section.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

FISCAL IMPACT:

Asking for \$25,000 which is in this year's budget. The ongoing sustainability of the Butterfly Garden is critical to its success. Main Street will request funds in their City Budget to cover the cost of hiring a third-party landscaping company to perform the ongoing maintenance and upkeep of the Butterfly Garden. Main Street believes that having a professional landscaper who is familiar with the delicate nature of the plants will provide the best possible outcome for its sustainability.

ATTACHMENTS:

Main Street Butterfly Garden Project Overview
EDC Funding Request Documentation Checklist

Quote from Alpha 1 Construction Services
Quote from Maldonado Landscape & Irrigation, LTD
Quote from GLZ Lawn/Con Services, LLC

STAFF RECOMMENDATIONS:

Staff respectfully requests action deemed appropriate.

RESOLUTION NO. 2022-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING A PERFORMANCE AGREEMENT BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION AND GONZALES MAIN STREET, INC., A TEXAS NON-PROFIT CORPORATION, CONCERNING THE GONZALES BUTTERFLY GARDEN; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Gonzales Economic Development Corporation is a Type B economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended (hereinafter referred to as the “GEDC”); and

WHEREAS, the City Council of the City of Gonzales, Texas, desires to approve a Performance Agreement by and between the Gonzales Economic Development Corporation and the Gonzales Main Street, Inc., a Texas non-profit corporation, concerning the Gonzales Butterfly Garden, a copy of which is attached hereto as ***Exhibit A*** and is incorporated herein for all purposes (hereinafter referred to as the “Agreement”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, THAT:

Section 1. The City Council of the City of Gonzales, Texas, does hereby approve the Performance Agreement, a copy of which is attached hereto as ***Exhibit A***, and is incorporated herein for all purposes.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

Exhibit A

[Performance Agreement]

PERFORMANCE AGREEMENT

This **PERFORMANCE AGREEMENT** by and between the **GONZALES MAIN STREET, INC.**, a Texas non-profit corporation (hereinafter referred to as “Main Street”), and the **GONZALES ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as the “GEDC”), is made and executed on the following recitals, terms and conditions.

WHEREAS, GEDC is a Type B economic development corporation operating pursuant to Chapter 505 of the Texas Local Government Code, as amended (also referred to as the “Act”), and the Texas Non-Profit Corporation Act, as codified in the Texas Business Organizations Code, as amended; and

WHEREAS, Section 505.152 of the Texas Local Government Code, in pertinent part, defines the term “project” to mean “land, buildings, equipment, facilities, and improvements found by the board of directors to be required or suitable for use for professional and amateur sports, including children’s sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of the items described by this section”; and

WHEREAS, Main Street has applied to the GEDC for financial assistance necessary to fund improvements to the Gonzales Butterfly Garden generally located at 309 St. Paul Street, City of Gonzales, Texas; and

WHEREAS, the GEDC’s Board of Directors have determined the financial assistance to be provided to Main Street pursuant to this Agreement is consistent and meets the definition of “project” as that term is defined in Section 505.152 of the Texas Local Government Code; and the definition of “cost” as that term is defined by Section 501.152 of the Texas Local Government Code; and

WHEREAS, Main Street agrees and understands that Section 501.073(a) of the Texas Local Government Code requires the City Council of the City of Gonzales, Texas, to approve all programs and expenditures of the GEDC, and accordingly this Agreement is not effective until City Council has approved this project at a City Council meeting called and held for that purpose.

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the GEDC and Main Street agree as follows:

SECTION 1. FINDINGS INCORPORATED.

The foregoing recitals are hereby incorporated into the body of this Agreement and shall

be considered part of the mutual covenants, consideration and promises that bind the parties.

SECTION 2. TERM.

This Agreement shall be effective as of the Effective Date, and shall continue thereafter until **September 30, 2023**, unless terminated sooner under the provisions hereof.

SECTION 3. DEFINITIONS.

The following words shall have the following meanings when used in this Agreement.

- (a) **Act.** The word “Act” means Chapters 501 to 505 of the Texas Local Government Code, as amended.
- (b) **Agreement.** The word “Agreement” means this Performance Agreement, together with all exhibits and schedules attached to this Performance Agreement from time to time, if any.
- (c) **City.** The word “City” means the City of Gonzales, Texas, a Texas home-rule municipality, whose address for the purposes of this Agreement is 820 N. St. Joseph Street, Gonzales, Texas 78629.
- (d) **Effective Date.** The words “Effective Date” mean the date of the latter to execute this Agreement by and between Main Street and GEDC.
- (e) **Event of Default.** The words “Event of Default” mean and include any of the Events of Default set forth below in the section entitled “Events of Default.”
- (f) **GEDC.** The term “GEDC” means the Gonzales Economic Development Corporation, a Texas non-profit corporation, its successors and assigns, whose corporate address for the purposes of this Agreement is 820 N. St. Joseph Street, Gonzales, Texas 78629.
- (g) **Gonzales Butterfly Garden.** The words “Gonzales Butterfly Garden” mean the Gonzales Butterfly Garden generally located at 309 St. Paul Street, City of Gonzales, Texas.
- (h) **Main Street.** The words “Main Street” mean the Gonzales Main Street, Inc., a Texas non-profit corporation, its successors and assigns, whose address for the purposes of this Agreement is 820 N. St. Joseph Street, Gonzales, Texas 78629.
- (i) **Qualified Expenditures.** The words “Qualified Expenditures” mean those expenditures consisting of improvements and landscaping made to the Gonzales Butterfly Garden generally located at 309 St. Paul Street, City of Gonzales, Texas, and those expenses which otherwise meet the definition of “project” as that term is defined by Section 505.152 of the Act, and the definition of “cost” as that term is defined by Section 501.152 of the Act.
- (j) **Term.** The word “Term” means the term of this Agreement as specified in Section 2 of this Agreement.

SECTION 4. AFFIRMATIVE COVENANTS OF MAIN STREET.

Main Street covenants and agrees with the GEDC that while this Agreement is in effect, it shall comply with the following terms and conditions:

- (a) **Qualified Expenditures to Gonzales Butterfly Garden.** Main Street covenants and agrees to commence construction of the Qualified Expenditures by **August 1, 2022**. Main Street covenants and agrees to complete construction of the Qualified Expenditures by **November 1, 2022**. Further, Main Street covenants and agrees to submit to the GEDC invoices, receipts, or other documentation in a form acceptable to the GEDC for the Qualified Expenditures made to the Property in a minimum amount of **Twenty-Five Thousand Eight Hundred Fifty-Four and No/100 Dollars (\$25,854.00)** by **December 31, 2022**.
- (b) **Keep Open Gonzales Butterfly Garden.** Main Street covenants and agrees to keep open to the general public during normal operating hours during the Term of this Agreement the Gonzales Butterfly Garden.
- (c) **Maintenance and Operating Costs.** Main Street covenants and agrees to include within their annual budget as approved by City Council of the City funding for maintenance of the Gonzales Butterfly Garden.
- (d) **Performance.** Main Street covenants and agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between Main Street and GEDC.

SECTION 5. AFFIRMATIVE OBLIGATIONS OF GEDC.

GEDC covenants and agrees with Main Street that while this Agreement is in effect, it shall comply with the following terms and conditions:

- (a) **Financial Assistance by GEDC.** GEDC covenants and agrees to provide funding to Main Street in an amount not to exceed **Twenty-Five Thousand and No/100 Dollars (\$25,000.00)** within thirty (30) days of receipt of invoices, receipts, or other documentation in accordance with Section 4(a) of this Agreement.
- (b) **Performance.** GEDC covenants and agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between GEDC and Main Street.

SECTION 6. CESSATION OF ADVANCES.

If GEDC has made any commitment to make any advance of funding to Main Street whether under this Agreement or under any other agreement, GEDC shall have no obligation to advance or disburse any financial assistance if: (i) Main Street becomes insolvent, files a petition in bankruptcy or similar proceedings, or is adjudged bankrupt; or (ii) an Event of Default occurs.

SECTION 7. EVENTS OF DEFAULT.

Each of the following shall constitute an Event of Default under this Agreement:

- (a) **General Event of Default.** Failure of Main Street or GEDC to comply with or to perform any other term, obligation, covenant or condition contained in this Agreement, or failure of Main Street or GEDC to comply with or to perform any other term, obligation, covenant or condition contained in any other agreement by and between Main Street and GEDC is an Event of Default.
- (b) **Insolvency.** Main Street's insolvency, appointment of receiver for any part of Main Street's property, any assignment for the benefit of creditors of Main Street, any type of creditor workout for Main Street or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Main Street is an Event of Default.
- (c) **Other Defaults.** Failure of Main Street to comply with or to perform any other term, obligation, covenant or condition contained in this Agreement, or failure of Main Street to comply with or to perform any other term, obligation, covenant or condition contained in any other agreement by and between GEDC and Main Street is an Event of Default.

SECTION 8. EFFECT OF AN EVENT OF DEFAULT.

In the event of default under Section 7 of this Agreement, the non-defaulting party shall give written notice to the other party of any default, and the defaulting party shall have thirty (30) days to cure said default. Should said default remain uncured as of the last day of the applicable cure period, and the non-defaulting party is not otherwise in default, the non-defaulting party shall have the right to immediately terminate this Agreement, enforce specific performance as appropriate, or maintain a cause of action for damages caused by the event(s) of default.

SECTION 9. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are a part of this Agreement:

- (a) **Amendments.** This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- (b) **Applicable Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Gonzales County, Texas. Venue for any action arising under this Agreement shall lie in the state district courts of Gonzales County, Texas.
- (c) **Assignment.** This Agreement may not be assigned without the express written consent of the other party.

- (d) **Binding Obligation.** This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. Main Street warrants and represents that the individual or individuals executing this Agreement on behalf of Main Street has full authority to execute this Agreement and bind Main Street to the same. GEDC warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind it to the same.
- (e) **Caption Headings.** Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.
- (f) **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.
- (g) **Notices.** Any notice or other communication required or permitted by this Agreement (hereinafter referred to as the "Notice") is effective when in writing and (i) personally delivered either by facsimile (with electronic information and a mailed copy to follow) or by hand or (ii) three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified with return receipt requested, and addressed as follows:
- | | |
|--------------------|--|
| if to Main Street: | Gonzales Main Street, Inc.
820 N. St. Joseph Street
Gonzales, Texas 78629
Attn: _____
Telephone: _____ |
| if to GEDC: | Gonzales Economic Development Corporation
820 N. St. Joseph Street
Gonzales, Texas 78629
Attn: Jennifer Kolbe,
Economic Development Director
Telephone: (830) 672-2815, Ext. 1600 |
- (h) **Severability.** If a court of competent jurisdiction finds any provision of this Agreement to be invalid or unenforceable as to any person or circumstance, such finding shall not render that provision invalid or unenforceable as to any other persons or circumstances. If feasible, any such offending provision shall be deemed to be modified to be within the limits of enforceability or validity; however, if the offending provision cannot be so modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.
- (i) **Time is of the Essence.** Time is of the essence in the performance of this Agreement.

[The Remainder of this Page Intentionally Left Blank]

MAIN STREET ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS PERFORMANCE AGREEMENT, AND MAIN STREET AGREES TO ITS TERMS. THIS PERFORMANCE AGREEMENT IS EFFECTIVE AS OF THE EFFECTIVE DATE AS DEFINED HEREIN.

GEDC:

***GONZALES ECONOMIC
DEVELOPMENT CORPORATION,***
a Texas non-profit corporation

By: _____
Andy Rodriguez, President
Date Signed: _____

MAIN STREET:

GONZALES MAIN STREET, INC.,
a Texas non-profit corporation,

By: _____
Name: _____
Title: _____
Date Signed: _____

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2022-68 Authorizing the City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Economic Development Administration for a \$350,000 grant for Engineering and Design Services Related to the Construction of a Water Tower for the Industrial Park

DATE: July 14, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The City of Gonzales would like to apply for grant funding to the Economic Development Administration (EDA). Economic Development Assistance grants are designed to leverage existing government assets. Funding is sought to complete planning and design services for a water tower to be located contiguous to the City of Gonzales Industrial Park.

POLICY CONSIDERATIONS:

This is consistent with current policy.

FISCAL IMPACT:

The Economic Development Administration grant requires a minimum 20% match.

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this Resolution and associated documents.

RESOLUTION NO. 2022-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT FROM THE ECONOMIC DEVELOPMENT ADMINISTRATION IN AN AMOUNT OF UP TO \$350,000 FOR ENGINEERING AND DESIGN SERVICES FOR A WATER STORAGE TOWER IN THE CITY OF GONZALES INDUSTRIAL PARK AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City supports the acceptance of application for and acceptance of an Economic Development Administration (EDA) grant for the engineering and design of a water tower in the City of Gonzales Industrial Park; and,

WHEREAS, the City will follow all requirements governing implementation and administration of EDA grant funding; and

WHEREAS, the City certifies that the funds will support economic development, foster job creation and attract private investment to distressed areas of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales, Texas hereby authorizes the City Manager to apply for and accept if awarded, Economic Development Assistance grant funding from the Economic Development Administration (EDA) for the planning and design of a water tower in the City's Industrial Park.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject

matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2022-69 Authorizing Gonzales Main Street's Use of Independence Square including the Parking Lot, Designated Street Closures, and Consumption of Alcoholic Beverages for the Back to School Bash Event on August 6, 2022

DATE: July 14, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Gonzales Main Street, Inc. has discussed during their advisory board meetings the need to increase events in the downtown area and would like permission to hold a Back to School Bash event on the Independence Square. They would like to hold this event on Saturday, August 6, 2022. They are requesting the use of Independence Square including the parking lot on St. Joseph, St. Paul, and St George Streets, closure of St George Street from St. Joseph Street to St. Paul Street and sale and consumption of alcoholic beverages on August 6, 2022. They intend to block off the Independence Square at 12:00 P.M. on August 6, 2022 and will remove barricades by 10:30 P.M. The event will be from 5:00 P.M. until 10:00 P.M. Times are subject to minor change based on the need and as planning continues. If substantial changes are needed an updated event sheet will be presented to City Council for consideration. The board wished for City Council's permission before donations for the event were solicited.

POLICY CONSIDERATIONS:

The approval of these events will permit the consumption of alcohol on public property belonging to the City as authorized by Section 8.602 of the City of Gonzales Code of Ordinances.

FISCAL IMPACT:

The total fiscal impact is unknown at this time, however Gonzales Main Street, Inc. will solicit donations for promotion of the event and to cover costs. The fiscal impact for the City would include the cost for the Street Department staff to move the barricades to the square where the Main Street Advisory Board will be responsible for placing them at the correct locations for the closures (1 hr x \$25.00/hr. x 2 employees=\$50.00), and the cost for the Electric Department to check the electricity to ensure that the vendors have electricity for their vendor booths (1hr at \$35.00/hr.= \$35.00). The approximate in-kind costs to the City would be \$85.00 total.

STAFF RECOMMENDATION:

Staff respectfully requests the approval of this resolution.

RESOLUTION NO. 2022-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING GONZALES MAIN STREET'S USE OF INDEPENDENCE SQUARE INCLUDING THE PARKING LOT, DESIGNATED STREET CLOSURES, AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE BACK TO SCHOOL BASH EVENT ON AUGUST 6, 2022; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gonzales Main Street requests the use of the Independence Square including the parking lot for the Back to School Bash Event on August 6, 2022; and,

WHEREAS, the square will be blocked off at 12:00 P.M. with the event beginning at 5:00 P.M.; and

WHEREAS, the event will end at 10:00 P.M. on Saturday with take down to be completed by 11:00 P.M.; and

WHEREAS, St. George Street from St. Joseph Street to St. Paul Street will be blocked off from 1:00 P.M. to 5:00 PM Saturdays of the event; and

WHEREAS, a variance was approved for the consumption of alcoholic beverages at the event; and

WHEREAS, the City Council hereby finds that said events increase the community spirit of the City of Gonzales and serve a public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales, Texas hereby Authorizing Gonzales Main Street's Use of Independence Square including the Parking Lot, Designated Street Closures, and Consumption of Alcoholic Beverages for the Back to School Bash Event on August 6, 2022 as stated herein and set forth in the submitted event form attached hereto as Exhibit A.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

GONZALES EVENT INFORMATION SHEET



**THIS INFORMATION IS TO BE PROVIDED TO THE CITY OF GONZALES AT
LEAST 30 DAYS PRIOR TO ALL PUBLIC AND PRIVATE EVENTS HELD ON CITY
PROPERTY**



EVENT NAME	Back to School Bash	
HOST ORGANIZATION	Gonzales Main Street, Inc.	
CONTACT NAME	Adriane Hastings (Advisory Board Member)/Tiffany Hutchinson-Padilla	
CONTACT CELL PHONE <small>Type text here</small>		
EVENT DATE	Saturday, August 6, 2022	
EVENT START TIME 5:00pm	EVENT END TIME	10:00pm
EVENT LOCATION	Independence Square	
HOLIDAY CELEBRATED	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	HOLIDAY:
CITY COUNCIL APPROVAL REQUIRED	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	MEETING DATE: July 14, 2022

POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE	100	
MUSIC	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	LIVE <input type="checkbox"/> DJ <input checked="" type="checkbox"/>
FOOD	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
ALCOHOL	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	RESPONSIBLE PARTY no alcohol for sale/consumption only
MOTORIZED VEHICLES	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	PARADE <input type="checkbox"/> SHOW <input type="checkbox"/>
PUBLIC OR PRIVATE EVENT	Public	
SECURITY	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	# OFFICERS NEEDED (Call 672-8686 for costs)

ELECTRIC DEPARTMENT

ADDITIONAL LIGHTING	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
NUMBER OF OUTLETS NEEDED	Request that all electrical outlets on Independence Square be in working order
AMPS/WATTS NEEDED	
TENT Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	SET UP DAY/TIME
TENT SIZE:	TAKE DOWN DAY/TIME

STREETS DEPARTMENT

STREETS AFFECTED	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	A sufficient amount of barricades will be needed to block off requested streets to close the square on event day. Close St George from St Paul to St Joseph and close St Paul from St George to St Lawrence
BARRICADES NEEDED (max 12)	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
CONES NEEDED (max 48)	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
STREETS TO BE CLOSED	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
SET UP TIME	6:30 AM	
TAKE DOWN TIME	10:30pm	

COMMUNITY SERVICES DEPARTMENT (Contingent upon availability)

NUMBER OF CHAIRS @ \$0.50 each		(max 500)
NO. OF ROUND TABLES @ \$2.00 each		(max 15)
NO. OF 8 FOOT TABLES @ \$2.00 each		(max 50)
NUMBER OF TRASH CANS		(max 25)
SET UP TIME		
TAKE DOWN TIME		

FOR INFORMATION CONTACT	Kristina Vega, CITY SECRETARY
(830) 672-2815- City Hall	citysecretary@gonzales.texas.gov
(830) 672-2813- Fax	

Insurance

Licensee agrees to maintain the type and amounts of insurance required by this agreement. Licensee is solely responsible for providing the required certificates of insurance. The City may terminate the event approval if the licensee fails to timely comply with the insurance requirements.

The required insurance must be issued by a company or companies of sound and adequate financial responsibility and authorized to do business in the State of Texas. All policies are subject to examination and approval by the City Manager or their designee for their adequacy as to content, form of protection, and providing company.

The required insurance naming the City as additional insured must be primary insurance and not contributing with any other insurance available to the City, under any third party liability policy.

Before the City Council approves this event, the licensee must provide either an original certificate of insurance or a certified copy of the insurance policy evidencing the required insurance.

The following types and amount of insurance are required:

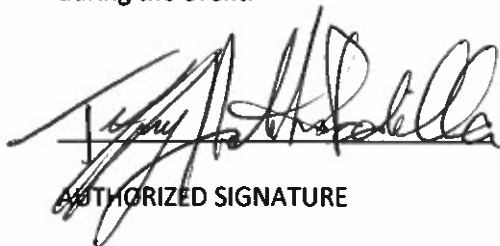
<u>Type</u>	<u>Amount</u>
Comprehensive General Liability including, but not limited to:	\$250,000 per person
• Premises/Operations	\$500,000 per occurrence for bodily injury; and
• Contractual Liability	\$100,000 per occurrence for property damage
(Insuring above indemnity)	

Indemnity

The undersigned does indemnify and hold harmless the City of Gonzales from and against any and all loss, cost (including statutory liability and liability under workers compensation laws) in connection with claims for damages as a result of injury or death to any person or damage to any property sustained by the individual(s) participating in or attending the permitted event, or any and all other persons, which arise from, or in any manner grow out of, any act or neglect on, about or during the event by the individual(s) or entity obtaining the permit to host the event, participants in the event, guests or attendees.

Notification

The undersigned further agrees to notify all property owners affected by any street closures for the event set-up or during the event.



A handwritten signature in black ink, appearing to read 'J. J. H. H. H.', is written over a horizontal line. Below the line, the words 'AUTHORIZED SIGNATURE' are printed in a bold, sans-serif font.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Public Hearing, Discussion & Possible Action on Resolution #2022-70 Authorizing the City Manager to Affirm and Adopt Via Resolution Civil Rights Requirements for the Texas Department of Agriculture TxCDBG Downtown Revitalization Grant

DATE: July 14, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The Texas Department of Agriculture provided funding for the City of Gonzales TxCDBG funding for downtown sidewalk and infrastructure. In fulfillment of grant requirements, the City of Gonzales hereby adopts the following policies: Limited English Proficiency Plan (Form A1010); Citizen Participation Plan and Grievance Procedures (Form A1013); Excessive Force Policy (Form A1003); Fair Housing Policy (Form A1015); Section 504 Policy and Grievance Procedures (Form A1004); and Code of Conduct Policy (Form A1002). The City also affirms its commitment to conduct a project-specific analysis and take all appropriate action necessary to comply with program requirements for the following: Section 3 economic opportunity; Limited English Proficiency; and an activity to affirmatively Further Fair Housing choice.

The City Council of the City of Gonzales affirms the civil rights of all residents and directs and designates the City Manager as the City's Authorized Representative to act in all matters in connection with the aforementioned policies.

POLICY CONSIDERATIONS:

This is consistent with current policy.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Civil Rights documents.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this Resolution and associated documents.

RESOLUTION NO. 2022-70

A RESOLUTION OF THE CITY OF GONZALES, TEXAS, AFFIRMING CONCURRENCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964; 24 C.F.R. PART I, "NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT"; TITLE VII OF THE CML RIGHTS ACT OF 1964, AS AMENDED BY THE EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1972; TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968, "THE FAIR HOUSING ACT OF 1968", AS AMENDED; EXECUTIVE ORDER 11063, AS AMENDED BY EXECUTIVE ORDER 12259, AND 24 C. F.R. PART 107, "NONDISCRIMINATION AND EQUAL OPPORTUNITY IN HOUSING UNDER EXECUTIVE ORDER 11063"; THE AGE DISCRIMINATION ACT OF 1975; SECTION 504 OF THE REHABILITATION ACT OF 1973, AND AMERICANS WITH DISABILITIES ACT OF 1990 (ADA), INCLUDING THE ADA AMENDMENTS ACT OF 2008 ; THE ARCHITECTURAL BARRIERS ACT OF 1968, INCLUDING THE USE OF A TELECOMMUNICATIONS DEVICE FOR PERSONS WHO ARE DEAF (TDDs) OR AN EQUALLY EFFECTIVE COMMUNICATION SYSTEM; SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968; THE CITY OF GONZALES "USE OF FORCE POLICY"; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

WHEREAS, the City of Gonzales, Texas, (hereinafter referred to as “City of Gonzales”) has been awarded TxCDBG funding through a TxCDBG Downtown Revitalization Program (DRP) grant from the Texas Department of Agriculture (hereinafter referred to as “TDA”); and,

WHEREAS, the City of Gonzales, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability; and,

WHEREAS, the City of Gonzales, in consideration for the receipt and acceptance of federal funding, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections; and,

WHEREAS, the City of Gonzales, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 75, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the Section 3 Service Area; and,

WHEREAS, the City of Gonzales, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State’s certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations; and,

WHEREAS, the City of Gonzales, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project; and,

WHEREAS, the City of Gonzales, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

WHEREAS, the City of Gonzales, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period of the TxCDBG contract, to affirmatively further fair housing; and,

WHEREAS, the City of Gonzales, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AS FOLLOWS:

Section 1. The City of Gonzales hereby adopts the following policies: Limited English Proficiency Plan (Form A1010); Citizen Participation Plan and Grievance Procedures (Form A1013); Excessive Force Policy (Form A1003); Fair Housing Policy (Form A1015); Section 504 Policy and Grievance Procedures (Form A1004); and Code of Conduct Policy (Form A1002).

Section 2. The City also affirms its commitment to conduct a project-specific analysis and take all appropriate action necessary to comply with program requirements for the following: Section 3 economic opportunity; Limited English Proficiency; and an activity to affirmatively Further Fair Housing choice.

Section 3. The City Council of the City of Gonzales affirms the civil rights of all residents and directs and designates the City Manager as the City's Authorized Representative to act in all matters in connection with the aforementioned policies; and

Section 4. That it is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this Resolutionm was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 5. This Resolution shall be effective upon its approval.

Section 6. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

CODE OF CONDUCT POLICY

As a Grant Recipient of a TxCDBG contract, City of Gonzales, shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the City of Gonzales shall participate in the selection, award, or administration of a contract supported by TxCDBG funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the City of Gonzales shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving TxCDBG funds, that has any CDBG function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the TxCDBG activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards may not participate in the selection, award, or administration of a contract supported by CDBG funding.

Any alleged violations of these standards of conduct shall be referred to the City of Gonzales Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.



Tim Patek
City Manager, City of Gonzales

3/1/2022

Sample Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), the City of Gonzales hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of Gonzales to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of the City of Gonzales to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. The City of Gonzales will introduce and pass a resolution adopting this policy.

As officers and representatives of the City of Gonzales, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature

Title

Date

Sample Section 504 Policy Against Discrimination based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), the City of Gonzales hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. The City of Gonzales does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. The City of Gonzales' recruitment materials or publications shall include a statement of this policy in 1. above.
4. The City of Gonzales shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, the City of Gonzales shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
6. Grievances and Complaints
 - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the City of Gonzales to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to: City Secretary, 820 St. Joseph Street, Gonzales, TX. 78629, 830-672-2815, who has been designated to coordinate Section 504 compliance efforts.

- c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
- d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
- e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Gonzales City Secretary. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Gonzales City Secretary, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
- g. The Section 504 coordinator shall maintain the files and records of the the City of Gonzales relating to the complaints files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of Gonzales within ten working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Gonzales complies with Section 504 and HUD regulations.

Signature/Title

Date

THE CITY OF GONZALES
CITIZEN PARTICIPATION PLAN
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have ‘meaningful access’ to all aspects of the TxCDBG project. To provide ‘meaningful access’, Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents may include Citizen Participation notices (e.g., complaint procedures, hearings notices), civil rights notices, and any other published notice that may allow an eligible person with limited English proficiency to participate in discussing proposed CDBG activities.

For more information, see LEP.gov

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture’s Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Gonzales, 820 St. Joseph Street, Gonzales, TX. 78629, 830-672-2815 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the City of Gonzales, at 820 St. Joseph Street Gonzales, TX 78629 or may call 830-672-2815.
2. A copy of the complaint or grievance shall be transmitted to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City of Gonzales shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.

5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City/County must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City/County shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.

2. The City/County shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City/County receives funds from the TxCDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Mayor

Date

LA CIUDAD DE GONZALES
PLAN DE PARTICIPACIÓN CIUDADANA
PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del Inglés:

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG. Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en Inglés. Para obtener más información, consulte LEP.gov.

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Departamento de Programa de Agricultura de Texas Community Development Block Grant (TxCDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la Ciudad de Gonzales, 820 St. Joseph Street, Gonzales, TX. 78629, 830-672-2815 en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a la 820 St. Joseph Street, Gonzales, TX. 78629 o puede llamar a 830-672-2815 (Teléfono).
2. Una copia de la queja o reclamación se transmitirá por el a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. El Cuidad de Gonzales deberá cumplir una investigación de la queja o reclamación, si es posible, y dara una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia sera notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se debera completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.

6. Se proporcionara copias de los procedimientos de queja y las respuestas a las quejas, tanto en Inglés y Español, u otro lenguaje apropiado.

ASISTENCIA TÉCNICA

Cuando lo solicite, la Ciudad/Condado proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. La Ciudad, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por la Ciudad/Condado, se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del proyecto TxCDBG, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y la Ciudad debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Como mínimo, la Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.

2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s) , acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado . Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.
3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación TxCDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa TxCDBG y el uso de fondos últimos contratos TxCDBG, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.
4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad recibe fondos del programa TxCDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto TxCDBG, la Ciudad celebrará una audiencia pública y revisara el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionara un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de

Mayor signature

Date

09/01/2020

City of Gonzales Fair Housing Policy

In accordance with Fair Housing Act, the City of Gonzales hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. *The City of Gonzales agrees to* affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. *The City of Gonzales agrees to* plan at least one activity during the contract term to affirmatively further fair housing.
3. *The City of Gonzales* will introduce and pass a resolution adopting this policy.

As officers and representatives of the City of Gonzales, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

Signature

Title

Date



SECTION 3 COMPLIANCE PLAN for Applicable City of Gonzales Programs and Projects

- I. **PURPOSE.** The purpose of this Plan is to provide employment and business opportunity for businesses and lower income persons who are residents of the City of Gonzales, referred to as the Section 3 Area under the Community Development Block Grant Program, by setting forth procedures to be implemented by contractors and subcontractors to assure compliance with Section 3 of the Housing and Urban Development Act, as defined in 24 CFR part 135 (for project receiving federal assistance of \$200,000 or more or contractors or subcontractors of covered projects receiving \$100,000 or more).

II. **DEFINITIONS:**

"Low-income resident" is any person who resides within the City of Gonzales or applicable Section 3 area and whose personal income does not exceed 80% of the median income, adjusted for family size, for Gonzales County. See Attachment A

"Business concerns located within the Section 3 covered area" means those individuals or firms located within the established boundaries of the City of Gonzales and which qualify as small under the small business size standards of the Small Business Administration; or firms which are 51% or more owned by persons residing within those established boundaries and who qualify under the Small Business Administration regulations as socially or economically disadvantaged, or as small under the small business size standards of the Small Business Administration.

"Section 3 Area" is that area which includes the City of Gonzales. This boundary is the most feasible areas to carry out the goals and objectives of Section 3 regulations.

"Section 3 Resident" is: 1) a public housing resident; or 2) a low- or very low-income person residing in the City of Gonzales. The preferences provided under this regulation are based on income-level and location, and are race and gender-neutral.

Numerical Goals: When work is to be performed under a Section-3 applicable contract, on a project assisted under federal financial assistance from the Department of Housing and Urban Development (HUD) and is subject to the requirements of Section 3 of the Housing and Urban Development Act, contractors and subcontractors shall meet the minimum numerical goals set forth at 24 CFR Part 135.30:

1. 30 percent of the aggregate number of new hires shall be Section 3 residents; and
2. 10 percent of all contracts or subcontracts shall be awarded to Section 3 business concerns.
3. At least three (3) percent of the total dollar amount of all other section 3 covered contracts
4. In accordance with 24 CFR § 135.30, if these minimum requirements are not met, sufficient documentation must be kept to provide reasoning and justification for non-compliance. This documentation should include evidence of all Section 3 outreach efforts.

Section 3 Grievance Procedure: Bidders are hereby informed that in the event of a grievance or complaint against the City related to Section 3, they may file by mail a grievance with:

- A. Assistant Secretary for Equal Opportunity & Fair Housing
Department of Housing and Urban Development
451 Seventh St., S.W. - Room 5100
Washington, D.C. 20410-2000, or;
- B. San Antonio Field Office
Hipolito Garcia Federal Building
615 East Houston Street, Suite 347
San Antonio, TX 78205-2001
Phone: (210) 475-6800
Email: Customer Service
Fax: (210) 475-7815
TTY: (800) 877-8339

GENERAL PROJECT INFORMATION

III. POLICY STATEMENT

- A. When the work to be performed under a Section-3 applicable contract is on a project assisted under direct federal financial assistance from the Department of Housing and Urban Development (HUD) and is subject to the requirements of Section 3 of the Housing and Urban Development Act, **to the greatest extent feasible**, opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in the area or owned in substantial part by persons residing in the area of the project. Section 3 applies to Housing Rehabilitation (to include reduction of lead-based paint hazards, and demolition); • Housing Construction (to include reduction of lead-based paint hazards and demolition); • Public Infrastructure (e.g., street repair, sewage line repair or installation, updates to building facades, etc.); • Public Facilities and Park Improvements; and, • Job creating or job sustaining Economic Development Projects as applicable
- B. When the work to be performed under a Section-3 applicable contract, the City will require contractors will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development as set forth in 24 CFR part 135, and all applicable rules and orders of HUD issued thereunder prior to the execution of the contract. The parties to the contract certify and agree that they are under no contractual and other disability which would prevent them from complying with these requirements.
- C. When the work to be performed under a Section-3 applicable contract, the City will require contractors to post all new hire opportunities with the local Workforce Solutions Center and WorkinTexas.com. and shall have posted copies of the notice in conspicuous places available to employees and applicants for employment or training. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin. List any labor organizations or worker representatives with whom your firm has a collective bargaining agreement, contract, or other understanding. D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135,

and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

- D. When the work to be performed under a Section-3 applicable contract, the City will require the contractor to certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

IV. UTILIZATION OF SECTION 3 AREA RESIDENTS AND BUSINESSES

A. All contractors subject to Section 3 regulation will provide a "Preliminary Statement of Work Force Needs" form, prior to the signing of a contract. This form shows the needed number and types of job classifications, current vacant positions and expected positions for new hires in the projected work force.

1. Each applicant, recipient, contractor or subcontractor undertaking work in connection with a Section 3 covered project can fulfill the obligation to utilize lower income project area residents as trainees to the greatest extent in the various training categories and filling any vacant training positions with lower income project area residents except for those training position which remain unfilled after a good faith effort has been made to fill them with eligible income project area residents.
2. Each applicant, recipient, contractor or subcontractor undertaking work in connection with a Section 3 covered project can fulfill the obligation to utilize lower income project area residents as employees to the greatest extent feasible by identifying the number and types of positions not currently occupied by regular, permanent employees and establishing a goal of positions to be filled by lower income residents of the Section 3 covered project area and thereafter making a good faith effort to fill the identified positions.
3. In recruiting and filling vacancies, the City of Gonzales, Texas will require contractors and subcontractors to attempt to recruit from the appropriate areas the necessary number of lower income residents through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area such as Employment or Workforce Commissions, Rehabilitation Commissions, Manpower Services, Community Action Agencies, Commission for the Blind, Veteran's Outreach Programs, etc. When lower income resident workers apply, either on their own initiative or on referral from any source, the contractor or subcontractor shall determine if the qualifications are satisfactory and if there are openings.

- V. **CONTRACTOR OR SUBCONTRACTOR AFFIRMATIVE ACTION PLAN.** All competitive bidders and negotiated contractors, subject to 24 CFR Part 135 regulations (projects receiving over \$200,000 in funding, and contracts or subcontracts over \$100,000) will submit to the City of Gonzales utilization goals. Evaluation of each bid and negotiated contract will include the determination of responsiveness by evaluation of the proposed goals and provisions to achieve these objectives of Section 3 regulations.
 - A. Contractors will explain how they intend to cooperate in employing lower income residents and/or small businesses and what actions you will use to persuade contractors to do the same.
 - B. Contractors will describe all subcontracts that have been let
 - C. Contractors will describe subcontracts which have not yet been let

- D. Contractors will list Employment Agencies, Workforce Commissions, News Media, and Minority Organizations, Plans Rooms or other organizations to be used in recruiting employees. A completed "Preliminary Statement of Work Force Needs" should be mailed to each organization contacted by the contractor.
 - E. Contractors will identify below the names and addresses of business organizations, such as the Chamber of Commerce, Home-Builder Associations, etc. to be contacted to attract small businesses.
- VI. GRIEVANCE PROCEDURE. Lower income residents and owners of small businesses will be informed that in the event of a grievance or complaint against the municipality or the general contractor, they may file by mail a grievance with:
- A. Assistant Secretary for Equal Opportunity & Fair Housing
Department of Housing and Urban Development
451 Seventh St., S.W. - Room 5100
Washington, D.C. 20410-2000
 - B. San Antonio Field Office
Hipolito Garcia Federal Building
615 East Houston Street, Suite 347
San Antonio, TX 78205-2001
Phone: (210) 475-6800
Email: Customer Service
Fax: (210) 475-7815
TTY: (800) 877-8339
- VII. STATEMENTS: Subcontractors will be informed of their requirement to submit copies of their Section 3 (Affirmative Action Plan) to the municipality to determine whether established goals will accomplish the objective of Section 3 regulations.
- VIII. CERTIFICATION. Contractors will certify if they will not subcontract any part of contract.
- IX. LOW INCOME LIMITS. Contractors will be provided with the current low income limits in Attachment A
- X. HUB INTERNET WEBSITE. Contractors will be provided with the internet site for searching for Historically Under-utilized Businesses (HUB's), to include MBE/WBE and Section 3 businesses:
<http://www.window.state.tx.us/procurement/cmbi/hubonly.html>
- XI. EQUAL OPPORTUNITY CERTIFICATION. Certification of Non-segregated Facilities must be submitted prior to the award of a federally assisted construction contract exceeding \$100,000 which is not exempt from the provisions of the equal opportunity clause. Contractors and subcontractors receiving federally assisted construction contract awards exceeding \$100,000 which are not exempt from the provisions of the equal opportunity clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$100,000 and are not exempt from the provisions of the equal opportunity clause:

CERTIFICATION OF NON-SEGREGATED FACILITIES

The federally assisted construction contractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction contractor certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally

assisted construction contractor agrees that a breach of this certification is a violation of the equal opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time-clocks, locker rooms and other storage or dressing areas, transportation, and housing facilities provided for employees on the basis of race, color, religion, sex or national origin, because of habit, local custom, or any other reason. The federally assisted construction contractor agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$100,000 which are not exempt from the provisions of the equal opportunity clause, and that he will retain such certifications in his files.

XII. STATUTORY ASSURANCES AND COMPLIANCIES: Contractors will be required to certify compliance with the following statutes and to include assurances in any subcontracts:

- A. **EQUAL EMPLOYMENT OPPORTUNITY.** The Contractor will certify as to compliance with Section 109 of the Housing and Community Development Act of 1974 and in conformance with the requirements imposed by or pursuant to the Regulations of the Department of Housing and Urban Development (24 CFR Part 570.601) issued pursuant to that Section; and in accordance with that Section, no person in the United States shall on the ground of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with the Community Development funds.
- B. **COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED.** The Contractor will certify that: Contractor will comply with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and all requirements imposed by or pursuant to regulations of the Department of Justice appearing at 28 CFR et Seq and especially Subparts C and D thereof issued pursuant to that title, to the end that no person shall on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Contractor receives compensation through the City, and the United States shall have the right to seek judicial enforcement of this assurance. The Contractor agrees to post in a conspicuous place available to employees and applicants for employment, government notices setting forth the provisions of this nondiscrimination clause. The Contractor will, in all solicitations of advertisement for employees placed by or in behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, creed, or national origin.
- C. **COMPLIANCE WITH EXECUTIVE ORDER 11246, AS AMENDED.** The contractor will certify that:
 - (a) The Contractor will comply with Executive Order No. 11246 of September 24, 1965 (E.O. 11246) which requires that Contractor not discriminate against any employee or applicant for employment because of race, religion, sex, color, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth provisions of this nondiscrimination clause.
 - (b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, sex, color, or national origin.
 - (c) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be

provided advising the labor union or workers" representative of the Contractor's commitments under Section 202 of E.O. 11246, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

- (d) The Contractor will comply with all provisions of E.O. 11246 and the rules, regulations, and relevant orders of the Secretary of Labor.
- (e) The Contractor will furnish all information and reports required by E.O. 11246, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the Department of Housing and Urban Development and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (f) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or Federally-assisted construction contracts, in accordance with procedures authorized in E.O. 11246, and such other sanctions may be imposed and remedies invoked as provided in E.O. 11246, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- (g) The Contractor will include the provisions of paragraphs (a) through (f) of this section in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of E.O. 11246, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the Department of Housing and Urban Development may direct as a means of enforcing such provisions, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Department of Housing and Urban Development the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

XIII. EMPLOYMENT OF CERTAIN PERSONS PROHIBITED. Contractors will certify that no person under the age of sixteen years and no person who, at the time, is serving sentence in a penal or correctional institution shall be employed on the work covered by this Contract.

XIV. REGULATIONS PURSUANT TO THE COPELAND "ANTI-KICKBACK ACT". The Contractor shall certify compliance with the most current regulations of the United States Department of Labor, made pursuant to the Copeland "Anti-Kickback Act" (48 Stat. 948; 62 Stat. 862; Title U.S.C., Section 874; and Title 40 U.S.C., Section 276C – to be incorporated by reference), and any amendments thereof and shall cause these provisions to be inserted into any subcontractors contract.

XV. CERTIFICATION OF COMPLIANCE WITH AIR AND WATER ACTS. (Applicable to Federally assisted construction contracts and related subcontracts exceeding \$100,000) Contractor will certify compliance with Air and Water Acts such that during the performance of the contract, the contractor and all subcontractors shall comply with the requirements of this Clean Air Act, as amended, 42 USC 1857 at seq., the Federal Water Pollution Control Act, as amended, 33 USC 1251 at seq. and the regulations of the Environmental Protection Agency with respect thereto, at 40 CFR Part 15, as amended. In addition to the foregoing requirements, all nonexempt contractors and subcontractors shall furnish to the owner, the following:

- (a) A stipulation by the Contractor or subcontractors, that any facility to be utilized in the performance of any nonexempt contract or subcontract, is not listed on the List of Violating Facilities issued by the Environmental Protection Agency (EPA) pursuant to 40 CFR 15.20.

- (b) Agreement by the Contractor to comply with all the requirements of Section 114 of the Clean Air Act, as amended, (42 USC 1857c-8) and Section 308 of the Federal Water Pollution Control Act, as amended, (33 USC 1318) relating to inspection, monitoring, entry, reports and information, as well as all other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued there under.
- (c) A stipulation that as a condition for the award of the contract, prompt notice will be given of any notification received from the Director, Office of Federal Activities, EPA, indicating that a facility utilized, or to be utilized for the contract, is under consideration to be listed on the EPA List of Violating Facilities.
- (d) Agreement by the Contractor that he will include, or cause to be included, the criteria and requirements in paragraph (1) through (4) of this section in every nonexempt subcontract and requiring that the Contractor will take such action as the Government may direct as a means of enforcing such provisions.

XVI. COMPLIANCE WITH FEDERAL LABOR STANDARDS PROVISIONS. The Contractor shall certify agreement to comply with all requirements related to the Davis-Bacon Act and other federally related Labor Standard requirements as noted in the bid and contract documents. Upon request by the City, the Contractor shall agree to provide evidence of compliance consistent with this paragraph.

XVII. COMPLIANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS. The Contractor shall certify agreement to comply with all local, state and federal laws, ordinances and regulations applicable to the services to be provided under this contract. Upon request by the City, the Contractor agrees to provide evidence of compliance consistent with this paragraph.

XVIII. QUESTIONS CONCERNING CERTAIN FEDERAL STATUTES AND REGULATIONS. All questions arising under the Contract which relate to the application or interpretation of (a) the aforesaid Copeland Anti-Kickback Act, (b) the Contract Work Hours and Safety Standards Act, (c) the aforesaid Davis-Bacon Act, (d) the regulations issued by the Secretary of Labor, United States Department of Labor, pursuant to said Acts, or (e) the labor standards provisions of any other pertinent Federal statute, shall be referred, through the Local Public Agency or Public Body and the Secretary of Housing and Urban Development, to the Secretary of Labor, United States Department of Labor, for said Secretary's appropriate ruling of interpretation which shall be authoritative and may be relied upon for the purposes of this Contract.

CERTIFICATION

I certify that I will comply with the aforementioned local, state and federal requirements and provide proof of such to the City to confirm compliance with said laws and regulations.



Signature

7/14/22

Date

Tim Patek - City Manager

(Print Name and Title)

Limited English Proficiency Sample Plan

Name Grantee: City of Gonzales	
Community Population: 6.941	
LEP population: 18.3%	
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 5% of the eligible population or beneficiaries but has less than 50 or less in number; or 3) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries.	Spanish

Program activities to be accessible to LEP persons:	
<input checked="" type="checkbox"/>	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
<input type="checkbox"/>	Publications regarding TxCDBG application, grievance procedures, <i>complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action</i> , and other vital hearings, documents, and program requirements
<input type="checkbox"/>	Other program documents: _____ _____

Resources available to Grant Recipient:	
<input type="checkbox"/> <input checked="" type="checkbox"/>	Translation services: _____ _____
<input type="checkbox"/> <input checked="" type="checkbox"/>	Interpreter services: _____ _____
<input type="checkbox"/>	Other resources: _____ _____

Language Assistance to be provided:	
<input type="checkbox"/> <input checked="" type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: _____
<input type="checkbox"/> <input checked="" type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons _____
<input type="checkbox"/>	Public meetings conducted in multiple languages: _____
<input type="checkbox"/> <input checked="" type="checkbox"/>	Notices to recipients of the availability of LEP services: _____
<input type="checkbox"/>	Other services: _____


 Signature - Chief Elected Official or Civil Rights Officer

Date: 7/14/22

COUNCIL AGENDA ITEM BRIEFING DATA



DATE: July 14, 2022

AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2022-71 Approving the Event; Application for funding to the Come & Take It Committee for the originally budgeted amount of \$10,000.00 and \$15,000.00 in additional funding and Authorizing the City Manager to Negotiate and Execute an Agreement with Gonzales Chamber of Commerce for Funding the In-Kind contributions from the City of Gonzales for the Come and Take It Celebration on September 30, & October 1-2, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The Come and Take It Celebration is the largest event held in downtown Gonzales with over 5,000 participants daily. There are over 100 assorted merchant and food related vendors and carnival set-up around the squares and courthouse grounds for this event. Attendance for 2022 is anticipated to be approximately 10,000-15,000 participants and spectators. Gonzales Chamber of Commerce desires to enter into an agreement with the City of Gonzales to funding to operate this event.

This resolution will authorize the City Manager to negotiate and execute the agreement as outlined on Exhibit A, outlining the City's and Gonzales Chamber of Commerce responsibilities regarding the Come and Take It Celebration and authorizing in-kind contributions for said event.

The Come and Take It Committee submitted an application for funding for the originally budgeted amount of \$10,000.00 and additional funding in the amount of \$15,000.00. The Gonzales CVB met on June 23, 2022 and considered the application and voted unanimously to recommend to the City Council the request for funds in the total amount of \$25,000.00.

POLICY CONSIDERATIONS:

The expenditure of public funds for a private enterprise requires specific approval by the City Council and must serve a public purpose. The Come and Take It Celebration event will result in an increase in both sales tax revenue and hotel occupancy tax revenue during the event.

FISCAL IMPACT:

Gonzales Chamber of Commerce is requesting in-kind contributions from the city with an estimated value of \$15,453.55 as outlined on Exhibit B.

ATTACHMENTS:

Exhibit A (Come and Take It Agreement)
Exhibit B (In-Kind Services)

STAFF RECOMMENDATION:

Staff respectfully recommends the City Council take the action they deem necessary.

RESOLUTION NO. 2022-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING THE EVENT; APPLICATION FOR FUNDING TO THE COME & TAKE IT COMMITTEE FOR THE ORIGINALLY BUDGETED AMOUNT OF \$10,000.00 AND \$15,000.00 IN ADDITIONAL FUNDING AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH GONZALES CHAMBER OF COMMERCE FOR FUNDING THE IN-KIND CONTRIBUTIONS FROM THE CITY OF GONZALES FOR THE COME AND TAKE IT CELEBRATION ON SEPTEMBER 30, & OCTOBER 1-2, 2022; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, city staff received an event request from the Gonzales Chamber of Commerce for permission to close city streets, Confederate Square and Texas Hero Square in order to hold the annual Come & Take It Celebration on September 30, & October 1-2 of 2022; and

WHEREAS, Come & Take It Celebration is anticipating 10,000-15,000 participants and spectators in a attendance; and,

WHEREAS, the Gonzales Chamber of Commerce, the event organizer of the Come & Take It Celebration is requesting the contribution of in-kind services towards the event; and

WHEREAS, City staff has completed a full analysis of the in-kind services and contributions that have been requested; and

WHEREAS, the total estimated in kind services of \$15,453.55 include but are not limited to payroll expenses for all departments involved, barricades, electricity, dumpsters, trash cans, electricity, water, traffic control plan, inspections, portable toilets; and

WHEREAS, the Gonzales Convention and Visitor Bureau received an application from the Gonzales Chamber of Commerce for the originally budgeted amount of \$10,000.00 and additional funding in the amount of \$15,000.00; and recommended to fund \$25,000 to the Come & Take It Celebration; and

WHEREAS, Texas Tax Code Section 351.001 authorizes the use of Hotel Occupancy Tax for expenses that promote tourism and the convention and hotel industry including advertising and promotional programs that attract tourists to the municipality or its vicinity and the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music; and,

WHEREAS, the City Council hereby finds that expending the funds contemplated in the manner required by the Texas Tax Code is in the best interest of the City and its citizens, and serves a public purpose; and,

WHEREAS, the City Council hereby finds that contributing in-kind labor and materials in the manner contemplated by the attached Event Agreement is in the best interest of the City and its citizens and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales hereby approves the event and authorizes the City Manager to execute the Event Agreement attached hereto as Exhibit A, approving the in-kind contributions from the City with an estimated value of \$15,453.55 as outlined in Exhibit B and approves the Gonzales Convention and Visitor Bureau's recommendation to fund \$25,000 to the Gonzales Chamber of Commerce for advertising and other costs to be expended in conformance with Texas Tax Code Section 351.001.

Section 2. The City Council reserves the right to request all necessary receipts, invoices, and other records the City Manager deems necessary to confirm that Hotel Occupancy Tax expended pursuant to this Resolution were expended for expenses authorized by this Resolution.

Section 3. The Gonzales Chamber of Commerce shall refund the City of Gonzales any Hotel Occupancy Tax funds determined by the State Comptroller, the Secretary of State or other state agency to be an unauthorized expenditure under Texas Tax Code Section 351.001.

Section 4. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 5. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 6. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 8. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 9. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

COME AND TAKE IT EVENT AGREEMENT

This event agreement (“Agreement”) is entered into by and between City of Gonzales (City) and Gonzales Chamber of Commerce for the Come and Take It Celebration

RECITALS

WHEREAS, Come and Take It Event is the largest event held in downtown Gonzales with over 5,000 participants daily ; and,

WHEREAS, the event will take place on September 30, & October 1-2, 2022 in downtown Gonzales; and,

WHEREAS, the Come and Take It Event celebrates the culture and history of Gonzales and serves a public purpose in educating the citizens and visitors about the history of this region of Texas; and

WHEREAS, there were 100’s of vendor booths and carnival set-up around the squares and courthouse grounds for this event in 2021; and

WHEREAS, the Gonzales Chamber of Commerce desires to enter into an agreement for the event to be held September 30, & October 1-2, 2022

WHEREAS, the Gonzales Chamber of Commerce is requesting the contribution of in-kind services towards the event; and

WHEREAS, City staff has completed a full analysis of the in-kind services and contributions that the Gonzales Chamber of Commerce has requested; and

WHEREAS, the total estimated in kind services of \$15,453.55 include, but are not limited to payroll expenses for all departments involved, barricades, electricity, dumpsters, trash cans, water, traffic control plan, inspections, portable toilets and security; and

WHEREAS, the Gonzales Convention and Visitor Bureau received an application from the Gonzales Chamber of Commerce for the originally budgeted amount of \$10,000.00 and additional funding in the amount of \$15,000.00; and recommended to fund \$25,000 to the Come and Take It Celebration; and

WHEREAS, Texas Tax Code Section 351.001 authorizes the use of Hotel Occupancy Tax for expenses that promote tourism and the convention and hotel industry including advertising and promotional programs that attract tourists to the municipality or its vicinity and the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music; and,

WHEREAS, the City Council hereby finds that expending the funds contemplated in the manner required by the Texas Tax Code is in the best interest of the City and its citizens, and serves a public purpose; and,

WHEREAS, the City Council hereby finds that contributing in-kind labor and materials in the manner contemplated by the attached Event Agreement is in the best interest of the City and its citizens, and serves a public purpose.

I. TERMS

The City of Gonzales shall provide the following:

- 1) \$25,000 of Hotel/Motel tax to support promotion and other allowable expenditures of the Event. Invoices and cancelled checks/credit card receipts for \$25,000 must be submitted by the Gonzales Chamber of Commerce before September 30, 2023, the end of the Fiscal year, providing 10 business days for staff to review, confirm or seek further information from the Gonzales Chamber of Commerce. Once documentation is approved, staff will forward to the City Finance Department for immediate release of funds to the Gonzales Chamber of Commerce.
- 2) In-kind services contributed from the city with an estimated value of \$15,453.55 as outlined on Exhibit A attached.
- 3) The City of Gonzales to provide a traffic control plan approved by Gonzales Police Chief Crow.
- 4) The City of Gonzales shall walk the event grounds with Chamber staff at least 30 days prior to the event to identify holes, potholes, tripping and other pedestrian hazards and shall fill and/or repair identified hazards prior to the start of the event.

Gonzales Chamber of Commerce shall:

- 1) Provide City with written post event report within 60 days after event
- 2) Provide City with copies of advertisements (or other proof of promotion, such as expos), cancelled checks and invoices in the amount of \$25,000 (or greater, if Gonzales Chamber of Commerce so desires) before September 30, 2023, for timely reimbursement. Invoices and cancelled checks/credit card receipts must be submitted by Gonzales Chamber of Commerce, allowing 10 business days for staff to review, confirm or seek further information from Gonzales Chamber of Commerce. Once documentation is approved, staff will forward to the City Finance Department for immediate release of funds.
- 3) The undersigned does indemnify and hold harmless the City of Gonzales from and against any and all loss cost (including statutory liability and liability under workers compensation laws) in connection with claims for damages as a result of injury or death to any person or damage to any property sustained by the individual(s) participating in or attending the Come and Take It Celebration, using the facilities, or any and all other persons which arise from, or in any manner grow out of, any act or neglect on or about the event facility by the individuals using the facility, participating in or attending the event, guests or invitees.
- 4) Provide Liability Insurance coverage as described in Exhibit B.

- 5) Gonzales Chamber of Commerce shall refund the City of Gonzales any Hotel Occupancy Tax funds determined by the State Comptroller, the Secretary of State or other state agency to be an unauthorized expenditure under Texas Tax Code Section 351.001.

- 6) Provide a verifiable summary of hotel nights attributable to the event.

II. GOVERNING LAW

The laws of the State of Texas shall govern this Agreement and all obligations hereunder of the parties are performable in Gonzales, Texas. Venue for any legal proceeding is Gonzales County, Texas.

III. NON-ASSIGNMENT

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives successors and assigns. Neither the City nor the Come and Take It Event shall assign any duty of this Agreement, excepting those already identified herein, without written consent of the other.

IV. SEVERABILITY

Should any provisions of this Agreement for any reasons be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

V. RELATIONSHIP OF PARTIES

Nothing contained in this Agreement shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the parties, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the parties hereto shall be deemed to create any relationship between the parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this Agreement.

VI. RIGHT TO AUDIT

The City Council reserves the right to request all necessary receipts, invoices and other records the City Manager deems necessary to confirm that Hotel Occupancy Tax expended pursuant to this Resolution were expended for expenses authorized by this Resolution.

Executed on the dates set forth below by the undersigned authorized representatives of the parties

City Manager
City of Gonzales

Dated: _____

Representative
Gonzales Chamber Commerce

Dated: _____

Come and Take It City of Gonzales In-Kind Services 2022			
	Quantity	Unit Price	Value
Police Patrol	5 at 4 hours	\$ 38.25	\$ 765.00
Payroll Expenses (FICA, Retirement, Workers' Comp)			\$ 155.26
<i>Police Department Total</i>			\$ 920.26
Electric Department			
6 men 32 hours setting up & taking down-GVEC rates	6 at 32 hours		
1 Crew Leader	32	\$ 54.71	\$ 1,750.72
2 Lineman	32	\$ 40.68	\$ 2,603.52
3 Apprentice	32	\$ 27.30	\$ 2,620.80
2 men 2 hours putting up and taking down banner	2 at 2 hours		
1 Crew Leader	2	\$ 54.71	\$ 109.42
1 Apprentice	2	\$ 27.30	\$ 54.60
<i>Electric Department Total</i>			\$ 7,139.06
Street Department			
Day before tent setup 3 employees block of square	1	\$ 21.00	\$ 63.00
Thursday 5 employees gathering and preparing barricades	4	\$ 21.00	\$ 420.00
Friday 5 employees 8 hours putting out barricades	8	\$ 21.00	\$ 840.00
Saturday 4 employees 7 hours parade barricades	7	\$ 31.50	\$ 882.00
Sunday 4 employees 2.5 hours to open streets up	2.5	\$ 31.50	\$ 315.00
Monday 5 employees 8 hours pickup	8	\$ 21.00	\$ 840.00
Payroll Expenses (FICA, Retirement, Workers' Comp)			\$ 740.05
<i>Street Department Total</i>			\$ 4,100.05
Parks and Recreation Department			
Friday 7 employees 8 hours	7 @ 8	\$ 17.43	\$ 697.26
Monday 7 employees 8 hours	7 @ 8	\$ 17.43	\$ 697.26
Payroll Expenses (FICA, Retirement, Workers' Comp)			\$ 276.65
<i>Parks and Rec Total</i>			\$ 1,671.16
Code Department			
Inspections on carnival, tents & food vendors/trucks			
Department Head	6	\$ 35.00	\$ 210.00
2 Inspectors	6	\$ 20.50	\$ 246.00
1 Fire Inspector	6	\$ 31.68	\$ 190.08
Payroll Expenses (FICA, Retirement, Workers' Comp)			\$ 118.58
			\$ 764.66
Other Expenses			
Permit for each tent	2	\$ 50.00	\$ 100.00
40 Yard Roll Off	1		\$ 506.86
Electrical Power Costs: 900 KWH with fuel charge	900 KWH	\$ 0.13	\$ 117.00
Water Usage Estimate: 10K	10 K	\$13.45 bulk	\$ 134.50
<i>Other Expenses Total</i>			\$ 858.36
Total			\$ 15,453.55

2022

	Pay	Fica	Retirement	Workers Comp	Total	Payroll Expenses
Police Department	\$ 765.00	\$ 58.52	\$ 78.26	\$ 18.48	\$ 920.26	\$ 155.26
Electric	\$ 7,139.06	\$ -	\$ -		\$ 7,139.06	\$ -
Street Department	\$ 3,360.00	\$ 257.04	\$ 343.73	\$ 139.28	\$ 4,100.05	\$ 740.05
Parks Department	\$ 1,394.51	\$ 106.68	\$ 142.66	\$ 27.31	\$ 1,671.16	\$ 276.65
Code Dept.	\$ 646.08	\$ 49.43	\$ 66.09	\$ 3.06	\$ 764.66	\$ 118.58
					<u>\$ 14,595.19</u>	<u>\$ 1,290.54</u>

GONZALES EVENT INFORMATION SHEET



THIS INFORMATION IS TO BE PROVIDED TO THE CITY OF GONZALES AT LEAST 30 DAYS PRIOR TO ALL PUBLIC
AND PRIVATE EVENTS HELD ON CITY PROPERTY



EVENT NAME Come and Take It Celebration
HOST ORGANIZATION Gonzales Chamber of Commerce
CONTACT NAME Brad Cox
CONTACT CELL PHONE 8306726532
EVENT DATE September 30, October 1, 2, 2022
EVENT START TIME TIME 6:00 PM **EVENT END TIME** 5:00 PM
EVENT LOCATION Downtown Gonzales Texas
HOLIDAY CELEBRATED Y___ N X___ **HOLIDAY:** _____
CITY COUNCIL APPROVAL REQUIRED Y_X___ N___ **MEETING DATE:** 14-Apr-22

POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE 15,600
MUSIC Y_X___ N___ **LIVE_X___ DJ_X___**
FOOD Y_X___ N___
ALCOHOL Y_X___ N___ **RESPONSIBLE PARTY:** Gonzales Chamber of Commerce
MOTORIZED VEHICLES Y_X___ N___ **PARADE_X SHOW X**
PUBLIC OR PRIVATE EVENT Public
SECURITY Y_X___ N___ **# OFFICERS NEEDED** _____ **CONTRACT**
 (Call 672-8686 for costs)

ELECTRIC DEPARTMENT

ADDITIONAL LIGHTING Y_X___ N___
NUMBER OF OUTLETS NEEDED TBD
AMPS/WATTS NEEDED TBD
TENT Y_X___ N___ **SET UP DAY/TIME** 24-Sep-22
TENT SIZE: 60x150 & 100x180 **TAKE DOWN DAY/TIME** 10/05/2022

STREETS DEPARTMENT

STREETS AFFECTED Y_X___ N___ Please see attached map
BARRICADES NEEDED (max 12) Y_X___ N___ Please see map. Cattle panels are also used.
CONES NEEDED (max 48) Y_X___ N___ Saturday for parade
STREETS TO BE CLOSED Y_X___ N___ Times will vary starting on September 30, 2022
SET UP TIME Time will vary starting on September 30, 2022
TAKE DOWN TIME 8:00 AM Street closures will be in phases throughout

COMMUNITY SERVICES DEPARTMENT

(Contingent upon availability)

NUMBER OF CHAIRS @ \$0.50 each NA (max 500)
NO. OF ROUND TABLES @ \$2.00 each NA (max 15)
NO. OF 8 FOOT TABLES @ \$2.00 each NA (max 50)
NUMBER OF TRASH CANS 25 (max 25)
SET UP TIME Thursday evening for Trashcans
TAKE DOWN TIME Monday following event

FOR INFORMATION CONTACT

(830) 672-2815- City Hall

(830) 672-2813- Fax

CITY SECRETARY'S OFFICE

citysecretary@gonzales.texas.gov

The undersigned does indemnify and hold harmless the City of Gonzales from and against any and all loss, cost (including statutory liability and liability under workers compensation laws) in connection with claims for damages as a result of injury or death to any person or damage to any property sustained by the individual(s) participating in or attending the permitted event, or any and all other persons, which arise from, or in any manner grow out of, any act or neglect on, about or during the event by the individual(s) or entity obtaining the permit to host the event, participants in the event, guests or attendees.

Brad Cox Executive Director Gonzales Chamber 3-2-2022

AUTHORIZED SIGNATURE

Insurance

Licensee agrees to maintain the type and amounts of insurance required by this agreement. Licensee is solely responsible for providing the required certificates of insurance. The City may terminate the event approval if the licensee fails to timely comply with the insurance requirements.

The required insurance must be issued by a company or companies of sound and adequate financial responsibility and authorized to do business in the State of Texas. All policies are subject to examination and approval by the City Manager or their designee for their adequacy as to content, form of protection, and providing company.

The required insurance naming the City as additional insured must be primary insurance and not contributing with any other insurance available to the City, under any third party liability policy.

Before the City Council approves this event, the licensee must provide either an original certificate of insurance or a certified copy of the insurance policy evidencing the required insurance.

The following types and amount of insurance are required:

<u>Type</u>	<u>Amount</u>
Comprehensive General Liability including, but not limited to:	\$250,000 per person
• Premises/Operations	\$500,000 per occurrence for bodily injury; and
• Contractual Liability	\$100,000 per occurrence for property damage
(Insuring above indemnity)	

Indemnity

The undersigned does indemnify and hold harmless the City of Gonzales from and against any and all loss, cost (including statutory liability and liability under workers compensation laws) in connection with claims for damages as a result of injury or death to any person or damage to any property sustained by the individual(s) participating in or attending the permitted event, or any and all other persons, which arise from, or in any manner grow out of, any act or neglect on, about or during the event by the individual(s) or entity obtaining the permit to host the event, participants in the event, guests or attendees.

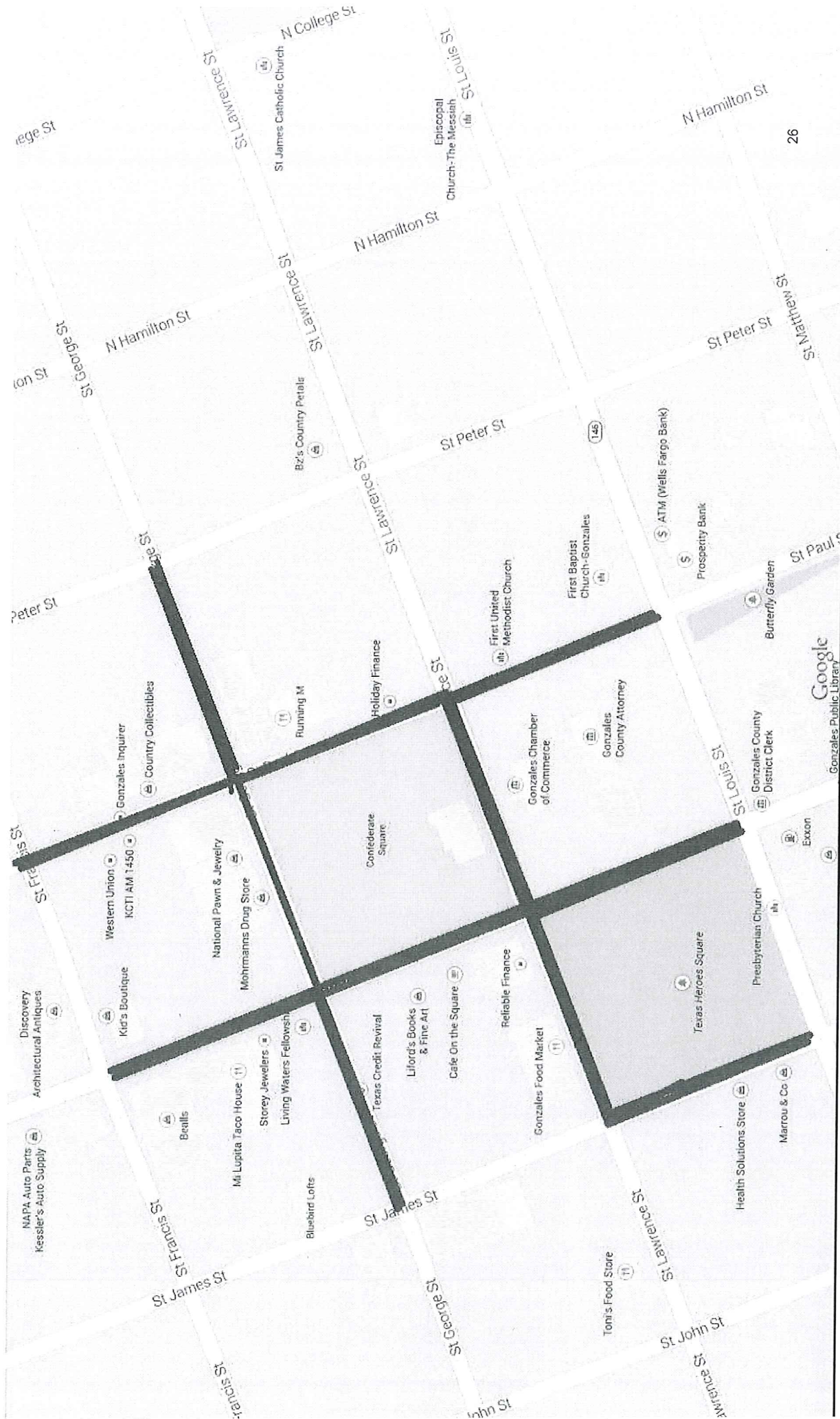
Notification

The undersigned further agrees to notify all property owners affected by any street closures for the event set-up or during the event.

 3-2-2022

AUTHORIZED SIGNATURE





ALLOWED & PROHIBITED ITEMS*

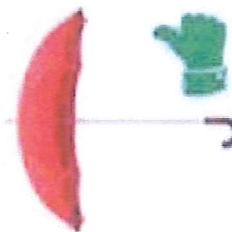
*SUBJECT TO CHANGE WITHOUT NOTICE.



No unauthorized
ATV's

NO COOLERS/
BASKETS

NO ALCOHOL
You may not bring alcohol into the
festival site and you may not take
alcohol outside of the festival area.



SMALL
UMBRELLAS
are allowed.



NO LARGE/
OVERSIZED
UMBRELLAS



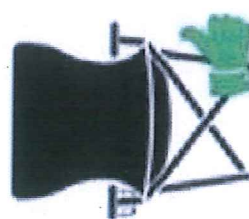
NO TENTS



NO HAMMOCKS



NO CANOPIES
(Unless you're a vendor)



FOLDING CHAIRS
are allowed



NO BEACH/
LOUNGE CHAIRS



BLANKETS
are allowed.



NO BICYCLES
inside the festival grounds.



COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on
Resolution #2022-72 Authorizing the
Appointment to the Golf Course Advisory
Board

DATE: July 14, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

As per the Charter the City Council shall have the power to appoint the members of all boards and commissions. Such boards and commissions shall have all powers and duties created by the charter, by city ordinance or by law.

During the March 3, 2014 City Council Meeting the Council established a uniform appointment month of September for all Council appointed Boards & Commissions, however at times appointments are needed if a vacancy occurs.

There is currently a vacancy that exists on the Golf Course Advisory Board due to a death of the board member. The City received two applications for the board appointment to fulfil the remainder of his term which ends on September 3, 2022.

The City of Gonzales received an application from John Hahn and Terry Crisp to serve on the board. The applications that were received are attached for review.

POLICY CONSIDERATIONS:

In 2020 the policy changed slightly to require the signed receipt of understanding of the Code of Ethics at the time of application.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff respectfully requests City Council action deemed appropriate

RESOLUTION NO. 2022-72

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS
AUTHORIZING THE APPOINTMENT TO THE GOLF COURSE ADVISORY BOARD;
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City Council shall have the power to appoint the members of all boards and commissions; and

WHEREAS, the boards and commissions shall have all powers and duties created by the charter, city ordinance or by law; and

WHEREAS, there is a vacancy on the Golf Course Advisory Board due to the death of a member; and

WHEREAS, an application was received from John Hahn and Terry Crisp to serve on the Golf Course Advisory Board; and

WHEREAS, the City Council hereby by affirmative vote appoints _____ to the Golf Course Advisory Board for an unexpired term ending September 30, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales, Texas hereby appoints _____ to the Golf Course Advisory Board for an unexpired term ending September 30, 2022.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject

matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution 2022-73 Rejecting all proposals for the Gonzales Memorial Museum Restoration Underground Crawlspace Project and authorizing staff to readvertise the project

DATE: July 14, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

City staff desires to apply for funding from the GEDC for 2 french drains, 2 catch basins, outflow, piping to include minor grading around catch basins and electrical if encountered in the flow line to be relocated at the Museum. This will address the water and ventilation issues in the crawlspace at the Gonzales Memorial Museum.

The RFP was posted on Thursday, May 12, 2022 with a Pre-Bid Meeting on Thursday, May 26, 2022, and proposals due on Thursday, June 9, 2022 at 2:00 P.M. The City of Gonzales received one response to the RFP, with a base proposal of \$297,697.00 from Hodges Construction Services. The amount of the proposal was substantially greater than the amount budgeted, therefore, staff felt it would be in the City's best interest if the project was re-advertised with a base bid and have alternate drainage & alternate ventilation bids put into the project. By doing this we hope to receive multiple bids from contractors that specialized in this type of work.

POLICY CONSIDERATIONS:

Local Government Code Section 252.043 (f) states that the governing body may reject any and all bids.

FISCAL IMPACT:

GEDC budgeted \$105,000.00 in GL account 700-7-700.721, Community Facility Development in the 2021-2022 budget.

ATTACHMENTS:

Tabulation

STAFF RECOMMENDATION:

Staff respectfully recommends the City Council reject the existing proposal and authorize staff to readvertise.

RESOLUTION NO. 2022-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS REJECTING ALL PROPOSALS FOR THE GONZALES MEMORIAL MUSEUM RESTORATION UNDERGROUND CRAWLSPACE PROJECT AND AUTHORIZING STAFF TO READVERTISE THE PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the advertisements for the Request for Proposals were published in the newspaper for two consecutive weeks beginning May 12, 2022; and,

WHEREAS, the proposals were due to be received by the City of Gonzales on Thursday, June 9, 2022, at 2:00 p.m.; and,

WHEREAS, one proposal was received from Hodges Construction Services with a base proposal amount of \$297,697.00; and,

WHEREAS, \$105,000.00 was allocated within the 2021-2022 Fiscal Year Budget; and

WHEREAS, Local Government Code Section 252.043(f) states that the governing body may reject any and all bids; and,

WHEREAS, the City Council finds that rejecting the proposal for the Gonzales Memorial Restoration Underground Crawlspace Project and allowing staff to readvertise the request for proposals in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales hereby rejects all proposals received for the Gonzales Memorial Museum Restoration Underground Crawlspace Project and authorizes staff to readvertise the request for proposals.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City

Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

**CITY OF GONZALES | GONZALES MEMORIAL MUSEUM RESTORATION
UNDERGROUND CRAWLSPACE PROJECT**

Gonzales, Texas
TSG Architects AIA

Thursday, June 9, 2022
2:00 p.m.

BID TABULATIONS

CONTRACTOR	BASE BID	DAYS	ADD #1	NOTES
Hodges Construction Services	\$ 297,697	90	√	
Sullivan Contracting Services				Did not submit bid

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution 2022-74 Rejecting all proposals for the J.B. Wells Park, Arena, & Expo Feasibility Study

DATE: July 14, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

City staff solicited requests for proposals from qualified respondents to provide site location, regional context, and long-range plans for J.B. Park, Arena, & Expo. We also, wanted them to conduct stakeholder meetings, gather input, conduct a market analysis including industry trends, compare facilities and make facility recommendations for the overall park.

The RFP was posted on Tuesday, April 5, 2022, with a Pre-submittal meeting on Monday, April 18, 2022, and proposals due on Friday, May 13, 2022 at 2:00 P.M. The City of Gonzales received three responses to the RFP, Burditt Lan/Place in the amount of \$64,000, Sports Facilities Companies in the amount of \$55,000, and Hunden Strategic Partners in the amount of \$44,400. There is no funding for the feasibility study and a budget amendment would have submitted to City Council for funding. Staff feels that it would be in the City's best interest to reject all bids and allow J.B. Wells Advisory Board to come up with a priority list of improvements/facilities that need to be added to the park and seek donors/donations and grants to fund these types of improvements.

POLICY CONSIDERATIONS:

Local Government Code Section 252.043 (f) states that the governing body may reject any and all bids.

FISCAL IMPACT:

None

ATTACHMENTS:

None

STAFF RECOMMENDATION:

Staff respectfully recommends the City Council reject the Feasibility Study proposals.

RESOLUTION NO. 2022-74

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS
REJECTING ALL PROPOSALS FOR THE J.B. WELLS PARK, ARENA, & EXPO
FEASIBILITY STUDY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the advertisements for the Request for Proposals were published in the newspaper for two consecutive weeks beginning April 7, 2022; and,

WHEREAS, the proposals were due to be received by the City of Gonzales on Friday, May 13, 2022, at 2:00 p.m.; and,

WHEREAS, three proposals were received, Burditt Lan/Place in the amount of \$64,000, Sports Facilities Companies in the amount of \$55,000, and Hunden Strategic Partners in the amount of \$44,400; and,

WHEREAS, no funds were allocated within the 2021-2022 Fiscal Year Budget; and

WHEREAS, Local Government Code Section 252.043(f) states that the governing body may reject any and all bids; and,

WHEREAS, the City Council finds that rejecting the proposals for the J.B. Wells Park, Arena, & Expo Feasibility Study is in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
GONZALES, TEXAS:**

Section 1. The City Council of the City of Gonzales hereby rejects all proposals received for the J.B. Wells Park, Arena, & Expo Feasibility Study.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

Request for Proposal #2022-22

J.B. Wells Park, Arena & Expo

Feasibility Study

Hunden Strategic Partners\$44,400.00

Burditt Land Place.....\$64,000.00

The Sports Facility Companies\$55,000.00

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution 2022-75 Rejecting all proposals for the J.B. Wells Park, Arena, & Expo Professional Marketing Services

DATE: July 14, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

City staff solicited requests for proposals from qualified respondents to provide professional marketing service for defining strategy and booking of the JB Wells Park of the City of Gonzales in a safe and operable condition. The respondent shall also provide such services to the City as is necessary and appropriate to carry out its undertakings for the JB Wells Park professional marketing services of the City of Gonzales.

The RFP was posted on Tuesday, April 5, 2022, with a Pre-submittal meeting on Monday, April 18, 2022, and proposals due on Friday, May 13, 2022 at 2:00 P.M. The City of Gonzales received one response to the RFP, Sports Facilities Companies in the amount of \$90,000. There is no funding for the professional marketing services and a budget amendment would have submitted to City Council for funding. Staff feels that it would be in the City's best interest to reject all bids and allow Amanda Garza, Arena Operations Manager to take on the additional responsibilities of increasing bookings/rentals for J.B. Wells Park and creating overnight lodging in Gonzales. Amanda Garza, Arena Operations Manager has agreed to take on these additional responsibilities.

POLICY CONSIDERATIONS:

Local Government Code Section 252.043 (f) states that the governing body may reject any and all bids.

FISCAL IMPACT:

None

ATTACHMENTS:

None

STAFF RECOMMENDATION:

Staff respectfully recommends the City Council reject the Professional Marketing Services proposal.

RESOLUTION NO. 2022-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS REJECTING ALL PROPOSALS FOR THE J.B. WELLS PARK, ARENA, & EXPO PROFESSIONAL MARKETING SERVICES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the advertisements for the Request for Proposals were published in the newspaper for two consecutive weeks beginning April 7, 2022; and,

WHEREAS, the proposals were due to be received by the City of Gonzales on Friday, May 13, 2022, at 2:00 p.m.; and,

WHEREAS, one proposal was received, Sports Facilities Companies in the amount of \$90,000; and,

WHEREAS, no funds were allocated within the 2021-2022 Fiscal Year Budget; and

WHEREAS, Local Government Code Section 252.043(f) states that the governing body may reject any and all bids; and,

WHEREAS, the City Council finds that rejecting the proposals for the J.B. Wells Park, Arena, & Expo Professional Marketing Services is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales hereby rejects all proposals received for the J.B. Wells Park, Arena, & Expo Professional Marketing Services.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

Request for Proposal #2022-03

J.B. Wells Park, Arena & Expo

Professional Marketing Services

**The Sports Facility Companies \$90,000.00 + 20% Incentive on
New Sponsorship/Corporate Partnership Sales**

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2022-76 Authorizing the City Manager to Execute Amendment One to the Agreement with Frontier Access, LLC (Frontier Waste Solutions) for Solid Waste Collection and Disposal Services providing for a Correction of a Mutual Mistake in the Rate Chart in Section 9.B. of the Agreement

DATE: July 14, 2022

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The RFP was posted to the City of Gonzales Website on December 3, 2019, and published in the paper (Inquirer) and TML website on December 5, 2019 with proposals originally due on December 20, 2019 at 2:00 P.M., but an Addendum was done on December 12, 2019 which modified the new proposal deadline to December 31, 2019 at 2:00 P.M. The City of Gonzales received (5) five responses to the RFP. The (5) five proposals received were from Frontier Waste Solutions, Waste Connections, Texas Disposal Systems, Tiger Sanitation and Republic Services. On December 31, 2019, and January 2, 2020, City staff met, reviewed and evaluated proposals based on price, quality of service and previous performance.

City Staff was authorized to enter into an agreement for Solid Waste Collection and Disposal Services with Frontier Access, LLC (Frontier Waste Solutions) for four (4) years and seven (7) months, commencing on March 1, 2020 and concluding on September 30, 2024 with one (1) five (5) year option that shall automatically be extended in the final year of the term, unless either party notifies the other party in writing not less than one hundred and twenty (120) days prior to the expiration of the then-current term.

City Staff and the Service Provider found a mutual mistake in the rate chart in Section 9.B. of the Agreement and would like to fix the mutual mistake to align with their original intent.

POLICY CONSIDERATIONS:

This is consistent with what has been done in the past.

FISCAL IMPACT:

There is no fiscal impact because the City and Service Provider have been acting according to their original intent.

ATTACHMENTS:

Amendment to the Exclusive Franchise Agreement for the Collection, Hauling, Recycling and Disposal of Municipal Solid Waste, Construction and Demolition Waste, and Recyclable Materials in the City of Gonzales, Texas.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this Resolution.

RESOLUTION NO. 2022-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT ONE TO THE AGREEMENT WITH FRONTIER ACCESS, LLC (FRONTIER WASTE SOLUTIONS) FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES PROVIDING FOR A CORRECTION OF A MUTUAL MISTAKE IN THE RATE CHART IN SECTION 9.b. OF THE AGREEMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gonzales (“City”) and Frontier Access, LLC (Frontier Waste Solutions) previously entered into a Solid Waste Collection and Disposal Services (“Agreement”) the terms of which require notification from the other party in writing not less than one hundred and twenty (120) days prior to the expiration of the then-current term.

WHEREAS, the Parties agree that it is in the best interest of the City to contract with Frontier Access, LLC (Frontier Waste Solutions) for Solid Waste Collection and Disposal Services; and

WHEREAS, the City and Service Provider both acknowledge and agree that there was a mutual mistake in the rate chart in Section 9.B. of the Agreement; and

WHEREAS, The City and Service Provider have been acting according to their original intent and desire to amend the Contract to fix the mutual mistake to align with their intent as more fully described in Exhibit “A which is the Amendment to the Exclusive Franchise Agreement for the Collection, Hauling, Recycling and Disposal of Municipal Solid Waste, Construction and Demolition Waste, and Recyclable Materials in the City of Gonzales, Texas; and

WHEREAS, the terms of the Agreement allow for amendments to be made upon written approval of the Parties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales hereby authorizes the City Manager to execute Amendment One to the Agreement with Frontier Access, LLC, (Frontier Waste Solutions) for Solid Waste Collection and Disposal Services.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

**AMENDMENT TO THE
EXCLUSIVE FRANCHISE AGREEMENT FOR THE COLLECTION,
HAULING, RECYCLING AND DISPOSAL OF MUNICIPAL SOLID WASTE,
CONSTRUCTION AND DEMOLITION WASTE, AND RECYCLABLE
MATERIALS IN THE CITY OF GONZALES, TEXAS**

This Amendment to the Exclusive Franchise Agreement for the Collection, Hauling, Recycling, and Disposal of Municipal Solid Waste, Construction and Demolition Waste and Recyclable Materials in the City of Gonzales, Texas (“Amendment”) is made and entered into as of the ____ day of _____, 2022, by and between the City of Gonzales, Texas (the “City”), and Frontier Access, LLC (“Service Provider”). The changes in this Amendment shall be deemed retroactively effective as of March 1, 2020.

RECITALS:

WHEREAS, the City and Service Provider entered into an Exclusive Franchise Agreement for the Collection, Hauling, Recycling and Disposal of Municipal Solid Waste, Construction and Demolition Waste, and Recyclable Materials in the City of Gonzales, Texas with a term beginning on March 1, 2020 (the “Contract”);

WHEREAS, the City and Service Provider both acknowledge and agree that there was a mutual mistake in the rate chart in Section 9.B. of the Agreement; and

WHEREAS, the City and Service Provider have been acting according to their original intent and desire to amend the Contract to fix the mutual mistake to align with their intent as more fully described herein.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and in the Contract, the parties hereto hereby agree as follows:

1. Commercial Hand Collect Unit Services. The rate chart in Section 9.B. of the Contract is hereby deleted in its entirety and replaced with the following:

	Monthly Rate For Each Roll-Out	Rate Per Extra Pickup
Contract Year 1	\$30.00	\$15.00
Contract Year 2	\$30.00	\$15.00
Contract Year 3	\$30.90	\$15.45
Contract Year 4	\$31.83	\$15.91
Contract Year 5	\$32.79	\$16.39

2. The City and Service Provider hereby reaffirm their agreement to be bound by all of the terms and provisions of the Contract, as amended hereby.

3. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

The parties hereto have executed this Amendment date first written above.

Frontier Access, LLC

By: _____
John Gustafson, President

THE CITY OF GONZALES, TEXAS,
a Texas municipality

By: _____
Name: _____
Title: _____

ATTESTED:

Name: _____
Title: City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider and Possible Action on Ordinance #2022-12 Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2021 and Ending September 30, 2022; General Fund: \$757,919.98 in Expenses and \$591,342 in Revenue with an Ending General Fund Balance decrease of \$166,577.98

DATE: July 14, 2022

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

On September 9, 2021 the City Council of the City of Gonzales Approved the Operating Budget for the City of Gonzales for the Fiscal Year Beginning October 1, 2021 and ending September 30, 2022.

The fund balance of the General Fund with JB Wells included after previously approved budget amendments is \$2,510,465. These budget amendments will affect that fund balance by a decrease of \$166,577.98.

BUDGET AMENDMENT #1

The City Council of the City of Gonzales approved a project on the Eggleston House on March 10, 2022 that showed an overage of \$90,694.40 with the understanding that a \$50,000 LCRA Grant was applied for. Staff was informed that the City did not receive the \$50,000 LCRA grant. Staff is asking for a budget amendment to reflect the overage on the project that Council approved.

Capital Replacement	100-7-660.650	-\$90,694.40
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BUDGET AMENDMENT #2

The City Council of the City of Gonzales approved a project on the installation of filtration and circulation pumps to the reflection pond located at the Memorial Museum on February 10, 2022 that showed an overage of \$27,495.98. Staff is asking for a budget amendment to reflect the overage on the project that Council approved.

Capital Improvement	100-7-660.640	-\$27,495.98
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BUDGET AMENDMENT #3

The City Council of the City of Gonzales approved additional shades at the Police Department for the police vehicles on April 14, 2022 that showed an overage of \$9,463.60. Staff is asking for a budget amendment to reflect the overage on those additional expenses that Council approved.

Structures	100-7-501.603	-\$9,463.60
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BUDGET AMENDMENT #4

The City Council of the City of Gonzales previously awarded the Environmental Contract to Terracon Consultants in amount of \$10,000, the Grant Administration Agreement to Jet Development, LLC in the amount of \$30,000 and the Engineering Contract to Doucet & Associates in the amount of \$70,000 (Grant Match of \$50,000 to be paid by GEDC) for the Sidewalk project. These expenses are to be reimbursed by the Grant that the City of Gonzales was awarded in the amount of \$500,000. Staff is asking for a budget amendment to reflect those expenses and the grant revenue that will be received for those expenses. Staff has been advised to rebid the construction portion of the sidewalk project due to being over budget. The budget amendment will only reflect the grant funds that will be received for the expenses that have been approved.

Grants	100-4-409.912	\$60,000.00
Grant Writer Fees	100-7-104.403	-\$30,000.00
Engineering	100-7-104.423	-\$20,000.00
Special Contracts	100-7-603.411	-\$10,000.00

BUDGET AMENDMENT #5

The City Council of the City of Gonzales previously awarded the Environmental Contract to SWCA in amount of \$16,325, the Grant Administration Agreement to Jet Development, LLC in the amount of \$30,000 and the Engineering Contract to Doucet & Associates in the amount of \$485,017 for the Tinsley Creek project. These expenses are to be reimbursed by the Grant that the City of Gonzales was awarded in the amount of \$3,778,467. Staff is asking for a budget amendment to reflect those expenses and the grant revenue that will be received for those expenses. The budget amendment will only reflect the grant funds that will be received for the expenses that have been approved.

Grants	100-4-409.912	\$531,342.00
Grant Writer Fees	100-7-104.403	-\$ 30,000.00
Engineering	100-7-104.423	-\$485,017.00
Special Contracts	100-7-603.411	-\$ 16,325.00

BUDGET AMENDMENT #6

The City Council of the City of Gonzales previously awarded the Auditing Service Agreement to ABIP, PC. in the amount of \$28,175 for the 1st year. The City had contracted with the same auditor since 2013 and they helped staff with many of the end of the year adjusting journal entries, reconciling issues, updating the capital asset list and many other audit items. The City's current auditors have requested a change order stating that there was significant time and effort to identifying reconciliation issues with the City's accounts balances, investigating those reconciling differences, and assisting with corrections to the general ledger so the financial statements could obtain an unmodified (clean opinion) from the audit. Some of this was caused by several restatement issues where the new auditors disagreed with some of the previous auditor's entries and cleaning that up. They were a lot of time spent on reviewing many old dormant accounts during the audit process that haven't changed in many years and looking at

what needs to be done to those accounts to clean them up. They have stated that all of this assistance provided was non audit services because they were not anticipated when they were engaged by the City. Staff has spoken to the auditors about training over some of these things that can be done at the end of the year to eliminate some of these additional costs moving forward and the auditors had said they could provide training and they are working on estimates. The auditors estimated 225 hours to take care of the audit, but they ended up spending 549.50 hours. They sent staff a change order based on their actual time that was spent on the entire audit and it puts the total at \$79,100. GEDC will pay their portion of the audit which is \$5,500. Staff had budgeted \$34,676 in the General Fund for the audit services. Staff is asking for a budget amendment of \$38,924 to cover the budget difference.

Audit Services	100-7-109.406	-\$38,924.00
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POLICY CONSIDERATIONS:

Approval of these budget amendments is consistent with current policy.

FISCAL IMPACT:

This Ordinance will amend the budget.

ATTACHMENTS:

Exhibit "A"

STAFF RECOMMENDATION:

Staff respectfully recommends the Council to take action they deem necessary.

ORDINANCE NO. 2022-12

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, APPROVING A BUDGET AMENDMENT TO THE OPERATING BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 FOR GENERAL FUND: \$757,919.98 IN EXPENSES AND \$591,342 IN REVENUE WITH AN ENDING GENERAL FUND BALANCE DECREASE OF \$166,577.98; ESTABLISHING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an annual operating budget for the fiscal year October 1, 2021 through September 30, 2022, was approved and adopted by the City Council on September 9, 2021; and,

WHEREAS, amendments to said budget have been requested as itemized in "Exhibit A" attached hereto and made a part hereof; and

WHEREAS, said full and final consideration of said budget amendments have been held in a legally posted public meeting of the City Council, and it is the consensus of opinion that the budget amendments as submitted, should be approved and adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The City Council of the City of Gonzales, Texas hereby amends the budget for the 2021-22 fiscal year as set forth in the Attached "Exhibit A", which is fully incorporated herein by reference.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. That this Ordinance shall be cumulative of all provisions of the City of Gonzales, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the more restrictive shall apply.

Section 4. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 8. This Ordinance shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 14th day of July, 2022.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT “A”

On September 9, 2021 the City Council of the City of Gonzales Approved the Operating Budget for the City of Gonzales for the Fiscal Year Beginning October 1, 2021 and ending September 30, 2022.

The fund balance of the General Fund with JB Wells included after previously approved budget amendments is \$2,510,465. These budget amendments will affect that fund balance by a decrease of \$166,577.98.

BUDGET AMENDMENT #1

The City Council of the City of Gonzales approved a project on the Eggleston House on March 10, 2022 that showed an overage of \$90,694.40 with the understanding that a \$50,000 LCRA Grant was applied for. Staff was informed that the City did not receive the \$50,000 LCRA grant. Staff is asking for a budget amendment to reflect the overage on the project that Council approved.

Capital Replacement	100-7-660.650	-\$90,694.40
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BUDGET AMENDMENT #2

The City Council of the City of Gonzales approved a project on the installation of filtration and circulation pumps to the reflection pond located at the Memorial Museum on February 10, 2022 that showed an overage of \$27,495.98. Staff is asking for a budget amendment to reflect the overage on the project that Council approved.

Capital Improvement	100-7-660.640	-\$27,495.98
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BUDGET AMENDMENT #3

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Structures	100-7-501.603	-\$9,463.60
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BUDGET AMENDMENT #4

The City Council of the City of Gonzales previously awarded the Environmental Contract to Terracon Consultants in amount of \$10,000, the Grant Administration Agreement to Jet Development, LLC in the amount of \$30,000 and the Engineering Contract to Doucet & Associates in the amount of \$70,000 (Grant Match of \$50,000 to be paid by GEDC) for the Sidewalk project. These expenses are to be reimbursed by the Grant that the City of Gonzales was awarded in the amount of \$500,000. Staff is asking for a budget amendment to reflect those expenses and the grant revenue that will be received for those expenses. Staff has been advised to rebid the construction portion of the sidewalk project due to being over budget. The budget amendment will only reflect the grant funds that will be received for the expenses that have been approved.

Grants	100-4-409.912	\$60,000.00
Grant Writer Fees	100-7-104.403	-\$30,000.00
Engineering	100-7-104.423	-\$20,000.00
Special Contracts	100-7-603.411	-\$10,000.00

BUDGET AMENDMENT #5

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Grants	100-4-409.912	\$531,342.00
Grant Writer Fees	100-7-104.403	-\$ 30,000.00
Engineering	100-7-104.423	-\$485,017.00
Special Contracts	100-7-603.411	-\$ 16,325.00

BUDGET AMENDMENT #6

The City Council of the City of Gonzales previously awarded the Auditing Service Agreement to ABIP, PC. in the amount of \$28,175 for the 1st year. The City had contracted with the same auditor since 2013 and they helped staff with many of the end of the year adjusting journal entries, reconciling issues, updating the capital asset list and many other audit items. The City's current auditors have requested a change order stating that there was significant time and effort to identifying reconciliation issues with the City's accounts balances, investigating those reconciling differences, and assisting with corrections to the general ledger so the financial statements could obtain an unmodified (clean opinion) from the audit. Some of this was caused by several restatement issues where the new auditors disagreed with some of the previous auditor's entries and cleaning that up. They were a lot of time spent on reviewing many old dormant accounts during the audit process that haven't changed in many years and looking at what needs to be done to those accounts to clean them up. They have stated that all of this assistance provided was non audit services because they were not anticipated when they were engaged by the City. Staff has spoken to the auditors about training over some of these things that can be done at the end of the year to eliminate some of these additional costs moving forward and the auditors had said they could provide training and they are working on estimates. The auditors estimated 225 hours to take care of the audit, but they ended up spending 549.50 hours. They sent staff a change order based on their actual time that was spent on the entire audit and it puts the total at \$79,100. GEDC will pay their portion of the audit which is \$5,500. Staff had budgeted \$34,676 in the General Fund for the audit services. Staff is asking for a budget amendment of \$38,924 to cover the budget difference.

Audit Services	100-7-109.406	-\$38,924.00
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FINANCIAL REPORTS FOR FUNDS AS OF 06/30/2022

CASH & INVESTMENT BY FUND AS OF 06/30/2022

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JUNE 30TH, 2022

100-GENERAL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
401-TAX REVENUE	2,692,465.00	192,798.47	2,415,725.20	89.72	0.00	276,739.80
402-FRANCHISE REVENUE	1,874,687.00	13,858.17	1,199,282.60	63.97	0.00	675,404.40
403-LICENSE/FEE/PERMITS	81,850.00	4,425.61	68,907.62	84.19	0.00	12,942.38
404-PARKS FEES REVENUE	301,485.00	29,969.84	232,599.65	77.15	0.00	68,885.35
405-MUNICIPAL COURT REVEN	46,115.00	7,926.88	49,594.25	107.54	0.00	(3,479.25)
406-MISCELLANEOUS REVENUE	2,588,050.00	35,066.91	2,446,482.29	94.53	0.00	141,567.71
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	12,000.00	0.00	10,366.10	86.38	0.00	1,633.90
409-OTHER FINANCING REVEN	1,004,328.96	5,000.00	16,255.50	1.62	0.00	988,073.46
410-TRANSFERS	2,857,618.00	0.00	1,891,892.96	66.21	0.00	965,725.04
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*** TOTAL REVENUES ***	11,458,598.96	289,045.88	8,331,106.17	72.71	0.00	3,127,492.79
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EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTME	91,616.00	5,175.35	60,656.17	66.21	0.00	30,959.83
102-CITY MANAGER DEPART	175,509.00	12,514.64	125,397.86	71.45	0.00	50,111.14
103-COMMUNITY DEVELOPMENT	277,201.00	10,358.21	165,252.73	59.61	0.00	111,948.27
104-NON-DEPARTMENTAL	2,266,809.00	28,373.72	2,360,739.68	104.14	0.00	(93,930.68)
105-MAIN STREET DEPARTMEN	74,531.00	15,382.40	56,764.21	76.16	0.00	17,766.79
106-ECONOMIC DEVELOPMENT	0.00	0.00	0.00	0.00	0.00	0.00
107-BUILDING MAINTENANCE	273,228.00	21,474.66	185,523.61	68.94	2,843.49	84,860.90
108-CITY SECRETARY DEP	138,211.00	8,740.25	88,271.35	63.87	0.00	49,939.65
109-FINANCE DEPARTMENT	287,040.00	17,179.69	227,126.24	79.13	0.00	59,913.76
110-HOTEL/MOTEL	0.00	0.00	0.00	0.00	0.00	0.00
201-PARKS DEPARTMENT	652,403.00	38,890.95	445,772.15	68.33	0.01	206,630.84
202-SWIMMING POOL DEPARTM	29,849.00	6,506.85	10,575.24	35.43	0.00	19,273.76
204-RECREATION DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00
206-INDEPENDENCE GOLF CO	306,194.00	20,372.19	201,736.50	65.89	0.00	104,457.50
301-FIRE DEPARTMENT	1,506,743.00	81,041.30	1,024,393.57	73.70	86,056.74	396,292.69
501-POLICE DEPARTMENT	2,802,551.96	263,463.13	2,004,204.81	75.78	119,511.00	678,836.15
504-ANIMAL CONTROL DEPART	163,090.00	12,024.38	112,237.57	68.82	0.00	50,852.43
550-MUNICIPAL COURT DEPT.	113,156.00	6,351.15	76,831.87	67.90	0.00	36,324.13
602-AIRPORT DEPARTMENT	133,495.00	10,931.31	97,635.47	73.14	0.00	35,859.53
603-STREETS DEPARTMENT	2,074,665.00	33,139.05	686,435.71	33.10	297.82	1,387,931.47
650-LIBRARY DEPARTMENT	291,833.00	17,006.45	209,954.20	71.94	0.00	81,878.80
660-MUSEUM DEPARTMENT	165,588.00	47,923.82	123,719.13	74.72	0.00	41,868.87
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*** TOTAL EXPENDITURES ***	11,823,712.96	656,849.50	8,263,228.07	71.65	208,709.06	3,351,775.83
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** REVENUES OVER(UNDER) EXPENDITURES **	(365,114.00)	(367,803.62)	67,878.10	38.57	(208,709.06)	(224,283.04)
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FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

203-JB WELLS PARK FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
404-PARKS FEES REVENUE	664,620.00	159,681.16	482,025.51	72.53	0.00	182,594.49
406-MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	664,620.00	159,681.16	482,025.51	72.53	0.00	182,594.49
EXPENDITURE SUMMARY						
203-JB WELLS PARK	906,861.00	69,379.83	690,902.79	76.19	(0.01)	215,958.22
*** TOTAL EXPENDITURES ***	906,861.00	69,379.83	690,902.79	76.19	(0.01)	215,958.22
** REVENUES OVER (UNDER) EXPENDITURES **	(242,241.00)	90,301.33	(208,877.28)	86.23	0.01	(33,363.73)

FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

210-ELECTRIC FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
400-DSF GOVERNMENT ACT.	0.00	0.00	0.00	0.00	0.00	0.00
710-ELECTRIC DEPARTMENT	10,357,097.00	916,808.53	7,367,942.80	71.14	0.00	2,989,154.20
750-REVENUE COLLECTION	218,627.00	1,175.71	200,197.72	91.57	0.00	18,429.28
809-HYDRO PLANT CONST.	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	10,575,724.00	917,984.24	7,568,140.52	71.56	0.00	3,007,583.48
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	10,753,299.44	91,271.66	6,800,429.11	70.16	744,109.46	3,208,760.87
750-REVENUE COLLECTIONS	284,578.00	17,231.30	216,252.88	75.99	0.00	68,325.12
809-HYDRO PLANT CONST.	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL EXPENDITURES ***	11,037,877.44	108,502.96	7,016,681.99	70.31	744,109.46	3,277,085.99
** REVENUES OVER (UNDER) EXPENDITURES **	(462,153.44)	809,481.28	551,458.53	41.69	(744,109.46)	(269,502.51)

FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

220-WATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
300-CAPITAL PROJECTS-BUS	0.00	0.00	0.00	0.00	0.00	0.00
720-WATER PRODUCTION DEPT	2,515,800.00	250,661.96	1,945,159.93	77.32	0.00	570,640.07
*** TOTAL REVENUES ***	2,515,800.00	250,661.96	1,945,159.93	77.32	0.00	570,640.07
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	2,140,554.00	44,987.77	1,268,953.66	59.33	1,132.96	870,467.38
722-SERIES 2011 DEBT SERV	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL EXPENDITURES ***	2,140,554.00	44,987.77	1,268,953.66	59.33	1,132.96	870,467.38
** REVENUES OVER (UNDER) EXPENDITURES **	375,246.00	205,674.19	676,206.27	179.90	(1,132.96)	(299,827.31)

FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

230-WASTEWATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
730-WASTEWATER COLLECTION	1,466,969.00	128,814.06	1,189,408.56	81.08	0.00	277,560.44
731-W/W CDBG PROJECT	720,917.00	0.00	26,863.02	3.73	0.00	694,053.98
*** TOTAL REVENUES ***	2,187,886.00	128,814.06	1,216,271.58	55.59	0.00	971,614.42
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,729,022.00	40,029.71	796,943.90	59.59	233,425.00	698,653.10
731-W/W CDBG PROJECT	1,617,945.00	0.00	34,224.96	2.12	0.00	1,583,720.04
*** TOTAL EXPENDITURES ***	3,346,967.00	40,029.71	831,168.86	31.81	233,425.00	2,282,373.14
** REVENUES OVER (UNDER) EXPENDITURES ** (1,159,081.00)		88,784.35	385,102.72	13.09-	(233,425.00)	(1,310,758.72)

FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

240-SOLID WASTE FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
740-SOLID WASTE DEPARTMEN	781,200.00	66,236.50	598,615.33	76.63	0.00	182,584.67
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*** TOTAL REVENUES ***	781,200.00	66,236.50	598,615.33	76.63	0.00	182,584.67
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EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	734,569.00	8,257.99	512,968.75	69.83	0.00	221,600.25
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*** TOTAL EXPENDITURES ***	734,569.00	8,257.99	512,968.75	69.83	0.00	221,600.25
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	46,631.00	57,978.51	85,646.58	183.67	0.00	(39,015.58)
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FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

300-CAPITAL PROJECTS-BUSINESS

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
300-CAPITAL PROJECTS-BUS	500.00	0.00	352.42	70.48	0.00	147.58
*** TOTAL REVENUES ***	500.00	0.00	352.42	70.48	0.00	147.58
EXPENDITURE SUMMARY						
300-TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00
301-STREETS	0.00	0.00	0.00	0.00	0.00	0.00
302-WASTEWATER	219,450.00	0.00	13,250.00	6.04	0.00	206,200.00
303-ELECTRIC	0.00	0.00	0.00	0.00	0.00	0.00
304-WATER	318,450.00	0.00	13,250.00	4.16	0.00	305,200.00
*** TOTAL EXPENDITURES ***	537,900.00	0.00	26,500.00	4.93	0.00	511,400.00
** REVENUES OVER (UNDER) EXPENDITURES **	(537,400.00)	0.00	(26,147.58)	4.87	0.00	(511,252.42)

FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

400-DSF GOVERNMENT ACTIVITIES

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
400-DSF GOVERNMENT ACT.	1,262,050.00	0.00	1,181,490.60	93.62	0.00	80,559.40
*** TOTAL REVENUES ***	1,262,050.00	0.00	1,181,490.60	93.62	0.00	80,559.40
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	1,247,700.00	0.00	986,419.99	79.06	0.00	261,280.01
*** TOTAL EXPENDITURES ***	1,247,700.00	0.00	986,419.99	79.06	0.00	261,280.01
** REVENUES OVER (UNDER) EXPENDITURES **	14,350.00	0.00	195,070.61	359.38	0.00	(180,720.61)

FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

500-RESTRICTED USE FUNDS

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
410-TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL/MOTEL	303,100.00	87,528.71	441,362.73	145.62	0.00	(138,262.73)
812-MEMORIAL MUSEUM	3,580.00	1.45	2,146.97	59.97	0.00	1,433.03
813-FORFEITURES	110.00	0.00	120.13	109.21	0.00	(10.13)
814-MUNICIPAL COURT	1,820.00	0.00	1,217.90	66.92	0.00	602.10
815-ROBERT L BROTHERS	380.00	0.00	394.80	103.89	0.00	(14.80)
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*** TOTAL REVENUES ***	308,990.00	87,530.16	445,242.53	144.10	0.00	(136,252.53)
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EXPENDITURE SUMMARY						
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL MOTEL	502,448.15	57,615.75	298,865.02	59.48	0.00	203,583.13
812-MEMORIAL MUSEUM	34,000.00	25,000.00	26,480.72	77.88	0.00	7,519.28
813-FORFEITURES	21,000.00	0.00	0.00	0.00	0.00	21,000.00
814-MUNICIPAL COURT	17,500.00	497.65	9,357.70	53.47	0.00	8,142.30
815-ROBERT L BROTHERS	32,200.00	432.60	9,452.14	29.35	0.00	22,747.86
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	607,148.15	83,546.00	344,155.58	56.68	0.00	262,992.57
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	(298,158.15)	3,984.16	101,086.95	33.90-	0.00	(399,245.10)
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FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

575-CAPITAL PROJECTS-GOV.

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
575-CAPITAL PROJECTS-GOV	0.00	0.00	39.44	0.00	0.00	(39.44)
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*** TOTAL REVENUES ***	0.00	0.00	39.44	0.00	0.00	(39.44)
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
CAPITAL PROJECTS-GOV	28,075.00	0.00	385,739.22	373.96	0.00	(357,664.22)
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*** TOTAL EXPENDITURES ***	28,075.00	0.00	385,739.22	373.96	0.00	(357,664.22)
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	(28,075.00)	0.00	(385,699.78)	373.82	0.00	357,624.78
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FINANCIAL STATEMENT

AS OF: JUNE 30TH, 2022

700-GONZALES ECONOMIC DEV

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
700-ECONOMIC DEVELOPMENT	899,000.00	86,521.39	735,090.19	81.77	0.00	163,909.81
*** TOTAL REVENUES ***	899,000.00	86,521.39	735,090.19	81.77	0.00	163,909.81
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,987,332.00	38,561.84	923,091.77	46.47	469.98	1,063,770.25
*** TOTAL EXPENDITURES ***	1,987,332.00	38,561.84	923,091.77	46.47	469.98	1,063,770.25
** REVENUES OVER (UNDER) EXPENDITURES **	(1,088,332.00)	47,959.55	(188,001.58)	17.32	(469.98)	(899,860.44)

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<hr/>			
100-GENERAL FUND			

<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	407,550.29	
100 1-001.501	CASH-GENERAL FUND RBFCU	62,456.10	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	110,463.87	

	TOTAL CASH	580,470.26	
 <u>INVESTMENTS</u>			
100 1-103.409	RBFCU-SAVINGS ACCOUNT		0.00
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		225,342.29
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		20,407.22

	TOTAL INVESTMENTS		245,749.51
 <u>POOLED INVESTMENTS</u>			
100 1-104.002	TEXPOOL- GENERAL FUND		2,650,498.74

	TOTAL POOLED INVESTMENTS		2,650,498.74
		-----	-----
	TOTAL 100-GENERAL FUND	580,470.26	2,896,248.25
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203-JB WELLS FUND			

<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	(360,109.83)	

	TOTAL CASH	(360,109.83)	
		-----	-----
	TOTAL 203-JB WELLS PARK FUND	(360,109.83)	0.00
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210-ELECTRIC FUND			

<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	379,526.37	
210 1-001.606	CASH CUSTOMER METER DEPOSIT	257,918.98	

	TOTAL CASH	637,445.35	
 <u>INVESTMENTS</u>			
210 1-103.410	CERT OF DEP - SOUTH STAR BANK		281,582.76

	TOTAL INVESTMENTS		281,582.76

CASH & INVESTMENTS BY FUND

AS OF: JUNE 30TH, 2022

JUNE 30TH, 2022

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>POOLED INVESTMENTS</u>			
210 1-104.002	TEXPOOL- ELECTRIC FUND		1,984,614.08
TOTAL POOLED INVESTMENTS			1,984,614.08
TOTAL 210-ELECTRIC FUND		637,445.35	2,266,196.84
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220-WATER FUND			

<u>CASH</u>			
220 1-001.000	CASH - WATER FUND	208,889.44	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	35,264.00	
TOTAL CASH		244,153.44	
<u>POOLED INVESTMENTS</u>			
220 1-104.002	TEXPOOL- WATER FUND		1,900,692.60
220 1-104.103	CASH - CO SERIES 2019		365,938.54
TOTAL POOLED INVESTMENTS			2,266,631.14
TOTAL 220-WATER FUND		244,153.44	2,266,631.14
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230-WASTEWATER FUND			

<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	398,522.22	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	3,014.00	
TOTAL CASH		401,536.22	
<u>INVESTMENTS</u>			
230 1-103.411	CERT. OF DEP - SOUTH STAR BANK		282,440.15
TOTAL INVESTMENTS			282,440.15
<u>POOLED INVESTMENTS</u>			
230 1-104.002	TEXPOOL- WASTEWATER FUND		1,197,776.72
230 1-104.003	TEXPOOL-CORONAVIRUS LOCAL FIS		936,156.02
230 1-104.102	CASH - CO SERIES 2019		266,944.65
TOTAL POOLED INVESTMENTS			2,400,877.39
TOTAL 230-WASTEWATER FUND		401,536.22	2,683,317.54

CASH & INVESTMENTS BY FUND

AS OF: JUNE 30TH, 2022

JUNE 30TH, 2022

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
240-SOLID WASTE			
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<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	174,235.01	

	TOTAL CASH	174,235.01	
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	TOTAL 240-SOLID WASTE FUND	174,235.01	0.00
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250-DSF PROPRIETARY			
=====			
<u>CASH</u>			
250 1-001.000	CASH-DSF PROPRIETARY	0.00	

	TOTAL CASH	0.00	
		-----	-----
	TOTAL 250-DSF PROPRIETARY	0.00	0.00
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300-CAPITAL PROJECTS-BUS			
=====			
<u>CASH</u>			
300 1-001.000	CASH CONTROL - CAPITAL PROJ	(850.00)	
300 1-101.301	BOND - CIP	0.00	

	TOTAL CASH	(850.00)	
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<u>POOLED INVESTMENTS</u>			
300 1-104.101	CASH-CO SERIES 2019 CIP STREET		0.00
300 1-104.102	CASH-CO SERIES 2019 CIP W/W	(12,677.79)	
300 1-104.103	CASH-CO SERIES 2019 CIP WATER	(12,619.79)	
300 1-104.104	CASH-CO SERIES 2019 CIP GEN.	0.00	

	TOTAL POOLED INVESTMENTS	(25,297.58)	
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	TOTAL 300-CAPITAL PROJECTS-BUSINESS	(850.00)	(25,297.58)
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400-DSF GOVERNMENTAL ACTI			
=====			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCT	(500.00)	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	414,376.17	

	TOTAL CASH	413,876.17	
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	TOTAL 400-DSF GOVERNMENT ACTIVITIES	413,876.17	0.00

CASH & INVESTMENTS BY FUND

AS OF: JUNE 30TH, 2022

JUNE 30TH, 2022

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
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500-RESTRICTED USE FUNDSCASH

500 1-001.000	CASH - CONTROL ACCT	(43,516.38)	
500 1-001.502	CASH - HOTEL MOTEL TAX	773,562.20	
500 1-001.503	CASH - MUSEUM FUNDS	31,136.01	
500 1-001.504	CASH - FORFEITURES	24,211.60	
500 1-001.505	CASH - MUN CRT CHILD SAFETY	7,346.97	
500 1-001.506	CASH - MUN CRT SECURITY	22,322.14	
500 1-001.507	CASH - MUN CRT TECH	787.08	
500 1-001.508	CASH - SPECIAL EXPENSE	7,166.09	
500 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	74,638.08	

TOTAL CASH	897,653.79	
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TOTAL 500-RESTRICTED USE FUNDS	897,653.79	0.00
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575-CAPITAL PROJECTS-GOVCASH

575 1-001.000	CASH-CONTROL ACCT	0.00
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TOTAL CASH	0.00
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POOLED INVESTMENTS

575 1-104.101	CASH-CO SERIES 19 CIP STREET	8,796.67
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TOTAL POOLED INVESTMENTS	8,796.67
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TOTAL 575-CAPITAL PROJECTS-GOV.	0.00	8,796.67
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700-COMPONENT UNITCASH

700 1-001.000	CASH -CONTROL ACCOUNT	(17,475.87)
700 1-001.101	CASH - ECONOMIC DEV CORP	3,332,777.23

TOTAL CASH	3,315,301.36
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TOTAL 700-GONZALES ECONOMIC DEV	3,315,301.36	0.00
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FUND TOTAL OTHER INVESTMENTS	809,772.42
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FUND TOTAL POOLED INVESTMENTS	9,286,120.44
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TOTAL CASH AND INVESTMENTS	6,303,711.77	10,095,892.86
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*** END OF REPORT ***