

**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET  
AGENDA –NOVEMBER 17, 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.

**PRESENTATION AND PUBLIC HEARING**

- 1.1 Public Hearing and Presentation regarding the Section 3 Requirements for the City of Gonzales TXCDBG Grant # 7220052-2020-DRP from the Texas Department of Agriculture in the amount of \$500,000 for Sidewalk and Infrastructure Improvements

**CONSENT AGENDA ITEMS**

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

- 2.1 **Minutes** - Approval of the minutes for the October 13, 2022 Regular Meeting
- 2.2 Discuss, Consider & Possible Action on **Resolution #2022-127** Authorizing the Interim City Manager to execute an Interlocal Cooperation Agreement between Gonzales County and the City of Gonzales to install a radio communications tower located off of FM 532 for Emergency Communication

- 2.3 Discuss, Consider & Possible Action on **Resolution #2022-128** Authorizing the Payment of Longevity Pay for Fiscal Year 2022-2023
- 2.4 Discuss, Consider & Possible Action on **Resolution #2022-129** Authorizing the Interim City Manager to Execute an Agreement for Election Services with the Elections Administrator of Gonzales County for the May 6, 2023 General Election
- 2.5 Discuss, Consider & Possible Action on **Resolution #2022-130** Authorizing the Edwards Association the Use of Independence Square including the Parking Lot, and Designated Street Closures for the Annual Martin Luther King March on January 16, 2023

## **RESOLUTIONS**

- 3.1 Public Hearing, Discussion & Possible Action on **Resolution #2022-131** Authorizing the Interim City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas General Land Office (GLO) for \$150,000 to the Resilient Communities Grant program for the update of the City of Gonzales Comprehensive Plan
- 3.2 Discuss, Consider & Possible Action on **Resolution #2022-132** Approving the 2023 Insurance Provider for Health, Dental, Vision and Life
- 3.3 Discuss, Consider & Possible Action on **Resolution #2022-133** Authorizing the Purchase of a Fire Engine and Related Equipment for the Fire Department and Authorizing the Interim City Manager to Execute the Purchase Agreement and all necessary documents
- 3.4 Discuss, Consider & Possible Action on **Resolution #2022-134** Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to Diamond X Contracting, Inc
- 3.5 Discuss, Consider & Possible Action on **Resolution #2022-135** Accepting the Proposals and Awarding the contract for the 2022 Street Improvement Plans to Diamond X Contracting Inc.
- 3.6 Discuss, Consider & Possible Action on **Resolution #2022-136** Issuing a Change Order to the contract for the 2022 Street Improvement Projects with Diamond X Contracting, Inc. to reduce the amount of the contract by \$633,852.95, and to add a 1% contingency to the project
- 3.7 Discuss, Consider & Possible Action on **Resolution #2022-137** Approving Work Order #74 in the amount of \$44,500 for Engineering, Surveying, CMT and Construction Administration Services for the 2022 Water and Wastewater Improvement Projects
- 3.8 Discuss, Consider & Possible Action on **Resolution #2022-138** 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

## **ORDINANCES**

- 4.1 Public Hearing, Discussion & Possible Action on **Ordinance #2022-21** Amending the Official Zoning Map by Zoning Property located at 1507 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District
- 4.2 Public Hearing, Discussion, & Possible Action on **Ordinance #2022-22** Amending the Official Zoning Map by Zoning Property located at 814 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District

## **STAFF/BOARD REPORTS**

- 5.1 Finance Director will provide feedback on any questions regarding:
  - Financial Reports for funds as of October 30, 2022
  - Cash & Investment by Fund as of October 30, 2022
  - Quarterly Investment Report Ending June 30, 2022 & September 30, 2022
- 5.2 Interim City Manager, Tim Crow will update the City Council on the following:
  - District 4 Clean-up
  - Timeline on Capital Improvement Projects
    - Recently Completed Projects
    - Projects Currently in Process
    - Upcoming Projects
    - Departmental 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) Discussion on the structuring of the search process to fill the City Manager vacancy
- (2) Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:
  - B) Existing and future water rights and sources

## **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 November 17, 2022, agenda of items to be considered by the Gonzales City Council was posted on the City Municipal Building bulletin board on the 14<sup>th</sup> day of November, 2022 at 6:00 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.

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Public Hearing and Presentation regarding the Section 3 Requirements for the City of Gonzales TXCDBG Grant # 7220052-2020-DRP from the Texas Department of Agriculture in the amount of \$500,000 for Sidewalk and Infrastructure Improvements

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Presentation

### **BACKGROUND:**

The Texas Department of Agriculture awarded the City of Gonzales funding for CDBG Sidewalk and Infrastructure for safety and ADA compliance. As a condition of this award, the City of Gonzales and its contractors must demonstrate, to the greatest extent feasible, economic opportunity generated by CDBG funds and other HUD assistance, most importantly employment, is directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, as well as residents of the community in which the federal funds are spent. The HUD benchmark for Targeted Section 3 Workers is 5% of total labor hours worked. Failure to achieve these benchmarks requires additional justification by the state, which may necessitate additional information from the City of Gonzales.

### **POLICY CONSIDERATIONS:**

This is consistent with current policy.

### **FISCAL IMPACT:**

The match for the grant is \$50,000 and is reflected in the current fiscal year budget

### **ATTACHMENTS:**

Section 3 Presentation

### **STAFF RECOMMENDATION:**

Requirement of grant funding

# Section 3 Presentation to City of Gonzales



The City of Gonzales received a TX-CDBG grant award from the Texas Department of Agriculture following grant award:

- Grant Contract No. 7220052-2020-DRP
- Award Amount: \$500, 000
- Project: Downtown Revitalization Project – Sidewalks and Street Improvements



The grant is funded through the  
Community Development Block Grant, via:

- U.S. Department of Housing and Urban  
Development

and

- Texas Department of Agriculture



## Section 3 Concepts

---

- As a condition of funding, the City must comply with Section 3 of the Housing and Urban Development Act of 1968.
- To the greatest extent feasible, Grant Recipients must direct economic opportunities generated by CDBG funds to low- and very low-income persons.



## Section 3 Concepts

---

In part, this means ensuring that:

- Section 3 Businesses have the information to submit a bid or proposal for the project; and
- Section 3 Workers have information about any available job opportunities related to the project.

For precise definitions, see TxCDBG Policy Issuance 20-01



## Section 3 Business

A company may qualify as a Section 3 Business if:

- it is owned by low-income persons;
- it is owned by Section 8-Assisted housing residents; or
- 75% of all labor hours for the business in a 3 month period are performed by Section 3 Workers

Register at:

- HUD's Section 3 website:  
<https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness>



## Section 3 Business

---

This project is expected to include the following contracting opportunities:

- Grant Administration services – JET Development LLC
- Engineering Services – Doucet Engineering
- Prime Contractor for Construction – Diamond X Contracting
- Subcontractors: Heavy Equipment Operator, Light Equipment Operator, Laborer, Mechanic and Mechanic Helper



## Section 3 Worker

---

You may qualify as a Section 3 Worker if:

- Your annual income is below the county threshold for your family size
- You are a current or recent Youthbuild participant

Register your information and search for opportunities at:

- WorkInTexas.gov
- HUD's Section 3 Opportunity Portal  
<https://hudapps.hud.gov/OpportunityPortal/>



## Section 3 Worker

	Income Limits for Gonzales County						
	1 person	2 person	3 person	4 person	5 person	6 person	7 person
Low Income	\$38,850	\$44,400	\$49,950	\$55,500	\$59,950	\$64,400	\$68,850

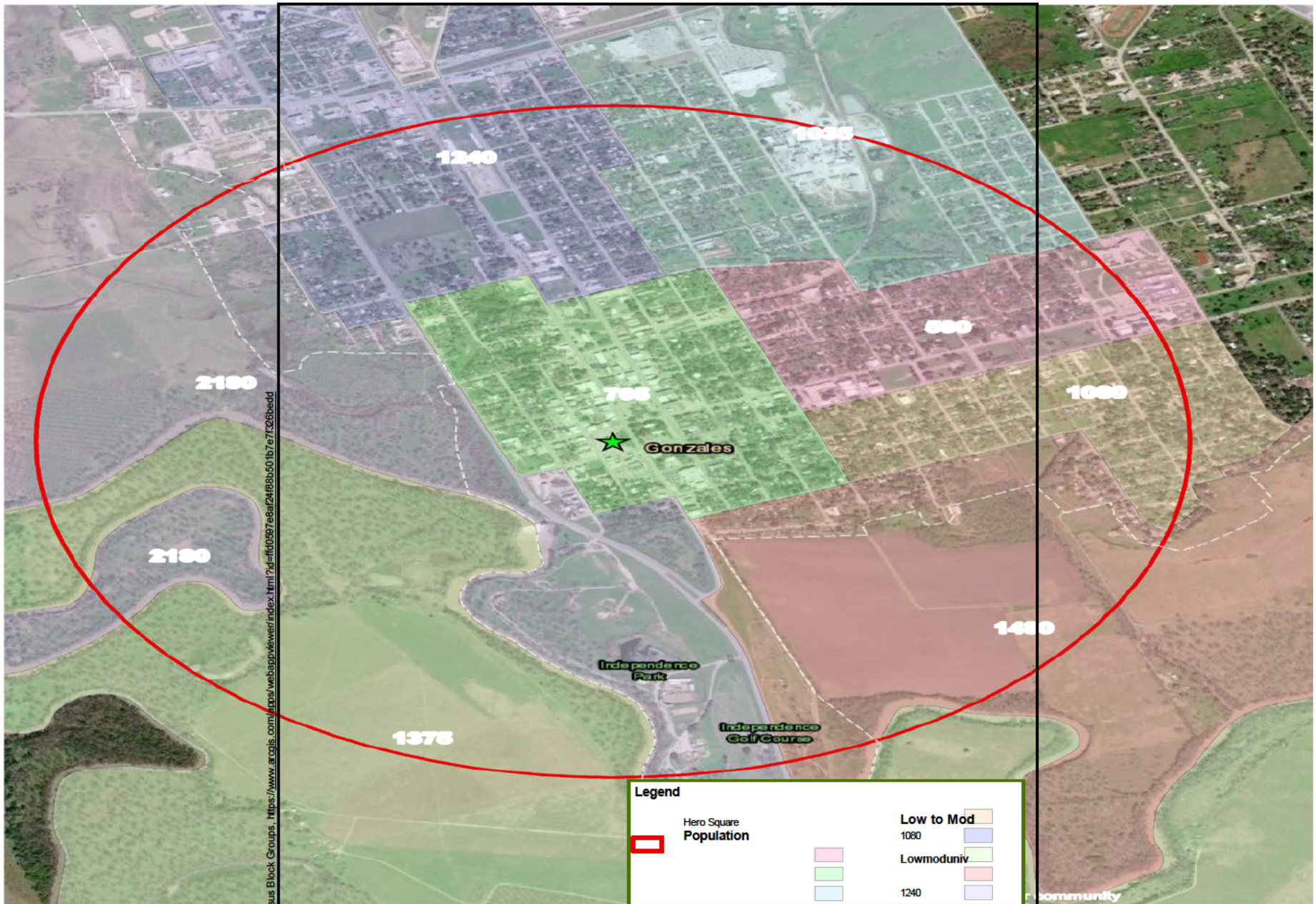


## Targeted Section 3 Worker

---

Section 3 Workers that reside near the project location may also qualify as Targeted Section 3 Workers.

For this project, that service area is defined by this map:





## Recordkeeping

The City of Gonzales will track all hours worked on the project based on the three categories of workers.

This will require collection of certain income information.





## For More Information

---

TxCDBG Policy Issuance 20-01

[REVISED Policy Issuance 20-01 Section 3 v1.pdf](#)  
[\(texasagriculture.gov\)](#)

24 CFR Part 75

[Electronic Code of Federal Regulations \(eCFR\)](#)

Kristina Vega, Section 3 Coordinator,  
[citysecretary@gonzales.texas.gov](mailto:citysecretary@gonzales.texas.gov)

**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
MINUTES –October 13, 2022**

The regular meeting of the City Council was held on **October 13, 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](http://www.gonzales.texas.gov).

**CALL TO ORDER, INVOCATION AND PLEDGE**

Mayor Sucher called the meeting to order at 6:00 p.m. and a quorum was certified.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Sherri Koepp	Council Member, District 2, Mayor Pro Tem	Present
Bobby O’Neal	Council Member, District 3	Present
Ronda Miller	Council Member, District 4	Present

**STAFF PARTICIPATING:**

Tim Crow-Interim City Manager, Kristina Vega-City Secretary, Tim Crow-Police Chief, Jennifer Kolbe-Economic Development Director, Laura Zella-Finance Director, Todd Remschel-Street Director, Marland Mercer-Wastewater Director, Wade Zella-Fire Chief, Amanda Garza-JB Wells Park Operations Manager, Tiffany Padilla-Main Street Manager, Gary Schurig-Gonzales Memorial Museum Director, Erica Leopold- Administrative Assistant & Gayle Autry-Police Assistant Chief.

**CITY EVENTS AND ANNOUNCEMENTS**

- Announcements of upcoming City Events- Airport Board hosting the Come & Take It Fly In on October 22, 2022 10am-2pm, Main Street co-hosting with Gonzales Ministerial Alliance The Happy Fall Y’all on October 29, 2022, Rededication of the Memorial Museum Reflection Pond and Improvements to the Eggleston House on Friday December 2, 2022.
- Announcements and recognitions by the Interim City Manager- None
- Announcements and recognitions by the Mayor- Mayor Sucher acknowledged volunteer Members of the community and City staff for jobs well done.
- Recognitions of actions by community volunteers- National Night Out

**HEARING OF RESIDENTS**

Bob Burchard, Connie Dolezal, and Dee Sengelmann spoke regarding the Butterfly Garden.

Daisy Scheske Freeman spoke regarding Come & Take It and gave thanks to The City of Gonzales for assistance.

David Tucey spoke regarding Dr. MLK March on January 16<sup>th</sup>

Lew Cohn spoke regarding the lack of cell service during the Come & Take It Event and the need for the city to have better service during large events.

### **PRESENTATION**

- 1.1 Vince Ortiz, Center Manager will provide the Victoria College 2021-2022 Annual Report to the Gonzales City Council on the operations of the Gonzales Center

### **PROCLAMATIONS**

- 2.1 Mayor Sucher presented a proclamation for Domestic Violence Awareness Month 2022-October 2022 to Hanna Fisher-Klug, Community Engagement Specialist, Sexual Assault Advocate for Guadalupe Valley Family Violence Shelter, Inc.
- 2.2 Mayor Sucher presented a proclamation for Manufacturing Day-October 7, 2022 to the GEDC, Remschel Customs and Personal Impressions

### **CONVENE INTO CLOSED SESSION:**

The Council convened into closed session at 6:51 p.m.

### **CLOSED SESSION**

- 8.1 (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) Discussion on the structuring of the search process to fill the City Manager vacancy

### **RETURN TO OPEN SESSION**

The Council convened into open session at 7:21 p.m.

- 9.1 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.

### **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 September 8, 2022 Regular Meeting, September 12, 2022 Called Joint Meeting & September 26, 2022 Special Called Meeting
- 3.2 Discuss, Consider & Possible Action on **Resolution #2022-101** Approving the 2022 Final Tax Roll for the City of Gonzales

- 3.3 Discuss, Consider & Possible Action on **Resolution #2022-102** Authorizing the designation of individuals as authorized signatories and removing all others for all accounts in the City of Gonzales' name with all financial institutions
- 3.4 Discuss, Consider & Possible Action on **Resolution #2022-103** Approving the City of Gonzales 2023 Holiday Schedule
- 3.5 Discuss, Consider & Possible Action on **Resolution #2022-104** Authorizing the Interim City Manager to Enter into an Agreement with Gonzales Dog Adoptions
- 3.6 Discuss, Consider & Possible Action on **Resolution #2022-105** Authorizing the Interim City Manager to Enter into an Agreement with Friends of Gonzales Animal Shelter
- 3.7 Discuss, Consider & Possible Action on **Resolution #2022-106** Authorizing the Expenditure in an amount not to exceed \$3,000.00 to Norma's House, Gonzales Regional Children's Advocacy Center, Inc. from the Restricted Use Municipal Court Child Safety Fund
- 3.8 Discuss, Consider & Possible Action on **Resolution #2022-107** Authorizing the Interim City Manager to Execute Contracts between the City of Gonzales and the Gonzales County Mental Health Advisory Board, Inc. and Gonzales County Senior Citizens Association, Inc.
- 3.9 Discuss, Consider & Possible Action on **Resolution #2022-108** Authorizing the Interim City Manager to Execute an Agreement between the City of Gonzales and Preservation Gonzales, Inc. for Historical Preservation
- 3.10 Discuss, Consider & Possible Action on **Resolution #2022-109** Authorizing the Interim City Manager to Execute an Agreement between the City of Gonzales and Gonzales Crystal Theater, Inc. for Historical Preservation and the Encouragement, Promotion, Improvement, and Application of the Arts
- 3.11 Discuss, Consider & Possible Action on **Resolution #2022-110** Authorizing the Interim City Manager to Execute an Agreement between the City of Gonzales and The Edwards Association for Historical Preservation
- 3.12 Discuss, Consider & Possible Action on **Resolution #2022-111** Authorizing the Interim City Manager to Execute an Agreement between the City of Gonzales and Gonzales County Restoration Association dba Gonzales Pioneer Village for Historical Preservation
- 3.13 Discuss, Consider & Possible Action on **Resolution #2022-112** Authorizing the Interim City Manager to Execute an Agreement between the City of Gonzales and Gonzales Chapter Daughters of the Republic of Texas for Historical Preservation

- 3.14 Discuss, Consider & Possible Action on **Resolution #2022-113** Approving a termination of original agreement by and between the Gonzales Economic Development Corporation and Arberia, LLC, a Texas Limited Liability Company, DBA La Bella Tavola, Come and Take It Bar and Grill
- 3.15 Discuss, Consider & Possible Action on **Resolution #2022-114** Approving a Performance agreement between the Gonzales Economic Development Corporation and the Gonzales Main Street
- 3.16 Discuss, Consider & Possible Action on **Resolution #2022-115** Approving a Performance Agreement by and between the City of Gonzales, Texas, and Gonzales Economic Development Corporation concerning upgrades to the Gonzales Memorial Museum, generally located at 414 Smith Street
- 3.17 Discuss, Consider & Possible Action on **Resolution #2022-116** Accepting the Proposals and Awarding the Contract for the Gonzales Memorial Museum Restoration Underground Crawlspace Project to Hodges Construction Services
- 3.18 Discuss, Consider & Possible Action on **Resolution #2022-117** Approving a Type B Economic Development Agreement by and Between the Gonzales Economic Development Corporation and City of Gonzales, Texas, authorized pursuant to section 505.158 of the Texas Local Government Code for the matching grant moneys for the EDC Water Tower Project in the amount of \$84,000.00

**ACTION: Items 3.1 through 3.18**

**APPROVED**

Council Member O'Neal moved to approve the consent agenda items 3.1 through 3.18. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

**OTHER BUSINESS**

- 4.1 Discussion, Consideration and recommendations to provide direction to staff regarding the Butterfly Garden improvements and downtown beautification.

The City Council engaged in discussions regarding the Butterfly Garden and downtown beautification and the many options provided. The City Council's consensus was that they desired the original proposal that was presented at the July 14<sup>th</sup> meeting to be re-represented at the November meeting for a final vote on the proposal before moving forward with any other plans.

**RESOLUTIONS**

- 5.1 Discuss, Consider & Possible Action on **Resolution #2022-118** Rescheduling the January 12, 2023 Regular City Council Meeting to another date in January 2023

**ACTION: Items 5.1**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2022-118** Rescheduling the January 12, 2023 Regular City Council Meeting to another date in January 2023. Council

Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.2 Discuss, Consider & Possible Action on **Resolution #2022-119** Authorizing the Purchase of a Fire Engine and Related Equipment for the Fire Department and Authorizing the Interim City Manager to Execute the Purchase Agreement and all necessary documents

**ACTION: Items 5.2**

**APPROVED**

Council Member Koepp moved to approve **Resolution #2022-119** Authorizing the Purchase of a Fire Engine and Related Equipment for the Fire Department and Authorizing the Interim City Manager to Execute the Purchase Agreement and all necessary documents. Council Member O'Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.3 Discuss, Consider & Possible Action on **Resolution #2022-120** Authorizing the Interim City Manager to execute the financing agreements with Kinloch Equipment and Supply, Inc. for the Mile after Mile Lease Proposal of a 2023 Freightliner M-2 106 Non-CDL Broom Bear Street Sweeper

**ACTION: Items 5.3**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2022-120** Authorizing the Interim City Manager to execute the financing agreements with Kinloch Equipment and Supply, Inc. for the Mile after Mile Lease Proposal of a 2023 Freightliner M-2 106 Non-CDL Broom Bear Street Sweeper. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.4 Discuss, Consider & Possible Action on **Resolution #2022-121** Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to Diamond X Contracting, Inc

**ACTION: Items 5.4**

**POSTPONED**

Council Member O'Neal moved to postpone **Resolution #2022-121** Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to Diamond X Contracting, Inc. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.5 Discuss, Consider & Possible Action on **Resolution #2022-122** Accepting the Proposals and Awarding the contract for the 2022 Street Improvement Plans to Diamond X Contracting Inc.

**ACTION: Items 5.5**

**POSTPONED**

Council Member O'Neal moved to postpone **Resolution #2022-122** Accepting the Proposals and Awarding the contract for the 2022 Street Improvement Plans to Diamond

X Contracting Inc. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.6 Discuss, Consider & Possible Action on **Resolution #2022-123** Issuing a Change Order to the contract with Diamond X Contracting, Inc. for the 2022 Street Improvement Projects to reduce the amount of the contract by \$504,753.69

**ACTION: Items 5.6**

**POSTPONED**

Council Member O’Neal moved to postpone **Resolution #2022-123** Issuing a Change Order to the contract with Diamond X Contracting, Inc. for the 2022 Street Improvement Projects to reduce the amount of the contract by \$504,753.69. Council Member Koepp seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.7 Discuss, Consider & Possible Action on **Resolution #2022-124** Authorizing the Appointments and Reappointments to the Airport Advisory Board, Gonzales Convention & Visitors Bureau, Gonzales Economic Development Corporation, Gonzales Golf Course Advisory Board, JB Wells Park Advisory Board, Gonzales Library Board, Main Street Advisory Board, Museum Advisory Board, Planning & Zoning Commission, and Zoning Board of Adjustment & Sign Control Board

**A. Airport Advisory Board**

The following members are appointed to the Airport Advisory Board for a two-year term beginning October 13, 2022 and ending September 30, 2024:

1. James “Steve” Dixson
2. John Coale
3. John Langhoff

The following members are appointed to the Airport Advisory Board for the remainder of a two-year term beginning October 13, 2022 and ending September 30, 2023.

1. Darwood Dupree

**B. Gonzales Convention & Visitors Bureau**

The following members are appointed to the Gonzales Convention & Visitors Bureau for a two-year term beginning October 13, 2022 and ending September 30, 2024:

1. Daniel Garza
2. Denise Bryant
3. LeeAnn Breslaw

**C. Gonzales Economic Development Corporation**

The following members are appointed to the Gonzales Economic Development Corporation for a two-year term effective October 13, 2022 and ending September 30, 2024:

1. Rafe Jackson
2. Elmer Avellaneda
3. Melissa Cowey

The following members are appointed to the Gonzales Economic Development

Corporation for a two-year term effective October 13, 2022 and ending September 30, 2023:

1. Ryan Lee

#### **D. Gonzales Golf Course Advisory Board**

The following members are appointed to the Gonzales Golf Course Advisory Board for a two-year term beginning October 13, 2022 and ending September 30, 2024:

1. Bill Kessler
2. Debbie Tieken
3. John Hahn
4. Ryan Lee

#### **E. JB Wells Park Advisory Board**

The following members are appointed to the JB Wells Park Advisory Board for a twoyear term beginning October 13, 2022 and ending September 30, 2024:

1. Billy Bob Low
2. Don Pooley
3. Heather Shelton
4. Janelle Trammel

#### **F. Gonzales Library Board**

The following members are appointed to the Gonzales Library Board for a two-year term beginning October 13, 2022 and ending September 30, 2024:

1. Dorothy Eberle
2. Ida McGarity
3. John Tinsley
4. Swann Reid

#### **G. Main Street Advisory Board**

The following members are appointed to the Main Street Advisory Board for a two-year term beginning October 13, 2022 and ending September 30, 2024:

1. Adriane Hastings
2. Britney Jones-Caka
3. Linda Brown
4. Jaydin Barfield

The following members are appointed to the Main Street Advisory Board to fill an unexpired term effective October 13, 2022 and ending September 30, 2023:

1. Kayla Craven
2. Joey Moss

#### **H. Museum Advisory Board**

The following members are appointed to the Museum Advisory Board for a two-year term beginning October 13, 2022 and ending September 30, 2024:

1. Terry Crisp
2. Denise Bryant
3. Rose Ruiz Jones

4. Joey Moss

#### **I. Planning & Zoning Commission**

The following members are appointed to the Planning & Zoning Commission for a two year term beginning October 13, 2022 and ending September 30, 2024:

1. Paul Neuse
2. Tom Tiller
3. Pedro DeLuna III

The following members are appointed to the Planning & Zoning Commission for the remainder of a two-year term beginning on October 13, 2022 and ending on September 30, 2023

1. Rose Ruiz Jones

#### **J. Zoning Board of Adjustment and Sign Control Board**

The following members are appointed to the Zoning Board of Adjustment & Sign Control Board for a two-year term beginning October 13, 2022 and ending September 30, 2024:

1. Richard Crozier
2. Johnnie Edwards
3. Pat Mosher (Alternate I)

The following members are appointed to the Zoning Board of Adjustment & Sign Control Board to fill an unexpired term effective October 13, 2022 and ending September 30, 2023:

1. Vacant
2. Vacant (Alternate II)

#### **ACTION: Items 5.7**

#### **APPROVED**

Council Member Koepp moved to approve **Resolution #2022-124** Authorizing the Appointments and Reappointments to the Airport Advisory Board, Gonzales Convention & Visitors Bureau, Gonzales Economic Development Corporation, Gonzales Golf Course Advisory Board, JB Wells Park Advisory Board, Gonzales Library Board, Main Street Advisory Board, Museum Advisory Board, Planning & Zoning Commission, and Zoning Board of Adjustment & Sign Control Board. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.8 Discuss, Consider & Possible Action on **Resolution #2022-125** Authorizing the Gonzales Junior High Athletics the Permission to close the 400 Block of St. Paul Street, and 400 Block of Smith Street and Hold the GJHS Veteran's Day Color Run/Walk on November 11, 2022

#### **ACTION: Items 5.8**

#### **APPROVED**

Council Member O'Neal moved to approve **Resolution #2022-125** Authorizing the Gonzales Junior High Athletics the Permission to close the 400 Block of St. Paul Street, and 400 Block of Smith Street and Hold the GJHS Veteran's Day Color Run/Walk on

November 11, 2022. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.9 Discuss, Consider & Possible Action on **Resolution #2022-126** Authorizing JB Wells staff to organize and hold a Spooky Trail Event on Santa Anna Mound on October 28-30, 2022

**ACTION: Items 5.9**

**APPROVED**

Council Member Koepp moved to approve **Resolution #2022-126** Authorizing JB Wells staff to organize and hold a Spooky Trail Event on Santa Anna Mound on October 28-30, 2022. Council Member O'Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

**ORDINANCES**

- 6.1 Public Hearing, Discussion & Possible Action on **Ordinance #2022-18** Readopting the Curfew for Minors Ordinance Article 8.500 of the City of Gonzales Code of Ordinances

**ACTION: Items 6.1**

**APPROVED**

Council Member O'Neal moved to approve **Ordinance #2022-18** Readopting the Curfew for Minors Ordinance Article 8.500 of the City of Gonzales Code of Ordinances. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 6.2 Discuss, Consider & Possible Action on **Ordinance #2022-19** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2021 and Ending September 30, 2022; General Fund: Moving Funds from Non Departmental to Main Street for \$13,047 in Expenses

**ACTION: Items 6.2**

**APPROVED**

Council Member O'Neal moved to approve **Ordinance #2022-19** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2021 and Ending September 30, 2022; General Fund: Moving Funds from Non Departmental to Main Street for \$13,047 in Expenses. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 6.3 Discuss, Consider & Possible Action on **Ordinance #2022-20** Amending Article 9.300 Boards, Commissions and Committees; Section 9.303 Gonzales Convention and Visitor Bureau (c) Membership reducing the number of board members from 9 to 7 and (d) Term to remove the month of appointment.

**ACTION: Items 6.3**

**APPROVED**

Council Member O'Neal moved to approve **Ordinance #2022-20** Amending Article 9.300 Boards, Commissions and Committees; Section 9.303 Gonzales Convention and Visitor Bureau (c) Membership reducing the number of board members from 9 to 7 and (d) Term to remove the month of appointment. Council Member Miller seconded the

motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

### **STAFF/BOARD REPORTS**

- 7.1 Finance Director provided the Financial Report for the month of September 2022. No questions were asked regarding the report.
- 7.2 Interim City Manager, Tim Crow updated the City Council on the following:
- District 2 Clean-up
  - National Night Out
  - Timeline on Capital Improvement Projects
    - Recently Completed Projects
    - Projects Currently in Process
    - Upcoming Projects

### **CITY COUNCIL REQUESTS AND ANNOUNCEMENTS**

- Requests by Mayor and Council Members for items on a future City Council agenda
- Announcements by Mayor and Council Members
- City and community events attended and to be attended
- Continuing education events attended and to be attended

No requests or announcements were made.

### **ADJOURN**

On a motion by Council Member O’Neal and second by Council Member Kridler, the meeting was adjourned at 8:54 p.m.

Approved this 17<sup>th</sup> day of November 2022.

---

Mayor, S.H. Sucher

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-127 Authorizing the Interim City Manager to execute an Interlocal Cooperation Agreement between Gonzales County and the City of Gonzales to install a radio communications tower located off of FM 532 for Emergency Communication

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

Gonzales County has applied for and received funding from the Housing and Urban Development under the General Land office Community Development Block Grant Program-Mitigation grant and desires to install a radio communications tower located off FM 532, approximately 655 feet east of CR 341, next to the Water Plant in the city limits to improve emergency communication within areas of Gonzales County. The City will accept all improvements resulting from the County's contract with the GLO and the county shall maintain these improvements.

### **POLICY CONSIDERATIONS:**

Chapter 791 of the Government Code provides that Interlocal Cooperation Contracts increase efficiency and effectiveness of local governments by authorizing them to contract, to the greatest possible extent with one another and with agencies of the state.

### **FISCAL IMPACT:**

Within the Interlocal Agreement the funding for the construction of the communications tower on City property will be through the Housing and Urban Development under the General Land office Community Development Block Grant Program-Mitigation grant. Continuous and further maintenance and improvements to the tower will be the responsibility of the County once the project is completed.

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the council take the action they deem necessary.

**RESOLUTION NO. 2022-127**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN GONZALES COUNTY AND THE CITY OF GONZALES TO INSTALL A RADIO COMMUNICATIONS TOWER LOCATED OFF OF FM 532 FOR EMERGENCY COMMUNICATION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 791 of the Texas Government Code, as amended, titled Interlocal Cooperation Contracts, authorizes contracts between political subdivisions for the performance of governmental functions and services; and,

**WHEREAS**, County desires to utilize the Housing and Urban Development under the General Land office Community Development Block Grant Program-Mitigation grant funds to install a radio communications tower to be located off FM 532 for emergency communication; and

**WHEREAS**, once the radio communication tower is installed with the grant funds on city property, and the continuing maintenance will be the responsibility of the County; and

**WHEREAS**, the Project is necessary for the benefit of the public, is in the best interest of each Party and the funding fairly compensates the County for the Project performed under this Agreement.

**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 Interim City Manager to execute an Interlocal Cooperation Agreement between Gonzales County and the City of Gonzales as attached in 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 17<sup>th</sup> day of November, 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

**INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF  
GONZALES, TEXAS AND GONZALES COUNTY  
REGARDING THE USE OF TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM-MITIGATION PROJECT FUNDING TO INSTALL A RADIO  
COMMUNICATIONS TOWER LOCATED OFF FM 532**

This Interlocal Agreement Between the City of Gonzales, Texas and Gonzales County regarding the use of Department of Housing and Urban Development (HUD) under the General Land Office Community Development Block Grant Program-Mitigation Program to install a radio communications tower located off FM 532 (the “Agreement”) is entered into between the **City of Gonzales, Texas**, a Texas municipal corporation (the “City”), acting by and through its City Council, and **Gonzales County**, a political subdivision of the State of Texas (the “County”), acting by and through its Commissioners Court, pursuant to authority granted under the Interlocal Cooperation Act, Chapter 791, Texas Government Code, as the same may be amended from time to time, to be effective as of the date on which the last Party signs this Agreement (the “Effective Date”). The City and the County are collectively referred to herein as the “Parties” and are each a “Party”.

**WITNESSETH:**

**WHEREAS**, Chapter 791 of the Texas Government Code, as amended, titled Interlocal Cooperation Contracts, authorizes contracts between political subdivisions for the performance of governmental functions and services; and,

**WHEREAS**, County has applied for a grant from the Department of Housing and Urban Development (HUD) under the General Land Office (GLO) Community Development Block Grant Program-Mitigation Program to install a radio communications tower (Project); and,

**WHEREAS**, the Parties intend to locate the Project off FM 532, approximately 655 Ft. east of CR 341, next to the Water Plant owned by the City and located within the City of Gonzales, as depicted in Exhibit A; and,

**WHEREAS**, if the GLO awards such grant to County, the Parties shall work cooperatively to complete the Project; and,

**WHEREAS**, both the City and the County have determined it is in their best interest to, enter into an Agreement to detail the rights and responsibilities of the Parties during the completion of the Project; and,

**WHEREAS**, the Project will be for the benefit of the public, including residents of both the City and the County; and,

**WHEREAS**, the governing bodies of the Parties have each approved the terms and conditions of this Agreement and duly posted meeting held in compliance with Chapter 551 of the Government Code.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements herein contained, the sufficiency of which are acknowledged, and subject to the terms and conditions hereinafter set forth, the Parties agree as follows:

### **I. Responsibilities of the County**

- 1.1 endeavor to execute its grant recipient responsibilities in a timely and efficient manner
- 1.2 act as the repository of all receipts and documentation pertinent to the performance under the grant and furnish copies of same to City upon request
- 1.3 serve as the primary contact in all matters pertaining to the grant and Project and act as the conduit for information between the Parties and HUD/GLO
- 1.4 procure a grant administrator for the Project and be responsible for all required reporting to HUD/GLO
- 1.5 procure an engineering firm through a Request for Qualifications for the Project's final engineering
- 1.6 cooperate with the City to coordinate any engineering and construction activities on property owned and controlled by the City
- 1.7 provide pre-bid project design, bid alternates, change orders, project redesign, or additions to the contract scope to the City Engineer for review and written approval prior to consideration by the County
- 1.8 be responsible for receipt and payment of Project related invoicing through the County Auditor
- 1.9 assign full ownership and control of the completed Project to the City following the acceptance of the Certificate of Construction Completion
- 1.10 provide for the maintenance of the Project after installation

### **II. Responsibilities of the City**

- 2.1 upon request, provide the County with any City information related to the property necessary for the County to comply with the grant terms and conditions
- 2.2 accept ownership of Project improvements located on City property upon completion and assignment from the County
- 2.3 budget and appropriate the necessary funds for Project cost overruns that are approved in writing by the City

### **III. Funding of Project Expenses From Available Funds of Parties**

3.1 This Agreement shall only require funding of the Project from available funds of the Parties that have been budgeted for such purpose as required by Chapter 791 of the Texas Government Code.

### **IV. Binding Effect; Benefiting Parties**

4.1 This Agreement shall bind and benefit the respective Parties and their legal successors, but shall not otherwise be assignable, in whole or in part, by either Party without first obtaining the written consent of the other Party.

4.2 This Agreement inures to the benefit of and obligates only the Parties. No term or provision of this Agreement shall benefit or obligate any person or entity not a Party to the Agreement. The Parties shall cooperate fully in opposing any attempt by any third person or entity to claim any benefit, protection, release, or other consideration under this Agreement.

### **V. Governmental Functions; Liability; No Waiver of Immunity or Defenses**

5.1 Notwithstanding any provision to the contrary herein, this Agreement is a contract for and with respect to the performance of governmental functions by governmental entities.

5.1.1 The services provided for herein are governmental functions, and the City and the County shall be engaged in the conduct of a governmental function while providing and/or performing any service pursuant to this Agreement.

5.1.2 The relationship of the County and the City shall, with respect to that part of any service or function undertaken as a result of or pursuant to this Agreement, be that of independent contractors.

5.1.3 Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principal and agent, partners, joint ventures, or any other similar such relationship between the Parties.

5.2 Each Party reserves and does not waive any defense available to it at law or in equity as to any claim or cause of action whatsoever that may arise or result from or in connection with this Agreement. This Agreement shall not be interpreted nor construed to give to any third party the right to any claim or cause of action, and neither the City nor the County shall be held legally liable for any claim or cause of action arising pursuant to or in connection with this Agreement except as specifically provided herein or by law.

5.3 Neither Party waives or relinquishes any immunity or defense on behalf of itself, its Commissioners, Councilmembers, officers, employees, and agents as a result of the execution of this Agreement and the performance of the covenants and agreements contained herein.

### **VI. Notices**

6.1 All correspondence and communications concerning this Agreement shall be directed to:

GONZALES: City of Gonzales  
820 St. Joseph Street  
Gonzales, Texas 78629  
Attention: City Manager

With a copy to: Denton, Navarro, Rocha, Bernal, & Zech, P.C.  
2517 N. Main Avenue  
San Antonio, Texas 78212  
Attention: Daniel Santee

COUNTY: Gonzales County  
414 St. Joseph Street, Suite 200  
Gonzales, Texas 78629  
Attention: County Judge

With a copy to: 415 St. Louis Street  
Gonzales, Texas 78629  
Attention: County Attorney

Notices required hereunder shall be hand-delivered or sent by prepaid certified mail, return receipt requested.

## **VII. Severability**

7.1 If any provision of this Agreement shall be deemed void or invalid, such provision shall be severed from the remainder of this Agreement, which shall remain in force and effect to the extent that it does not destroy the benefit of the bargain.

## **VIII. Entire Agreement**

8.1 This Agreement is the entire agreement between the City and the County as to the subject matter hereof and supersedes any prior understanding or written or oral agreement relative to the subject matter hereof. This Agreement may be amended only by written instrument duly approved and executed by both Parties in accordance with the formalities of this Agreement.

## **IX. Governing Law; Venue**

9.1 All Parties agree that this Agreement shall be construed under the laws of the State of Texas, and obligations under the Agreement shall be performed in Gonzales County, Texas. In the event that any legal proceeding is brought to enforce this Agreement or any provision hereof, the same shall be brought in the State Courts of Gonzales County, Texas. The Parties agree to submit to the jurisdiction of said court.

## **X. Term of the Agreement**

10.1 The term of this Agreement shall begin upon approval by the governing bodies of the Parties and full execution by the designated officials or upon receipt of the Subgrant Contract award by County, whichever is later.

10.2 This Agreement shall terminate when the grant is administratively closed by General Land Office.

10.3 Either Party may terminate this Agreement upon thirty (30) days written notice to the other Party.

10.4 Early termination of this Agreement by a Party may not relieve a Party from obligations assumed herein.

*[ Signatures and acknowledgements on the following pages ]*

**SIGNATURE PAGE TO**  
**INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF**  
**GONZALES, TEXAS AND GONZALES COUNTY**  
**REGARDING THE USE OF TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT**  
**PROGRAM-MITIGATION PROJECT FUNDING TO INSTALL A RADIO**  
**COMMUNICATIONS TOWER LOCATED OFF FM 532**

The Parties hereto have executed this Agreement as of the dates set forth below to be effective as of the Effective Date.

**CITY OF GONZALES, TEXAS**

By: \_\_\_\_\_  
Steve Sucher, Mayor

THE STATE OF TEXAS           §  
  §  
COUNTY OF GONZALES       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2022, by Steve Sucher, Mayor of the City of Gonzales, Texas, a Texas municipal corporation, on behalf of said City.

[ Seal ]

\_\_\_\_\_  
Notary Public in and for the State of Texas

**SIGNATURE PAGE TO**  
**INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF**  
**GONZALES, TEXAS AND GONZALES COUNTY**  
**REGARDING THE USE OF TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT**  
**PROGRAM-MITIGATION PROJECT FUNDING TO INSTALL A RADIO**  
**COMMUNICATIONS TOWER LOCATED OFF FM 532**

**GONZALES COUNTY**

By: \_\_\_\_\_  
Patrick C. Davis, Gonzales County Judge

THE STATE OF TEXAS           §  
  §  
COUNTY OF GONZALES       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2022, by Patrick C. Davis, County Judge of Gonzales County, a political subdivision of the State of Texas, on behalf of said entity.

[ Seal ]

\_\_\_\_\_  
Notary Public in and for the State of Texas

**EXHIBIT A**  
**PROJECT SITE PLAN**

*[See attached]*

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-128 Authorizing the Payment of Longevity Pay for Fiscal Year 2022-2023

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

As per the City of Gonzales Personnel Policy Section 5.07 the City of Gonzales may provide Longevity Pay to regular full-time employees. The financial situation of the City will be reviewed each year in October to determine if a recommendation to pay longevity pay will be made by the City Manager. If the City Manager determines that financial resources are not available, no action will be taken regarding longevity pay. If the City Manager determines financial resources are available, he will make his request to City Council at the regular November Council meeting. Subject to annual approval by the City Council, Full-time employees will receive payment on an annual basis at the rate of \$5.00 per month for each year of service, up to a maximum of 25 years. If approved and appropriated by Council, Longevity pay will be paid annually to all active qualified employees.

During the budget process the Council appropriated within each department Longevity Pay for all Full-time employees.

The total amount of longevity for full time employees this year is \$46,380.00 across all funds. The least amount to an individual is \$65.00 and the maximum is \$1,500.00. The average is approximately \$459.20. Currently, the city has 6 employees with 25+ years of service (maximum \$1,500.00).

### **POLICY CONSIDERATIONS:**

This is an annual Council decision and upholds the City's policy for transparency.

### **FISCAL IMPACT:**

The total amount of longevity for full time employees this year is \$46,380.00 across all funds.

### **ATTACHMENTS:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully recommends approval of this resolution.

**RESOLUTION NO. 2022-128**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE PAYMENT OF LONGEVITY PAY FOR FISCAL YEAR 2022-2023; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Longevity Pay is a compensation that an employee receives according to seniority; and

**WHEREAS**, the City Manager as per Section 5.07 of the City of Gonzales Personnel Policy has reviewed the financial situation of the City of Gonzales and a request to pay Longevity Pay is being presented to City Council for their approval; and

**WHEREAS**, as discussed during the budget process City Council has appropriated within each departmental fund Longevity Pay for each of the Full-time employees; and

**WHEREAS**, the total amount of longevity for Full-time employees this year is \$46,380.00 across all funds, with an average payout across all employees being approximately \$459.20; and

**WHEREAS**, the City Council hereby authorizes the payment of Longevity Pay at a rate of \$5.00 per month for each year of service, up to a maximum of 25 years shall be paid to each Full-time employee.

**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 payment of Longevity Pay for Fiscal Year 2022-2023.

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 17<sup>th</sup> day of November, 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider and Possible Action on Resolution #2022-129 Authorizing the Interim City Manager to Execute an Agreement for Election Services with the Elections Administrator of Gonzales County for the May 6, 2023 General Election

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

In 2021, the Gonzales County created the position of Election Administrator for the County which now provides the opportunity for the City to contract annually for all of the City of Gonzales elections. The City of Gonzales will hold an election for the purpose of electing Council Member District 3 and Council Member District 4 on the uniform election date of May 6, 2023. To eliminate confusion regarding the elections, City Staff feels it is in the City's best interest to contract with the County for the May 6, 2023 election, any resulting runoff election, as well as all city elections. Contracting will provide uniformity for all elections across all entities.

### **FISCAL IMPACT:**

The estimated cost to the City of Gonzales varies on the actual cost for the equipment and the amount of time the election workers spend on their required duties (hourly rate of pay for election workers). The City has budgeted \$20,000 within the 2022-2023 fiscal year in Account #100-7-101-501 for the City's elections.

### **ATTACHMENTS:**

Contract

### **STAFF RECOMMENDATION:**

Staff recommends approval of the resolution.

## **RESOLUTION NO. 2022-129**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR ELECTION SERVICES WITH THE ELECTIONS ADMINISTRATOR OF GONZALES COUNTY FOR THE MAY 6, 2023, GENERAL ELECTION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council will order a General Election for the purpose of election a Mayor to be held on May 6, 2023; and

**WHEREAS**, the joint election will be administered by the Gonzales County Election Administrator's office in accordance with Chapter 271 of the Texas Election Code; and

**WHEREAS**, the Joint Election Agreement outlines each party's responsibility during the election process; and

**WHEREAS**, the terms of the Agreement allow for amendments to made upon written approval of the Parties; and

**WHEREAS**, the City finds that entering into a Joint Election Agreement for the May 6, 2023 General Election with Gonzales County is in the best interest of the City of Gonzales.

**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 Interim City Manager to Execute an Agreement for Election Services with the Elections Administrator of Gonzales County for the May 6, 2023 General Election with Gonzales County for a joint election as specified in 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 17<sup>th</sup> day of November, 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

This contract made and entered into this the \_\_\_\_ day of \_\_\_\_\_, 2023, by and between the **ELECTIONS ADMINISTRATOR OF GONZALES COUNTY, TEXAS**, acting as contracting officer, and the Contracting Officer for the **CITY OF GONZALES, GONZALES ISD, GONZALES MEMORIAL HOSPITAL, GONZALES WATER DISTRICT, GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 1, and GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 2**, Gonzales County, Texas, for the conduct and supervision of the General Election, to be held on May 6, 2023.

**WITNESSETH:**

Now, Therefore, in consideration of the premises and mutual promises and obligations herein set forth, it is agreed that:

**I.**

**GONZALES COUNTY** will provide the following supplies:

- a) Elections kits to include Early Voting and Election day;
- b) All required seals and thermal paper for DS200 and ExpressVote voting machines.
- c) Precinct polling place supplies (pens, tape, pencils, ADA supplies, etc.) as required;

**II.**

**GONZALES COUNTY** will provide the following services:

- a) Ordering programming for the election;
- b) Ordering Optical Scan Ballots for Ballot by Mail and Thermal Ballots for Early Voting and Election Day;
- c) Enlist and notice Judges, Alternates and Clerks for Early Voting and Election Day;
- d) Pre-election training;
- e) Receive and process applications for ballot by mail;
- f) Conduct Public L & A Test
- g) Publish the legal notice of the date, time and place of the test of the electronic tabulating equipment.
- h) Deliver equipment to polling location;
- i) Clear equipment after retention;
- j) Provide overall supervision of the election and provide advisory services in connection with the decisions to be made and the actions to be taken by the officers of the Party who is responsible;
- k) Pay all invoices and payroll for Judges, Alternates, Clerk, Early Voting Ballot Board and support staff.
- l) Determine time and places of Polling Locations

**III.**

**CITY OF GONZALES, GONZALES ISD, GONZALES MEMORIAL HOSPITAL, GONZALES WATER DISTRICT, GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 1 and GONZALES COUNTY EMERGENCY SERVICES DISTRICT NO. 2** shall be responsible for the following:

- a) Proper public Notice of Election;
- b) Rental of ExpressVote and DS200 Precinct Counter;
- c) Conduct ballot order drawing;
- d) Furnish the Gonzales County Election Administrator a complete list of all candidates and all races to be conducted in the above mentioned election by March 6, 2023, with the order they should appear on the ballot;
- e) Canvassing of the election and all other statutory requirements by the Texas Election Code and/or the Federal Voting Rights Act;
- f) Reimbursement of all expenses incurred, including, but not limited to programming, ballots, notices, supplies and payroll as invoiced by Gonzales County.

Early Voting will be April 24, 2023 through May 2, 2023 from 8:00 a.m. to 5:00 p.m., times are subject to change.

#### IV.

Only the actual expense directly attributable to the Contract may be charged including administrative fees. (Section 31.100(b), Texas Election Code) The County Elections Officer must submit the actual costs incurred pursuant to this Contract to the Party or Parties no later than 30 days after final election. The Party or Parties must submit payment to Gonzales County no later than 30 days from the date the invoice is received.

The County can hold the Party or Parties responsible for any actual expenses for repairs for any damage that occurs while the equipment is in the Parties possession that are not covered under the vendor's warranty.

IN WITNESS WHERE, the parties have hereunto set their hands, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**CITY OF GONZALES**

\_\_\_\_\_  
City Manager

**GONZALES COUNTY**

  
\_\_\_\_\_  
Elections Administrator

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-130 Authorizing the Edwards Association the use of Independence Square including the Parking Lot, and Designated Street Closures for the Martin Luther King Musical Celebration on January 15, 2023 and Annual Martin Luther King March on January 16, 2023

**DATE: Novmeber 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

MLK musical featuring local gospel talents would like to hold their performance on the Main Street Stage in Independence Square on Sunday, January 15, 2023, from 5:30pm to 7:00pm.

The Edwards Association wishes to host the annual Martin Luther King March on January 16, 2023. The march will begin at the Independence Square at 10:00 a.m. and will walk north on St. Paul, a right will be taken at St. Andrew where the march will continue to the Edwards Association (1427 Fly Street). The event will be concluded at 11:00 a.m. with approximately 200 in attendance. The Gonzales Police Department has been contacted to coordinate an escort for traffic control for the event.

### **POLICY CONSIDERATIONS:**

This is consistent with current procedures for street closures and use of City owned property.

### **FISCAL IMPACT:**

The fiscal impact for the City would include the cost for the Parks Department staff to move and set up the stage (1 hr. x \$25.00/hr. x 2 employees=\$50.00), 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 police officers to conduct an escort for the march (2 hrs. x 26.25/hr. x 2 patrol officers=\$105.00) with a total approximate cost to the city for the event being \$205.00.

### **STAFF RECOMMENDATION:**

Staff respectfully requests the approval of this resolution.

**RESOLUTION NO. 2022-130**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE EDWARDS ASSOCIATION THE USE OF INDEPENDENCE SQUARE INCLUDING THE PARKING LOT, AND DESIGNATED STREET CLOSURES FOR THE MARTIN LUTHER KING MUSICAL CELEBRATION ON JANUARY 15, 2023 AND ANNUAL MARTIN LUTHER KING MARCH ON JANUARY 16, 2023; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Edwards Association has requested to work in conjunction with the Gonzales Main Street for the Martin Luther King Musical Celebration to be held on the Independence Square on January 15, 2023 from 5:30 p.m. to 7:00 p.m.; and

**WHEREAS**, Edwards Association has further requested permission to hold their Annual MLK March on January 16, 2023 from 10:00 a.m. until 11:00 a.m.; and

**WHEREAS**, the Association has requested the use of Independence Square as a starting location for the march, and safe passage from St. Paul to St. Andrew, St. Andrew to Edwards Association at 1427 Fly Street for the Annual Martin Luther King March; and

**WHEREAS**, the street closures will not include barricades but allow for a police escort to ensure participant safety; and,

**WHEREAS**, the fiscal impact for the City would include the cost for the Parks Department staff to move and set up the stage (1 hr. x \$25.00/hr. x 2 employees=\$50.00), 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 police officers to conduct an escort for the march (2 hrs. x 26.25/hr. x 2 patrol officers=\$105.00) with a total approximate cost to the city for the event being \$205.00; 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 authorizes the Edwards Association the Use of Independence Square including the Parking Lot, and Designated Street Closures for the Martin Luther King Musical Celebration on January 15, 2023 and Annual Martin Luther King March on January 16, 2023 as stated herein and set forth in the submitted Event form attached hereto as Exhibits "A" & "B".

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 17<sup>th</sup> day of November, 2022.**

---





Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

# GONZALES EVENT INFORMATION SHEET

  <small>COME AND TAKE IT</small>	<b>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</b>	  <small>COME AND TAKE IT</small>
<b>EVENT NAME</b>	Martin Luther King Musical Celebration	
<b>HOST ORGANIZATION</b>	Edwards Association & Gonzales Main Street	
<b>CONTACT NAME</b>	David Tucs & Tiffany Hutchinson-Padilla	
<b>CONTACT CELL PHONE</b>	830-672-2815	
<b>EVENT DATE</b>	Sunday, January 15, 2023	
<b>EVENT START TIME</b> 4:00 pm	<b>EVENT END TIME</b> 8:00 pm	
<b>EVENT LOCATION</b>	Independence Square	
<b>HOLIDAY CELEBRATED</b>	Y <input checked="" type="checkbox"/> X <input type="checkbox"/> N <input type="checkbox"/>	<b>HOLIDAY:</b> Martin Luther King Day
<b>CITY COUNCIL APPROVAL REQUIRED</b>	Y <input checked="" type="checkbox"/> X <input type="checkbox"/> N <input type="checkbox"/>	<b>MEETING DATE:</b> November 17, 2022
<b><u>POLICE/FIRE/EMS DEPARTMENT</u></b>		
<b>ATTENDANCE ESTIMATE</b>	200	
<b>MUSIC</b>	Y <input checked="" type="checkbox"/> X <input type="checkbox"/> N <input type="checkbox"/>	<b>LIVE</b> <input checked="" type="checkbox"/> <b>DJ</b> <input type="checkbox"/>
<b>FOOD</b>	Y <input type="checkbox"/> X <input checked="" type="checkbox"/> N <input type="checkbox"/>	
<b>ALCOHOL</b>	Y <input type="checkbox"/> X <input checked="" type="checkbox"/> N <input type="checkbox"/>	<b>RESPONSIBLE PARTY</b>
<b>MOTORIZED VEHICLES</b>	Y <input type="checkbox"/> X <input checked="" type="checkbox"/> N <input type="checkbox"/>	<b>PARADE</b> <input type="checkbox"/> <b>SHOW</b> <input type="checkbox"/>
<b>PUBLIC OR PRIVATE EVENT</b>	Public	
<b>SECURITY</b>	Y <input type="checkbox"/> X <input checked="" type="checkbox"/> N <input type="checkbox"/>	<b># OFFICERS NEEDED</b> (Call 672-8686 for costs)
<b><u>ELECTRIC DEPARTMENT</u></b>		
<b>ADDITIONAL LIGHTING</b>	Y <input type="checkbox"/> X <input checked="" type="checkbox"/> N <input type="checkbox"/>	
<b>NUMBER OF OUTLETS NEEDED</b>	Please test outlets needed for stage and music	
<b>AMPS/WATTS NEEDED</b>		
<b>TENT</b> Y <input type="checkbox"/> X <input checked="" type="checkbox"/> N <input type="checkbox"/>	<b>SET UP DAY/TIME</b>	
<b>TENT SIZE:</b>	<b>TAKE DOWN DAY/TIME</b>	
<b><u>STREETS DEPARTMENT</u></b>		
<b>STREETS AFFECTED</b>	Y <input type="checkbox"/> X <input checked="" type="checkbox"/> N <input type="checkbox"/>	
<b>BARRICADES NEEDED (max 12)</b>	Y <input checked="" type="checkbox"/> X <input type="checkbox"/> N <input type="checkbox"/>	A sufficient amount of barricades will be needed to close lot
<b>CONES NEEDED (max 48)</b>	Y <input checked="" type="checkbox"/> X <input type="checkbox"/> N <input type="checkbox"/>	A sufficient amount of cones will be needed to close pkg lot
<b>STREETS TO BE CLOSED</b>	Y <input type="checkbox"/> X <input checked="" type="checkbox"/> N <input type="checkbox"/>	
	<b>SET UP TIME</b>	
	<b>TAKE DOWN TIME</b>	
<b><u>COMMUNITY SERVICES DEPARTMENT</u> (Contingent upon availability)</b>		
<b>NUMBER OF CHAIRS @ \$0.50 each</b>	none	(max 500)
<b>NO. OF ROUND TABLES @ \$2.00 each</b>	none	(max 15)
<b>NO. OF 8 FOOT TABLES @ \$2.00 each</b>	none	(max 50)
<b>NUMBER OF TRASH CANS</b>	4	(max 25)
	<b>SET UP TIME</b>	Before 5:00pm on Sunday
	<b>TAKE DOWN TIME</b>	After 8:00 pm on Sunday
<b><u>FOR INFORMATION CONTACT</u></b>		
<b>(830) 672-2815- City Hall</b>	Kristina Vega, CITY SECRETARY <a href="mailto:citysecretary@gonzales.texas.gov">citysecretary@gonzales.texas.gov</a>	
<b>(830) 672-2813- Fax</b>		

## **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.

---

AUTHORIZED SIGNATURE

# 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** MLK Annual March  
**HOST ORGANIZATION** The Edwards Association  
**CONTACT NAME** David B. Tuck  
**CONTACT CELL PHONE** [REDACTED]  
**EVENT DATE** 01-16-2023  
**EVENT START TIME** 10:00 AM **EVENT END TIME** 11:00 AM  
**EVENT LOCATION** Independence Square  
**HOLIDAY CELEBRATED** Y ☒ N ☐ **HOLIDAY:** Martin Luther King Day  
**CITY COUNCIL APPROVAL REQUIRED** Y ☒ N ☐ **MEETING DATE:** \_\_\_\_\_

## POLICE/FIRE/EMS DEPARTMENT

**ATTENDANCE ESTIMATE** 200  
**MUSIC** Y ☐ N ☒ **LIVE** ☐ **DJ** ☐  
**FOOD** Y ☐ N ☒  
**ALCOHOL** Y ☐ N ☒ **RESPONSIBLE PARTY** \_\_\_\_\_  
**MOTORIZED VEHICLES** Y ☒ N ☐ **PARADE** ☐ **SHOW** ☐  
**PUBLIC OR PRIVATE EVENT** Public  
**SECURITY** Y ☐ N ☐ **# OFFICERS NEEDED** (Call 672-8686 for costs) \_\_\_\_\_

## ELECTRIC DEPARTMENT

**ADDITIONAL LIGHTING** Y ☐ N ☒  
**NUMBER OF OUTLETS NEEDED** \_\_\_\_\_  
**AMPS/WATTS NEEDED** \_\_\_\_\_  
**TENT** Y ☐ N ☒ **SET UP DAY/TIME** \_\_\_\_\_  
**TENT SIZE:** \_\_\_\_\_ **TAKE DOWN DAY/TIME** \_\_\_\_\_

## STREETS DEPARTMENT

**STREETS AFFECTED** Y ☒ N ☐ St Paul, St Andrew, St Peter, Walmiton  
**BARRICADES NEEDED (max 12)** Y ☐ N ☒ Colloca  
**CONES NEEDED (max 48)** Y ☐ N ☒  
**STREETS TO BE CLOSED** Y ☒ N ☐  
**SET UP TIME** \_\_\_\_\_  
**TAKE DOWN TIME** \_\_\_\_\_

## COMMUNITY SERVICES DEPARTMENT (Contingent upon availability)

**NUMBER OF TRASH CANS** \_\_\_\_\_ (max 25)  
**SET UP TIME** \_\_\_\_\_  
**TAKE DOWN TIME** \_\_\_\_\_

**FOR INFORMATION CONTACT**  
**(830) 672-2815- City Hall**  
**(830) 672-2813- Fax**

**Kristina Vega, CITY SECRETARY**  
[citysecretary@gonzales.texas.gov](mailto:citysecretary@gonzales.texas.gov)

### 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 (Insuring above indemnity)	\$100,000 per occurrence for property damage

### 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.



AUTHORIZED SIGNATURE

## **COUNCIL AGENDA ITEM BRIEFING DATA**



**DATE: November 17, 2022**

## **AGENDA ITEM**

Public Hearing, Discussion & Possible Action on Resolution #2022-131 Authorizing the Interim City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas General Land Office (GLO) for \$150,000 to the Resilient Communities Grant program for the update of the City of Gonzales Comprehensive Plan

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The General Land Office is accepting grant applications for the 2022 Resilient Communities Program. This program funds the development and implementation of building codes, zoning ordinances, comprehensive plans, and other resilience-building initiatives. The updated City of Gonzales Comprehensive Plan would enable the City to create a more resilient community by mitigating the impact of future flooding events.

### **POLICY CONSIDERATIONS:**

This is consistent with current policy.

### **FISCAL IMPACT:**

Applications for the grant funds will have a maximum \$300,000.00 per application, first-come first served basis, but there is not any city match for this grant. This is a reimbursement based program.

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this Resolution.

## **RESOLUTION NO. 2022-131**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE INTERIM CITY MANAGER TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT FROM THE GENERAL LAND OFFICE (GLO) IN THE AMOUNT OF \$150,000 FOR THE UPDATE OF THE CITY OF GONZALES COMPREHENSIVE PLAN TO MITIGATE FUTURE FLOODING EVENTS AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City supports the application for and acceptance of Resilient Communities Grand funds from the General Land Office (GLO) for the update of the City of Gonzales Comprehensive Plan; and,

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

**WHEREAS**, the City certifies that the goal of the updated Comprehensive Plan is to mitigate future flooding events and create a more resilient community.

**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 Interim City Manager to apply for and accept if awarded, a grant from the General Land Office (GLO) for funding to update the City of Gonzales Comprehensive Plan.

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 17<sup>th</sup> day of November, 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-132 Approving the 2023 Insurance Provider for Health, Dental, Vision and Life

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

Annually the City of Gonzales has Frost Insurance, an independent insurance agency reviews the current coverage for health, dental, vision and life insurance. Frost Insurance will look at our current provider (Blue Cross Blue Shield) and the coverage they offer and compare it to many other providers that can offer similar coverage. Frost Insurance schedules the open enrollment that the City has each year where the employees can enroll online. They create benefit books that the employees can view online during open enrollment. They also help employees with claim issues throughout the year and assist us in many other matters.

Frost provided the City of Gonzales their premium and claims summary report and found that the premiums paid from September 2021 through August 2022 was \$888,832.00 versus the actual claims that were paid in the amount of \$1,281,591.00. The total loss ratio was 144.2%. The City of Gonzales received their new rates from Blue Cross Blue Shield that would start January of 2023. With the extremely high total loss ratio we saw small increase in our rate. Currently the City pays 100% of the health insurance for each full-time employee, but pays no part of dependent coverage. The City of Gonzales pays Blue Cross Blue Shield \$571 per month, per full-time employee. If the City renews the existing plan with no changes with Blue Cross Blue Shield, the premium for 2022 would be \$625.95, which comes out to \$54.95 more a month per employee. The City of Gonzales went from 106 to 108 full-time employees budgeted. With the 108 full-time positions that are budgeted, there would be a \$71,215.20 increase for 12 months if the city renewed the existing medical insurance plan. If the City wishes to go with the Alternate 1 Option plan with UHC-Choice Plus BCYE RX C55Y which is very comparable to the current plan the increase would be \$40,500.00 just in medical insurance. The significant changes employees would see if the City were to choose the UHC plan are the following: (1) the calendar year deductible for family is \$1,500 less, (2) the maximum out of pocket for family is \$3,500 less, (3) the emergency copay for the emergency room is \$250, (4) the primary care physician copay for children would be \$35 less, (5) the primary care physician copay for adults would be \$10 less, (6) the specialist copay would be at least \$20 less, (7) the prescription drug copay for mail order would be less. Staff provided Frost Insurance with a list of 31 medications that were obtained from several city employees to do a cost comparison between Blue Cross Blue Shield and United Healthcare which will be presented at the Council meeting. There would also be a cost savings of \$492.48 to the City with moving forward with United Healthcare because the

basic life and AD&D is \$0.015 less per \$1,000. The employees would experience a cost savings since the dependent life is \$0.13 less per month. The employees would also experience a cost savings for voluntary life and AD&D for the employee and spouse, a decrease in the dental insurance premiums for the entire family and a decrease for voluntary vision for the entire family. A budget amendment will not be needed because staff budgeted a 25% increase as per the instructions from Frost Insurance. The City of Gonzales received other plan options from TML and Humana which are attached for Council's consideration.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

Fiscal impact will be an increase of \$40,500.00 for the medical part if Council chooses to go with UHC which seems to be the best plan option, no budget amendment needed.

### **ATTACHMENTS:**

2023 City of Gonzales Employee Benefit Review as Exhibit "A"

### **STAFF RECOMMENDATION:**

Staff respectfully recommends that Council move forward with the United Healthcare for all types of insurance.

## **RESOLUTION NO. 2022-132**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS APPROVING THE 2023 INSURANCE PROVIDER FOR HEALTH, DENTAL, VISION AND LIFE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, annually Frost Insurance, an independent insurance agency reviews the City's current coverage for health, dental, vision and life insurance; and

**WHEREAS**, Frost Insurance reviews the current coverage that the City of Gonzales has and compares it to many other providers that can offer similar coverage; and

**WHEREAS**, the City's current health insurance provider is Blue Cross Blue Shield; and

**WHEREAS**, the 2023 City of Gonzales Employee Benefit Review is attached as Exhibit "A"; and

**WHEREAS**, Frost's premium and claims summary report for the City of Gonzales reflected in that premiums paid from September 2021 through August 2022 was \$888,832.00 versus the actual claims that were paid in the amount of \$1,281.591.00; and

**WHEREAS**, the City of Gonzales received new rates from Blue Cross Blue Shield, United Healthcare, TML and Humana that would start January of 2023; and

**WHEREAS**, although there was an extremely high total loss ratio the City was presented options that increased the monthly rate in amounts from 5.5% to 14.7% with the best option being from United Healthcare with an increase of premiums in the amount of 5.5%; and;

**WHEREAS**, the City Council finds that selecting the best value coverage for City employees for Health, Dental, Vision, and Life is in the best interest of the City of Gonzales.

### **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 selects United Healthcare as the 2023 Insurance Provider for Health, Dental, Vision and Life for 2023.

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 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 17<sup>th</sup> day of November 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-133 Authorizing the Purchase of a Fire Engine and Related Equipment for the Fire Department and Authorizing the Interim City Manager to Execute the Purchase Agreement and all necessary documents

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

This agenda item was approved at the October 13<sup>th</sup> City Council meeting with annual payments of \$129,760.54. The financing company, Government Capital Corporation was unable to fund the purchase before the 30 day lock on the interest expired. Staff is bringing this item back to Council due to an increase in the annual payment of \$2,442.21, which brings the total annual payment to \$132,202.75.

The Fire Department needs to replace Engine 37 which is a 2008 Pierce Sabor due to increased maintenance costs and liability. The engine has to be taken to the shop for repairs several times a year, leaving the Fire Department short on fire engines. The repairs are extremely costly and more than \$100k has been spent for repairs since 2016. Most recently, the truck caught fire twice and had to be towed to San Antonio for repairs. This engine is unreliable and as stated the repairs have become an ongoing extremely costly expense. This particular engine takes up a majority of the maintenance to vehicles line item within the budget annually. Staff is proposing to purchase a new Pierce Enforcer Pumper with an approximate delivery time of between 29-30 months from the date of order. Pricing was obtained for a new Pierce Enforcer Pumper fire engine from Houston-Galveston Area Council (HGAC) Purchasing Program in the amount of \$853,093.00. Staff is proposing to finance the equipment for eight years.

### **POLICY CONSIDERATIONS**

As set forth in the City's Fiscal and Budgetary Policy Statements; All City purchases and contracts over \$50,000 shall conform to a competitive bidding process as set forth in Chapter 252 of the Local Government Code of Texas. The pricing was obtained through a HGAC Purchasing Program Contract number FS12-19 which assists local governments in reducing costs through this government-to-government procurement service available nationwide.

### **FISCAL IMPACT:**

Within the 2022-2023 Fiscal Year, the Gonzales Fire Department budgeted \$138,000.00 within Vehicle/Equipment-Principal Payment GL Account #100-7-301.701 and \$3,462.00 within Vehicle/Equipment-Interest Payment GL Account #100-7-301-702. The total expenditure for the Fire Engine and Equipment is \$853,093.00, which will be financed at 4.895% with Government

Capital for an annual amount of \$132,202.75 for eight years. It has been verified with the Finance Department the availability of these funds.

### **ATTACHMENTS**

Proposals from: Siddons Martin Emergency Group, LLC, and Government Capital Corporation.

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the purchase of one Pierce Enforcer Pumper from Siddons Martin Emergency Group, LLC in the amount of \$858,093.00

## **RESOLUTION NO. 2022-133**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE PURCHASE OF A FIRE ENGINE AND RELATED EQUIPMENT FOR THE FIRE DEPARTMENT AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE PURCHASE AGREEMENT AND ALL NECESSARY DOCUMENTS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Gonzales Fire Department is in need of purchasing a new fire engine and equipment necessary for daily operations; and,

**WHEREAS**, the Fire Department needs to replace Engine 37, which is a 2008 Pierce Sabor due to increased maintenance costs and departmental liability; and

**WHEREAS**, as set forth in the City's Fiscal and Budgetary Policy, all City purchases, and contracts over \$50,000 shall conform to a competitive bidding process as set forth in Chapter 252 of the Local Government Code of Texas; and,

**WHEREAS**, the pricing a new fire engine and equipment was obtained through Houston-Galveston Area Council (HGAC) Purchasing Program Contract number FS12-19 which assists local governments in reducing costs through a government-to-government procurement service; and,

**WHEREAS**, the budgeted amount in the 2022-2023 Fiscal Year is \$138,000.00 within Vehicle/Equipment-Principal Payment, and \$3,462.00 within Vehicle/Equipment-Interest Payment for a total amount of \$141,462.00; and,

**WHEREAS**, the total cost for a new fire engine and equipment is \$858,093.00, but would like to finance the total amount over eight years; and,

**WHEREAS**, this agenda item was approved at the October 13<sup>th</sup> City Council meeting with annual payments of \$129,760.54, but Government Capital Corporation was unable to fund the purchase before the 30 day lock on the interest expired; and,

**WHEREAS**, staff is bringing this item back to Council due to an increase in the annual payment of \$2,442.21, which brings the total annual payment to \$132,202.75; and,

**WHEREAS**, contingent upon the approval of the Attorney of the City of Gonzales (the "Issuer"), the Issuer desires to enter into the certain Finance Contract by and between the ISSUER and Government Capital Corporation ("GCC") for the purpose of financing a "Fire Engine and Related Equipment". The Issuer desires to designate this Finance Contract as a "qualified tax-exempt obligation" of the issuer for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended; and,

**WHEREAS**, the City Council hereby finds that purchasing of a new fire engine and equipment is in the best interest of the health, safety, and welfare of the citizens of the City of Gonzales.

**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 purchase of a new fire engine and related equipment and authorizes the Interim City Manager to execute a purchase agreement and financing contract.

Section 2. The City, subject to review and approval by the City Attorney, is authorized to enter into a Finance Contract with GCC for the purpose of financing a "Fire Truck and Related Equipment" and that said contract shall be a "qualified tax-exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. 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 4. 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 5. This Resolution 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 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 7. 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 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

**PASSED AND APPROVED this 17<sup>th</sup> day of November 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary



October 18, 2022

Ms. Laura Zella  
City of Gonzales  
(830) 672-2815  
lzella@gonzales.texas.gov

Dear Mrs. Zella,

Thank you for the opportunity to present proposed financing for City of Gonzales. I am submitting for your review the following proposed structure:

ISSUER:	City of Gonzales, Texas	
FINANCING STRUCTURE:	Public Property Finance Contract issued under Local Government Code Section 271.005	
EQUIPMENT COST:	\$ 858,093.00	
TERM:	7 Annual Payments	8 Annual Payments
INTEREST RATE:	4.395%	4.895%
PAYMENT AMOUNT:	\$ 147,490.35	\$ 132,202.75
PAYMENTS BEGINNING:	One year from signing, annually thereafter	

**Financing for these projects would be simple, fast and easy due to the fact that:**

- ✓ We have an existing relationship with you and have your financial statements on file, expediting the process. Please keep in mind we may also need current year statements.
- ✓ We can provide familiar documentation for your legal counsel.

The above proposal is subject to audit analysis, assumes bank qualification and mutually acceptable documentation. The terms outlined herein are based on current markets. Upon credit approval, rates may be locked for up to thirty (30) days. If funding does not occur within this time period, rates will be indexed to markets at such time.

Our finance programs are flexible and as always, my job is to make sure you have the best possible experience every time you interact with our brand. We're always open to feedback on how to make your experience better. If you have any questions regarding other payment terms, frequencies or conditions, please do not hesitate to call.

With Best Regards,

*Stephanie Cates*

Stephanie Cates  
SVP Client Services  
Main: 817-421-5400



Compound Period: Annual

Nominal Annual Rate: 4.395%

**AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year**

Date	Payment	Interest	Principal
Loan 9/19/2022			
1 9/19/2023	\$ 145,060.60	\$ 37,713.19	\$107,347.41
2 9/19/2024	\$ 145,060.60	\$ 32,995.27	\$112,065.33
3 9/19/2025	\$ 145,060.60	\$ 28,070.00	\$116,990.60
4 9/19/2026	\$ 145,060.60	\$ 22,928.26	\$122,132.34
5 9/19/2027	\$ 145,060.60	\$ 17,560.54	\$127,500.06
6 9/19/2028	\$ 145,060.60	\$ 11,956.92	\$133,103.68
7 9/19/2029	\$ 145,060.60	\$ 6,107.02	\$138,953.58
Grand Totals	\$ 1,015,424.20	\$157,331.20	\$858,093.00

Compound Period: Annual

Nominal Annual Rate: 4.437%

**AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year**

Date	Payment	Interest	Principal
Loan 9/19/2022			
1 9/19/2023	\$ 129,760.54	\$ 38,073.59	\$ 91,686.95
2 9/19/2024	\$ 129,760.54	\$ 34,005.44	\$ 95,755.10
3 9/19/2025	\$ 129,760.54	\$ 29,756.78	\$100,003.76
4 9/19/2026	\$ 129,760.54	\$ 25,319.62	\$104,440.92
5 9/19/2027	\$ 129,760.54	\$ 20,685.57	\$109,074.97
6 9/19/2028	\$ 129,760.54	\$ 15,845.92	\$113,914.62
7 9/19/2029	\$ 129,760.54	\$ 10,791.52	\$118,969.02
8 9/19/2030	\$ 129,760.54	\$ 5,512.88	\$124,247.66
Grand Totals	\$ 1,038,084.32	\$179,991.32	\$858,093.00

*The transaction described herein is an arm's length, commercial transaction between you and Government Capital Corporation. The terms of the proposed financing are being provided solely in response to your specific inquiry and for your professional consideration.*

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-134 Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to Diamond X Contracting, Inc.

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City received bids for the 2021 Sidewalk Improvement Plans May 12, 2022. These bids were subsequently all rejected due to budgetary issues. The project was rebid and bids were received September 29, 2022. These plans include the replacement of the sidewalk in Texas Heroes Square, along the 400 Block of St. James Street and include drainage and grading improvements to the 400 Block of St. James Street.

### **POLICY CONSIDERATIONS:**

As funds are available, the city should consider reconstructing and upgrading sidewalks to be accessible and compliant with ADA and TAS regulations.

### **FISCAL IMPACT:**

This agenda item will expend \$699,633.40 for construction and the previously approved amounts of \$70,000 for engineering, \$30,000 for Grant Administration and \$10,000 for environmental services associated with the grant funding. In addition, staff is requesting a 5% contingency of \$34,981.67 for unforeseen issues during construction for a total fiscal impact up to \$844,615.07. Funding for this project will come from GEDC (\$50,000), TXCDBG Grant (\$500,000), Water Fund (\$35,661), and the General Fund up to (\$258,954.07). The budget to perform the work in this contract was determined two years ago at approximately \$500,000. A budget amendment to reflect this will be presented on a future agenda.

### **ATTACHMENTS:**

Bid tabulation

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the contract be awarded to Diamond X Contracting, Inc. in the amount of \$699,633.40 for construction of the 2021 Sidewalk Improvement Plans, and that a contingency amount of \$34,981.67 be allowed for unforeseen issues during construction.

**RESOLUTION NO. 2022-134**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS ACCEPTING THE PROPOSALS AND AWARDING THE CONTRACT FOR THE 2021 SIDEWALK IMPROVEMENT PLANS TO DIAMOND X CONTRACTING, INC.; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Capital Improvement Plan for Fiscal Year Budget 2021-2022 included the 2021 Sidewalk Improvement Plans to be competitively bid as per Chapter 252 of the Local Government Code; and,

**WHEREAS**, the advertisements for the Request for bids were published in the newspaper for three consecutive weeks beginning September 8, 2022; and,

**WHEREAS**, the bids were due to be received by the City of Gonzales on September 29, 2022 at 2:00 p.m.; and,

**WHEREAS**, bids were received from, Diamond X Construction, Inc., and Meyers Concrete Construction, LP., by the due date published; and,

**WHEREAS**, Local Government Code Section 252.043(a) states that if the competitive bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods and services at the best value for the municipality; and,

**WHEREAS**, the City Engineer evaluated the proposals and recommends awarding the contract to Diamond X Construction, Inc. who is the lowest responsible bidder with a base bid amount of \$699,633.40; and,

**WHEREAS**, sidewalk projects in the downtown area are known to be unpredictable and may have unforeseen issues during construction a 5% contingency of \$34,9891.67 is recommended; and,

**WHEREAS**, the City Council finds that entering into an agreement for the 2021 Sidewalk Improvement Plans is in the best interest of the City and its citizens and will further promote the public health, safety, and general welfare 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 awards the contract for the 2021 Sidewalk Improvement Plans to Diamond X Construction, Inc. and authorizes the Interim City Manager to execute the agreement.

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 17<sup>th</sup> day of November, 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

# **BID TABULATION - Base Bid Sheet** **CITY OF GONZALES**

PROJECT NAME: **2021 Sidewalk Project**

PROJECT MANAGER: **Todd Remschel**

PRE-BID CONFERENCE DATE &  
TIME: **N/A**

BID DATE & TIME:  
**Thursday, September 29, 2022 at 2:00 p.m.**

PROJECT CONSULTANT: **J. KEITH SCHAUER, P.E.,  
DOUCET & ASSOCIATES, INC.**

BID OPENING LOCATION: **Gonzales City Hall, 820 Saint Joseph Street, Gonzales, Texas 78629**

	BIDDER / FIRM NAME	Base Bid	Addendum #1	Bid Bond	<del>AH</del> NOTES
1	Myers Construction	1,027,041.07			117,566.36
2	Diamond X	699,633.40			102,104.40
3					
4					
5					
6					
7					
8					

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-135 Accepting the Proposals and Awarding the Contract for the 2022 Street Improvement Projects to Diamond X Contracting, Inc.

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City has received bids for the 2022 Street Improvement Projects. These plans include the reconstruction of Saint Lawrence Street from Water Street to Hoskins Street, including replacement of curb & gutter, reclaiming and cement stabilization of road in areas of need and repaving with a 2-inch HMAC overlay. These plans also include an edge mill and overlay of Church Street from Fischer Street to Cuero Street and an edge mill and overlay of Saint Francis Street from Saint Joseph to Saint Paul.

### **POLICY CONSIDERATIONS:**

As funds are available, the city should consider reconstructing and maintaining streets in order to provide safe transportation conditions for the public.

### **FISCAL IMPACT:**

This agenda Item will expend up to \$1,563,788.50 as the base contract amount depending on council decision on scope of project. In addition to the construction amount, the previously approved amounts of \$150,000 for engineering will bring the total fiscal impact to \$1,713,788.50. Funding for this project will come from ARPA funds in the amount of \$935,130.24 and General Fund in the amount of \$778,658.26. Any interest accruing on the ARPA funds will be used to decrease the amount coming from the General Fund. The City Engineer is recommending issuing a Change Order to reduce the scope to include paving of St. Lawrence Street from Hopkins Street to College Street to bring the total contract amount down to \$929,935.55 and is requesting a 1% contingency of \$9,299.36 for unforeseen issues during construction. This would decrease the total fiscal impact to \$1,089,325.86 and the General Fund contribution to \$154,104.67. A budget amendment will have to be completed at a later date once the work is completed.

### **ATTACHMENTS:**

Bid tabulation

### **STAFF RECOMMENDATION:**

Staff recommends award of this contract with the condition that a change order reducing the overall fiscal impact be approved.

## **RESOLUTION NO. 2022-135**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS ACCEPTING THE PROPOSALS AND AWARDING THE CONTRACT FOR THE 2022 STREET IMPROVEMENT PROJECTS TO DIAMOND X CONTRACTING, INC.; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Capital Improvement Plan for Fiscal Year Budget 2021-2022 included the 2022 Street Improvement Projects to be competitively bid as per Chapter 252 of the Local Government Code; and,

**WHEREAS**, the advertisements for the Request for Bids were published in the newspaper for three consecutive weeks beginning September 8<sup>th</sup>, 2022; and,

**WHEREAS**, the proposals were due to be received by the City of Gonzales on September 29<sup>th</sup>, 2022 at 2:00 p.m.; and,

**WHEREAS**, proposals were received from, Lester Contracting, Inc. and Diamond X Contracting, Inc., by the due date published; and,

**WHEREAS**, Local Government Code Section 252.043(a) states that if the competitive bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods and services at the best value for the municipality; and,

**WHEREAS**, the City Engineer evaluated the proposals and recommends to award the contract to Diamond X Contracting, Inc. who is the lowest responsible bidder with a base bid amount of \$1,563,788.50; and,

**WHEREAS**, the base bid amount is greater than the amount budgeted for this project, City Council may choose to issue a change order to reduce the scope of the project up to 25% without the consent of the contractor, or may reduce by more than 25% with the consent of the contractor; and

**WHEREAS**, the contractor has consented to a reduction in the project by more than 25%, the City Engineer recommends reducing the scope to include paving of St. Lawrence Street from Hopkins Street to College Street which would require a change order in the amount of (\$633,852 95) to arrive at a contract amount of \$929,935.55 which along with the addition of the requested 1% contingency would decrease the total fiscal impact to \$1,089,325.86, and the General Fund contribution to \$154,104.67; and,

**WHEREAS**, the City Council finds that entering into an agreement for the 2022 Street Improvement Projects in the best interest of the City and its citizens and will further promote the public health, safety, and general welfare 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 awards the contract for the 2022 Street Improvement Projects to Diamond X Contracting, Inc. and authorizes the Interim City Manager to execute the agreement.

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 17<sup>th</sup> day of November, 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

# **BID TABULATION - Base Bid Sheet** **CITY OF GONZALES**

**PROJECT NAME: 2022 Street Improvement Projects**

**PROJECT MANAGER: Todd Remschel**

**PRE-BID CONFERENCE DATE & TIME: N/A**

**BID DATE & TIME:**  
**Thursday, September 29, 2022 at 2:00 p.m.**

**PROJECT CONSULTANT: J. KEITH SCHAUER, P.E.,  
 DOUCET & ASSOCIATES, INC.**

**BID OPENING LOCATION: Gonzales City Hall, 820 Saint Joseph Street, Gonzales, Texas 78629**

	BIDDER / FIRM NAME	Base Bid	Addendum #1	Bid Bond	NOTES
1	Lester Contracting	2,414,770.00			
2	Diamond X	1,563,788.50			
3					
4					
5					
6					
7					
8					

SAVINGS TO REDUCE SCOPE TO INCLUDE PAVING FROM HOPKINS TO SAINT JAMES STREET ONLY												
Reduction in Quantities												
	Edge Mill	Petro Mat	HMAC	C&G	VG	Curb Ramp	Driveway	10' Inlet	20' Inlet	12"Storm Sewer	HMAC Level UP	
Unit Costs	\$ 2.25	\$ 1.90	\$ 127.25	\$ 26.30	\$ 68.50	\$ 2,600.00	\$ 15.50	\$ 6,188.00	\$ 17,500.00	\$ 135.00	\$ 159.00	
100 Block St. Lawrence	632	1534	169								6	\$ 26,762.77
200 Block St. Lawrence	710	2044	225								8	\$ 35,363.99
300 Block St. Lawrence											0	\$ -
400 Block St. Lawrence								765	2	49	12	\$ 32,756.50
500 Block St. Lawrence			0	397					1	1	0	\$ 34,129.10
600 Block St. Lawrence			0	363	113						0	\$ 17,287.40
700 Block St. Lawrence			0	432	81	4	972				0	\$ 42,376.10
800 Block St. Lawrence			0								0	\$ -
900 Block St. Lawrence			0	254							0	\$ 6,680.20
1000 Block St. Lawrence			0								0	\$ -
1100 Block St. Lawrence			0	198			412				0	\$ 11,593.40
1200 Block St. Lawrence			0								0	\$ -
400 Block St. Francis	755	1741	192								13	\$ 31,507.80
	\$ 4,718.25	\$ 10,106.10	\$ 74,452.70	\$ 43,237.20	\$ 13,289.00	\$ 10,400.00	\$ 33,309.50	\$ 18,564.00	\$ 17,500.00	\$ 6,615.00	\$ 6,265.51	\$ 238,457.26

Current Bid Amount	Contract Amount with Reduction	ARPA Funds Available	Amount needed from General Fund	Remaining engineering Contract	Total with Remianing engineering
\$ 1,563,788.50	\$ 1,325,331.24	\$ 939,000.00	\$ 386,331.24	\$ 40,750.00	\$ 427,081.24

SAVINGS TO REDUCE SCOPE TO INCLUDE PAVING FROM HOPKINS TO SAINT JOSEPH STREET ONLY												
Reduction in Quantities												
	Edge Mill	Petro Mat	HMAC	C&G	VG	Curb Ramp	Driveway	10' Inlet	20' Inlet	12"Storm Sewer	HMAC Level UP	
Unit Costs	\$ 2.25	\$ 1.90	\$ 127.25	\$ 26.30	\$ 68.50	\$ 2,600.00	\$ 15.50	\$ 6,188.00	\$ 17,500.00	\$ 135.00	\$ 159.00	
100 Block St. Lawrence	632	1534	169								6	\$ 26,762.77
200 Block St. Lawrence	710	2044	225								8	\$ 35,363.99
300 Block St. Lawrence	748	1893	208	76	280	2					15	\$ 60,473.37
400 Block St. Lawrence				546			765	2		49	12	\$ 47,116.30
500 Block St. Lawrence			0	397				1	1		0	\$ 34,129.10
600 Block St. Lawrence			0	363	113						0	\$ 17,287.40
700 Block St. Lawrence			0	432	81	4	972				0	\$ 42,376.10
800 Block St. Lawrence			0								0	\$ -
900 Block St. Lawrence			0	254							0	\$ 6,680.20
1000 Block St. Lawrence			0								0	\$ -
1100 Block St. Lawrence			0	198			412				0	\$ 11,593.40
1200 Block St. Lawrence			0								0	\$ -
400 Block St. Francis	755	1741	192								13	\$ 31,507.80
	\$ 6,401.25	\$ 13,702.80	\$ 100,949.97	\$ 59,595.80	\$ 32,469.00	\$ 15,600.00	\$ 33,309.50	\$ 18,564.00	\$ 17,500.00	\$ 6,615.00	\$ 8,583.11	\$ 313,290.43

Current Bid Amount	Contract Amount with Reduction	ARPA Funds Available	Amount needed from General Fund	Remaining engineering Contract	Total with Remianing engineering
\$ 1,563,788.50	\$ 1,250,498.07	\$ 939,000.00	\$ 311,498.07	\$ 40,750.00	\$ 352,248.07

SAVINGS TO REDUCE SCOPE TO INCLUDE PAVING FROM HOPKINS TO SAINT PAUL STREET ONLY												
Reduction in Quantities												
	Edge Mill	Petro Mat	HMAC	C&G	VG	Curb Ramp	Driveway	10' Inlet	20' Inlet	12"Storm Sewer	HMAC Level UP	
Unit Costs	\$ 2.25	\$ 1.90	\$ 127.25	\$ 26.30	\$ 68.50	\$ 2,600.00	\$ 15.50	\$ 6,188.00	\$ 17,500.00	\$ 135.00	\$ 159.00	
100 Block St. Lawrence	632	1534	169								6	\$ 26,762.77
200 Block St. Lawrence	710	2044	225								8	\$ 35,363.99
300 Block St. Lawrence	748	1893	208	76	280	2					15	\$ 60,473.37
400 Block St. Lawrence	760	2040	224	546			765	2		49	12	\$ 81,257.20
500 Block St. Lawrence			0	397				1	1		0	\$ 34,129.10
600 Block St. Lawrence			0	363	113						0	\$ 17,287.40
700 Block St. Lawrence			0	432	81	4	972				0	\$ 42,376.10
800 Block St. Lawrence			0								0	\$ -
900 Block St. Lawrence			0	254							0	\$ 6,680.20
1000 Block St. Lawrence			0								0	\$ -
1100 Block St. Lawrence			0	198			412				0	\$ 11,593.40
1200 Block St. Lawrence			0								0	\$ -
400 Block St. Francis	755	1741	192								13	\$ 31,507.80
	\$ 8,111.25	\$ 17,578.80	\$ 129,504.87	\$ 59,595.80	\$ 32,469.00	\$ 15,600.00	\$ 33,309.50	\$ 18,564.00	\$ 17,500.00	\$ 6,615.00	\$ 8,583.11	\$ 347,431.33

Current Bid Amount	Contract Amount with Reduction	ARPA Funds Available	Amount needed from General Fund	Remaining engineering Contract	Total with Remianing engineering
\$ 1,563,788.50	\$ 1,216,357.17	\$ 939,000.00	\$ 277,357.17	\$ 40,750.00	\$ 318,107.17

SAVINGS TO REDUCE SCOPE TO INCLUDE PAVING FROM HOPKINS TO SAINT PETER STREET ONLY												
Reduction in Quantities												
	Edge Mill	Petro Mat	HMAC	C&G	VG	Curb Ramp	Driveway	10' Inlet	20' Inlet	12"Storm Sewer	HMAC Level UP	
Unit Costs	\$ 2.25	\$ 1.90	\$ 127.25	\$ 26.30	\$ 68.50	\$ 2,600.00	\$ 15.50	\$ 6,188.00	\$ 17,500.00	\$ 135.00	\$ 159.00	
100 Block St. Lawrence	632	1534	169								6	\$ 26,762.77
200 Block St. Lawrence	710	2044	225								8	\$ 35,363.99
300 Block St. Lawrence	748	1893	208	76	280	2					15	\$ 60,473.37
400 Block St. Lawrence	760	2040	224	546			765	2		49	12	\$ 81,257.20
500 Block St. Lawrence	699	1763	194	397	166			1	1		14	\$ 77,258.58
600 Block St. Lawrence			0	363	113						0	\$ 17,287.40
700 Block St. Lawrence			0	432	81	4	972				0	\$ 42,376.10
800 Block St. Lawrence			0								0	\$ -
900 Block St. Lawrence			0	254							0	\$ 6,680.20
1000 Block St. Lawrence			0								0	\$ -
1100 Block St. Lawrence			0	198			412				0	\$ 11,593.40
1200 Block St. Lawrence			0								0	\$ -
400 Block St. Francis	755	1741	192								13	\$ 31,507.80
	\$ 9,684.00	\$ 20,928.50	\$ 154,182.46	\$ 59,595.80	\$ 43,840.00	\$ 15,600.00	\$ 33,309.50	\$ 18,564.00	\$ 17,500.00	\$ 6,615.00	\$ 10,741.55	\$ 390,560.81

Current Bid Amount	Contract Amount with Reduction	ARPA Funds Available	Amount needed from General Fund	Remaining engineering Contract	Total with Remianing engineering
\$ 1,563,788.50	\$ 1,173,227.69	\$ 939,000.00	\$ 234,227.69	\$ 40,750.00	\$ 274,977.69

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-136 Issuing a Change Order to the contract for the 2022 Street Improvement Projects with Diamond X Contracting, Inc. to reduce the amount of the contract by \$633,852.95, and to add a 1% contingency to the project.

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City has received bids for the 2022 Street Improvement Projects. These plans include the reconstruction of Saint Lawrence Street from Water Street to Hoskins Street, including replacement of curb & gutter, reclaiming and cement stabilization of road in areas of need and repaving with a 2-inch HMAC overlay. These plans also include an edge mill and overlay of Church Street from Fischer Street to Cuero Street and an edge mill and overlay of Saint Francis Street from Saint Joseph to Saint Paul.

### **POLICY CONSIDERATIONS:**

As funds are available, the city should consider reconstructing and maintaining streets in order to provide safe transportation conditions for the public.

### **FISCAL IMPACT:**

This agenda Item will reduce the contract amount by \$633,852.95 and allow the project scope to be reduced to include paving of St. Lawrence Street from Hopkins Street to College Street which would bring the total construction contract to \$929,935.55. In addition to the contract amount, staff is requesting a 1% contingency [\$9,299.36] to allow for any unforeseen items during construction. With the reduction of the contract amount by this change order plus the addition of the requested contingency, the total fiscal impact will be reduced to \$1,089,325.86 and the General Fund contribution will be up to \$154,104.67. A budget amendment will have to be completed at a later date once the work is completed.

### **ATTACHMENTS:**

Bid tabulation

### **STAFF RECOMMENDATION:**

Staff recommends approval of this change order to the contract and allowing for a up to a 1% contingency for unforeseen issues during construction.

## **RESOLUTION NO. 2022-136**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS ACCEPTING THE PROPOSALS AND AWARDING THE CONTRACT FOR THE 2022 STREET IMPROVEMENT PROJECTS TO DIAMOND X CONTRACTING, INC.; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Capital Improvement Plan for Fiscal Year Budget 2021-2022 included the 2022 Street Improvement Projects to be competitively bid as per Chapter 252 of the Local Government Code; and,

**WHEREAS**, the advertisements for the Request for Bids were published in the newspaper for three consecutive weeks beginning September 8<sup>th</sup>, 2022; and,

**WHEREAS**, the proposals were due to be received by the City of Gonzales on September 29<sup>th</sup>, 2022 at 2:00 p.m.; and,

**WHEREAS**, proposals were received from, Lester Contracting, Inc. and Diamond X Contracting, Inc., by the due date published; and,

**WHEREAS**, Local Government Code Section 252.043(a) states that if the competitive bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods and services at the best value for the municipality; and,

**WHEREAS**, the City Engineer evaluated the proposals and recommended to award the contract to Diamond X Contracting, Inc. who is the lowest responsible bidder with a base bid amount of \$1,563,788.50; and,

**WHEREAS**, City Council awarded the contract to Diamond X Contracting, Inc. in the amount of \$1,563,788.50 with the understanding that this Change Order would be issued to reduce the total contract amount to \$929,935.55; and,

**WHEREAS**, the contractor has consented to a reduction in the project by more than 25%, the City Engineer recommends reducing the scope to include paving of St. Lawrence Street from Hopkins Street to College Street which would require a change order in the amount of (\$633,852.95) to arrive at a construction cost \$929,935.55 which along with a contingency amount of \$9,299.36 would decrease the total fiscal impact to \$1,089,325.86, and the General Fund contribution to \$154,104.67; and,

**WHEREAS**, the City Council finds that entering into an agreement for the 2022 Street Improvement Projects and reducing the scope of the project by this Change Order to be in the best interest of the City and its citizens and will further promote the public health, safety, and general welfare 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 approves this Change Order to the contract for the 2022 Street Improvement Projects with Diamond X Contracting, Inc. and authorizes the Interim City Manager to execute the agreement.

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 17<sup>th</sup> day of November, 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-137 approving Work Order #74 in the amount of \$44,500 for Engineering, Surveying, CMT and Construction Administration Services for the 2022 Water and Wastewater Improvement Projects

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

As part of the 2022-2023 Capital Improvement Program, monies are budgeted to replace a waterline in the 100 and 200 blocks of St. Peter Street and to replace approximately 1900 linear feet of wastewater line from Theo Street to Cone Street. This contract is for surveying, engineering design, bidding, construction administration and construction materials testing.

### **POLICY CONSIDERATIONS:**

As funds are available, the city should consider replacing aging water and wastewater lines in order to provide for the safety and welfare of the community.

### **BUDGETARY CONSIDERATIONS:**

This Agenda Item will expend up to \$44,500 for engineering, surveying, CMT and project management services. This fee is included in the CIP budget estimates for the proposed St. Peter Street Waterline and Theo to Cone Streets Wastewater Line and will be paid from the water and wastewater funds

### **ATTACHMENTS:**

A) Doucet Task Order

### **STAFF RECOMMENDATION:**

Staff respectfully recommends allowing the interim City Manager to enter into an agreement with Doucet & Associate, Inc. for engineering and project management services for the 2022 Water and Wastewater Improvement Projects.

**RESOLUTION NO. 2022-137**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING WORK ORDER #74 IN THE AMOUNT OF \$44,500 WITH DOUCET & ASSOCIATES FOR ENGINEERING, SURVEYING, CONSTRUCTION MATERIALS TESTING AND CONSTRUCTION ADMINISTRATION OF 2022 WATER AND WASTEWATER IMPROVEMENT PROJECTS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, as part of the 2022-2023 Capital Improvement Program that City Council approved, certain water and wastewater facilities have been selected to be reconstructed and repaired; and,

**WHEREAS**, as set forth in the City's Fiscal and Budgetary Policy, recommendations on purchases and contracts over \$25,000 shall be submitted to the Council by the City Manager for Council approval; and,

**WHEREAS**, the pricing for the engineering, surveying, construction materials testing(CMT) and construction administration services for the 2022 Water and Wastewater Improvement Projects is \$44,500; and,

**WHEREAS**, the fee is included in the 2022-2023 Capital Improvement Plan budget estimates for the proposed water and wastewater improvement projects; and,

**WHEREAS**, the City Council hereby finds that approval of the work order in the amount of \$44,500.00 with Doucet & Associates for Engineering, Surveying, CMT and Construction Administration of 2022 Water and Wastewater Improvement Projects is in the best interest of the health, safety and welfare of the citizens of the City of Gonzales.

**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 approval of Work Order #74 in the amount of \$44,500.00 with Doucet & Associates for Engineering, Surveying, CMT and Construction Administration of 2022 Water and Wastewater Improvement Projects attached hereto as Exhibit A.

Section 2. 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 17<sup>th</sup> day of November, 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **Attachment A**

### **Work Order 74**

**SERVICES:** Perform Surveying and Engineering services to prepare Plans and Specifications for improvements to the following water and wastewater lines:

1. Topographic Survey – D&A will perform an on the ground topographic survey of the wastewater route from Theo Street cross country to the Cone Street Lift Station and of St. Peter Street, from St. Vincent to St. Matthew Street to the extents as described below. The Survey will locate curb & gutter, driveways, sidewalks, and utilities within the limits of the proposed project
2. A. Theo Street to Cone Street Wastewater Replacement – D&A will use the topographic survey obtained above to prepare plans for the replacement of approximately 1900 LF of 6-inch wastewater line with new 8-inch PVC ASTM 3034 SDR 26 Wastewater line.  
B. St. Peter Street Waterline - D&A will use topographic survey prepared above of the 100 and 200 blocks of Saint Peter Street from Saint Vincent Street north to Saint Matthew Street and will design and prepare plans for the replacement of an existing 4-inch waterline with a new 6-inc PVC C900 DR 18 waterline in Saint Peter Street.
3. Bidding Phase Services – D&A will prepare bid documents, advertisement for bids, and will administer the bidding process including opening and evaluating bids.
4. Construction Phase Services - D&A will administer the contract and provide construction observation services.
5. Construction Materials Testing. – D&A will contract with TSI Labs of Victoria to provide construction materials testing for the projects.
6. Reimbursable Expenses

**SCHEDULE:** D&A will work with client to establish an appropriate schedule for this work.

**PAYMENT:** D&A will perform the above described services for the fees listed below.

1. Topographic Survey	Lump Sum	\$ 7,180.00
2. Prepare Construction Documents – Theo to Cone Wastewater Line Line	Lump Sum	\$ 18,000
- St. Peter Waterline	Lump Sum	\$ 6,820
Construction Document Total		\$ 24,820.00
3. Bidding Phase Services	Lump Sum	\$ 4,000.00
4. Construction Phase Services	Lump Sum	\$ 6,000.00
5. Construction Materials Testing	at Cost	\$ 2,000.00
6. Reimbursable Expenses	at Cost	\$ 500.00
		<hr/>
		\$ 44,500.00

**WORK ORDER NO. 74**

In accordance with the Agreement for Professional Services between City of Gonzales ("Client"), and **Doucet & Associates, Inc.** ("D&A"), dated July 12, 2010, this Work Order describes the Services, Schedule, and Payment Conditions for D&A Services on the Project known as:

2022 Water and Wastewater Improvement Projects

**Client Authorized**

**Representative:** Tim Crow \_\_\_\_\_  
**Address:** 820 St. Joseph Street \_\_\_\_\_  
Gonzales, TX 78629 \_\_\_\_\_  
**Telephone No.:** 830-672-2815 \_\_\_\_\_

**D&A Authorized**

**Representative:** Keith Schauer \_\_\_\_\_  
**Address:** 829 St. Joseph Street \_\_\_\_\_  
Gonzales, TX 78629 \_\_\_\_\_  
**Telephone No.:** 512-583-2672 \_\_\_\_\_

**SERVICES.** The Services shall be described in Attachment A to this Work Order.

**SCHEDULE.** The estimated Schedule shall be set forth in Attachment A to this Work Order. Because of the uncertainties inherent in the Services, Schedules are estimated and are subject to revision unless otherwise specifically described herein.

**PAYMENT AND EQUITABLE ADJUSTMENTS.** This is a lump sum Work Order. D&A lump sum compensation and provisions for progress and final payments are specified in Attachment A to this Work Order. Payment of **\$ 0.00** is due upon signature of this Work Order and will be applied against the final invoice for this Work Order. D&A shall give Client prompt written notice of unanticipated conditions or conditions which are materially different from those anticipated by D&A at the time the lump sum compensation was agreed upon. If Client wishes D&A to proceed, D&A lump sum compensation shall be subject to equitable adjustment for such conditions.

**TERMS AND CONDITIONS.** The terms and conditions of the Agreement referenced above shall apply to this Work Order, except as expressly modified herein.

**ACCEPTANCE** of the terms of this Work Order is acknowledged by the following signatures of the Authorized Representatives.

**CITY OF GONZALES**

\_\_\_\_\_  
Signature  
Tim Crow / Interim City Manager

\_\_\_\_\_  
Typed Name/Title

\_\_\_\_\_  
Date of Signature

**Doucet & Associates, Inc.**

\_\_\_\_\_  
Signature  
Keith Schauer/Vice President

\_\_\_\_\_  
Typed Name/Title

\_\_\_\_\_  
Date of Signature

## **BOARD AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2022-138 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

**DATE: November 17, 2022**

### **RESOLUTION TYPE:**

Resolution

### **BACKGROUND:**

On Friday May 13<sup>th</sup>, 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.

This item was presented to City Council on July 14<sup>th</sup> for discussion. After discussion it was determined that staff needed to complete additional research regarding this project. The item was then brought back to City Council on October 13<sup>th</sup> as a full discussion regarding all options for downtown beautification. The consensus from that discussion was that the City Council wished to either vote for or against the original proposal that was presented on July 14<sup>th</sup> for the butterfly garden improvements.

### **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:**

Quote from Alpha 1 Construction Services

Quote from Maldonado Landscape & Irrigation, LTD

**STAFF RECOMMENDATIONS:**

Staff respectfully requests action deemed appropriate.

## RESOLUTION NO. 2022-138

**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 17<sup>th</sup> day of November, 2022.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

***Exhibit A***

[Performance Agreement]

Maldonado Landscape

Restoration of Butterfly Garden  
Bid \$25,854.00

1 page

**Maldonado Landscape & Irrigation, LTD.**

120 E. Zipp Rd.  
 New Braunfels, TX 78130  
 United States

Voice: 830-625-1020  
 Fax: 830-625-1060

**QUOTATION**

Quote Number: R9038  
 Quote Date: May 5, 2022  
 Page: 1

**Quoted To:**

Gonzales Main Street, Inc.  
 820 St Joseph St  
 Gonzales, TX 78629

Customer ID	Good Thru	Payment Terms	Sales Rep
City of Gonzales		Half Down Prior to Start	Ron

Quantity	Item	Description	Unit Price	Amount
		NOTE: Estimated pricing contingent to site verification of all working limits, areas requiring a 10 ft. minimum of access for equipment/ trucks, sleeves, etc. BUTTERFLY GARDEN RESTORATION Note: Adequate water source and power to be provided by the city for new irrigation as per meeting * New drip irrigation system installed including zone controller to accommodate all garden areas * (6)- 15g Vitex trees installed in center of (6) circle and half circle areas * (3)- 5g Golden Thryallis or Esperanza installed at circles of 3ft, 6ft and 8ft * (100)- 5g Butterfly and Humming bird attracting plants placed approx. 3ft apart throughout ex. (purple skullcap, lily of nile, firecracker fern, butterfly bush, indigo spires, plumbago, butterfly iris, whirling butterfly) * Soil mix and new mulch installed approx. 1,700sqft * 4" Chopstone borders installed 1- course with mortar footing approx. 600 lf ----- NOTES: Recommended budget allowance of 10% for unforeseen's, materials Quote Good Thru: TBD All plants, trees & materials selected together in our Nursery. Varieties subject to change due to shortages. Please check out our website at: maldonadonursery.com for plant material and sod		
				6,000.00
				1,554.00
				4,500.00
				2,800.00
				11,000.00

Subtotal	25,854.00
Sales Tax	
<b>TOTAL</b>	<b>25,854.00</b>

Alpha 1 Construction

Restoration of Butterfly Garden  
Bid \$25,599.21

11 pages

# Quote

**PREPARED FOR****City Of Gonzales**

820 St. Joseph St.  
Gonzales TX, 78629

**PREPARED DATE**

May 10, 2022

ITEM	NOTES	PRICE	TOTAL
Install New Drip Irrigation System with zone controller	*Water source and power to be provided by the city		\$4,711.99
(11)- 15g Vitex trees installed in the center of (11) circle and half circle areas of 3', 6', & 8' throughout.			\$2,649.00
Topsoil, fertiliser mix. New mulch installed (approx 1,700 sqft.) Install Biodegradable under fabric weed barrier liner			\$4,238.22
(150)- 5g Butterfly and Hummingbird attracting plants placed approx (3' apart)			\$6,000.00
4" Chopstone Borders installed 1- course with mortar footing approx. 600 if (16) medium sized 2-3' limestone boulders placed			8,000.00
			<b>\$25,599.21</b>

Please sign to accept this quote. Valid for 15 Days

X\_\_\_\_\_

**We Appreciate Your Business!**

**Payment Terms: 50% due up front prior to start , 50% due**

(All Checks may be payable to: Alpha1 Construction Services)

Phone: (361) 484-1431

Email: [info@alpha1constructionservices.com](mailto:info@alpha1constructionservices.com)



## Scope of Work

Project Manager: Austyn Orta

Client Name: City Of Gonzales

Project Address: 820 St. Joseph St. Gonzales TX, 78629

Date: 05/10/2022

### Project Description:

- till in topsoil/ fertilizer mix
- lay landscaping fabric
- install drip irrigation system
- set out plants/ mark locations before dig
- plant all plants included in described areas
- lay mortar and chopstone borders

**Phase 1:** -till in topsoil/ fertilizer mix  
 -lay landscaping fabric  
 - install drip irrigation system

**Phase 2:** - set out plants/ mark locations before dig  
 - plant all plants included in described areas  
 - lay mortar and chopstone borders

## **Materials List**

<i>Qty.</i>	<i>Product Description</i>
<b>51</b>	<b>51yds- compost/ topsoil</b>
<b>51</b>	<b>51yds- Mulch</b>
<b>100yds</b>	<b>Drip irrigation Hose</b>
<b>1</b>	<b>Irrigation Zone Controller</b>
<b>1</b>	<b>Post (mount controller)</b>
<b>2</b>	<b>Mounting brackets (controller)</b>
<b>11</b>	<b>15g Vitex trees</b>
<b>3</b>	<b>5g Golden Thryallis or Esperanza</b>
<b>150</b>	<b>5g (Butterfly and Hummingbird attracting plants) plumbago, butterfly iris, whirling butterfly</b>
<b>600</b>	<b>6" Chopstone edging</b>
<b>120</b>	<b>60lb bags mortar</b>
<b>16</b>	<b>Medium sized limestone boulders</b>

**\*Note:** Project is estimated for completion in 2 weeks, weather permitting, and is subject to change depending on variables. Clients should NOT refer to the 2 week deadline as a final, and should not hold Alpha1 Construction Services LLC. liable if scope of work is not completed within a 2 week period. All quotes are considered final but may be subject to change depending on findings or client requests. In this instance, a change order will be made and presented and will need to be approved by both parties before scope of work may begin.



98



A close-up, slightly blurred photograph of a dense field of red flowers, likely snapdragons, with green foliage. The flowers are numerous and small, creating a vibrant red sea against the green background. The image has a soft, painterly quality.

100



101









## **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.<br>820 N. St. Joseph Street<br>Gonzales, Texas 78629<br>Attn: _____<br>Telephone: _____   |
| if to GEDC:        | Gonzales Economic Development Corporation<br>820 N. St. Joseph Street<br>Gonzales, Texas 78629<br>Attn: Jennifer Kolbe,<br>Economic Development Director<br>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**

Public Hearing, Discussion & Possible Action on Ordinance #2022-21 Amending the Official Zoning Map by Zoning Property located at 1507 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Ordinance

The applicant is seeking to rezone the property from C-2 Heavy Commercial to SF-6, Single Family 6 District. The property is currently being utilized as a residential unit which would be considered legal non-conforming. The property owner would like to continue to utilize the property as residential and bring the property into compliance with the zoning code. Thus, the desire for the rezone.

The City has received an application for a zoning change from JA-KAT Holdings, LLC for their property located at 1507 Seydler Street, said property being currently zoned as C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

PROPERTY OWNER: JA-KAT Holdings, LLC

LEGAL DESCRIPTIONS: 0.4380 Acres Out of Lot, Range 6, Outer Town of Gonzales

A notice was published in the newspaper on October 27, 2022 and notices were mailed to property owners within 200' of the subject property on October 27, 2022. Five (5) property owners were notified of the zoning change. As of preparation of the staff report, there were not any objection letters filed.

### **POLICY CONSIDERATIONS:**

This will amend the official zoning map of the City of Gonzales for the property listed from C-2 Heavy Commercial District to SF-6 Single Family Six District.

### **FISCAL IMPACT:**

N/A

### **ATTACHMENTS:**

Rezone listing, Objection/No Objection letters, P&Z Report and recommendation

### **STAFF RECOMMENDATION:**

The rezoning request appears to be consistent with the uses of the other properties within this area and the Comprehensive Plan, therefore, staff recommends approval of the requested zoning change.

## **Planning & Zoning Commission Report and Recommendation**

The City of Gonzales Planning & Zoning Commission convened on November 14, 2022 at 5:15 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

### **PLANNING & ZONING COMMISSION**

Tim Gescheidle  
Charles Patterson  
Tom Tiller  
Paul Neuse  
P.J. DeLuna  
Rose Ruiz-Jones

### **CITY STAFF**

Kristina Vega, Zoning Administrator  
Erica Leopold, Administrative Assistant  
EDC Director, Jennifer Kolbe

### **COMMISSIONERS ABSENT**

Chris Brunken

### **REPORT**

Chairman Gescheidle read and asked for a staff report regarding the item: Hold a public hearing, consider and make a recommendation to City Council on a proposal to rezone the following property commonly known as 1507 Seydler Street being currently zoned C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

**PROPERTY OWNER:** JA-KAT Holdings, LLC

**LEGAL DESCRIPTIONS:** 0.4380 Acre Out of Lot, Range 6, Outer Town of Gonzales

Chairman Gescheidle opened the Public Hearing at 5:20 p.m.

Zoning Administrator, Kristina Vega gave a staff presentation stating the zoning request was received to rezone the property located at 1507 Seydler Street from C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District. The property is zoned C-2 Heavy Commercial, the property has consistently been used as a residential property and is considered legal non-conforming. The property owner not only wants to bring the property in to conformance with the City's Zoning Code, but also wants the property to continue to be used as a residential lot. The rezone of the property is also consistent with the City's future land use plan. A notice was published in the newspaper on October 27, 2022 and notices were mailed to property owners within 200' of the subject property on October 27, 2022. Five (5) property owners were notified of the zoning change. As of preparation of the staff report, there were no objection letters received. Staff is in support of this request for rezone from C-2 Heavy Commercial to SF-6 Single Family 6 District, therefore respectfully requests recommendation of approval of the request.

A notice was published in the newspaper on October 27, 2022 and notices were mailed to property owners within 200' of the subject property on October 27, 2022. Five (5) property owners were notified of the zoning change. As of preparation of the staff report, there were not any objection letters filed.

No other comments were made.

Chairman Gescheidle closed the Public Hearing at 5:23 p.m.

Chairman Gescheidle asked for a motion. Commissioner Neuse made a motion to accept and make a recommendation to City Council to rezone the listed property from C-2 Heavy Commercial to SF-6 Single Family 6 District. Commissioner Patterson seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Patterson, Tiller, DeLuna and Ruiz-Jones all voted aye.

## **ORDINANCE NO. 2022-21**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AMENDING THE OFFICIAL ZONING MAP BY ZONING PROPERTY LOCATED AT 1507 SEYDLER STREET FROM C-2 HEAVY COMMERCIAL DISTRICT TO SF-6 SINGLE FAMILY 6 DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Gonzales, Texas as previously created and appointed a Planning and Zoning Commission as authorized by the Texas Local Government Code; and

**WHEREAS**, the Texas Local Government Code authorizes a municipality to adopt zoning districts after compliance with statutory notice provisions; and

**WHEREAS**, an application to rezone 1507 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District was received on August 6, 2022; and

**WHEREAS**, on November 14, 2022, the Planning and Zoning Commission conducted a public hearing on the potential rezoning and after considering the testimony and evidence, hereby makes a recommendation of approval of the proposed zoning changes; and

**WHEREAS**, on November 17, 2022 the City Council conducted a public hearing and after considering the testimony, evidence and recommendation by the Planning and Zoning Commission, determined it to be in the public interest to amend the City's Comprehensive Zoning Ordinance and Zoning Map, which in its best judgment promotes the health, safety, morals, and general welfare and protect the use and enjoyment of property throughout the City.

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

Section 1. The Properties commonly known as located at 1507 Seydler Street in Gonzales, Texas, from C-2 Heavy Commercial District to SF-6 Single Family 6 District, further described in Exhibit A.

Section 2. The Official Zoning Map of the City of Gonzales, Texas shall be revised to reflect the above amendment.

Section 3. 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 Council.

Section 4. All ordinances and codes, 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 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, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Gonzales, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Gonzales except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

**PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 17<sup>th</sup> DAY of November, 2022.**

\_\_\_\_\_  
Mayor, S.H. Sucher

ATTEST:

\_\_\_\_\_  
Kristina Vega, City Secretary

## EXHIBIT A

The below listed property is rezoned from C-2 Heavy Commercial District to SF-6 Single Family 6 District.

- a. **PROPERTY OWNER:** JA-KAT Holdings, LLC  
**LEGAL DESCRIPTIONS:** 0.4380 Acres Out of Lot, Range 6, Outer Town of Gonzales  
**PROPERTY ADDRESS:** 1507 Seydler Street

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Public Hearing, Discussion & Possible Action on Ordinance #2022-22 Amending the Official Zoning Map by Zoning Property located at 814 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District

**DATE: November 17, 2022**

### **TYPE AGENDA ITEM:**

Ordinance

### **BACKGROUND:**

The applicant is seeking to rezone the property from C-2 Heavy Commercial to SF-6, Single Family 6 District. The property was currently being utilized as a residential unit which would be considered legal non-conforming. However, the structure was in a state of disrepair and the property owners demolished the structure with the intent of building a new Single Family residence at the location. When the property owner approached the city regarding the new build it was then determined that the property was zoned C-2 Heavy Commercial. The property owner would like to continue to utilize the property as residential.

The City has received an application for a zoning change from Earl & Kim Landry for their property located at 814 Seydler Street, said property being currently zoned as C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

PROPERTY OWNER: Earl & Kim Landry

LEGAL DESCRIPTIONS: PT 1 Range VII

PARCELS: 12479

A notice was published in the newspaper on October 27, 2022 and notices were mailed to property owners within 200' of the subject property on October 27, 2022. Ten (10) property owners were notified of the zoning change. As of preparation of the staff report, there were not any objection letters filed.

### **POLICY CONSIDERATIONS:**

This will amend the official zoning map of the City of Gonzales for the property listed from C-2 Heavy Commercial District to SF-6 Single Family Six District.

### **FISCAL IMPACT:**

N/A

### **ATTACHMENTS:**

Rezone listing, Objection/No Objection letters, P&Z Report and recommendation

**STAFF RECOMMENDATION:**

The rezoning request appears to be consistent with the uses of the other properties within this area and the Comprehensive Plan, therefore, staff recommends approval of the requested zoning change.

## **Planning & Zoning Commission Report and Recommendation**

The City of Gonzales Planning & Zoning Commission convened on November 14, 2022 at 5:15 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

### **PLANNING & ZONING COMMISSION**

Tim Gescheidle  
Charles Patterson  
Tom Tiller  
Paul Neuse  
P.J. DeLuna  
Rose Ruiz-Jones

### **CITY STAFF**

Kristina Vega, Zoning Administrator  
Erica Leopold, Administrative Assistant  
EDC Director, Jennifer Kolbe

### **COMMISSIONERS ABSENT**

Chris Brunken

### **REPORT**

Chairman Gescheidle read and asked for a staff report regarding the item: Hold a public hearing, consider and make a recommendation to City Council on a proposal to rezone the following property commonly known as 814 Seydler Street being currently zoned C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

PROPERTY OWNER: Earl & Kim Landry

LEGAL DESCRIPTIONS: PT 1 Range VII

PARCELS: 12479

Chairman Gescheidle opened the Public Hearing at 5:24 p.m.

Zoning Administrator, Kristina Vega gave a staff presentation stating the zoning request was received to rezone the property located at 814 Seydler Street from C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District. Although the property is zoned C-2 Heavy Commercial, the property has consistently been used as a residential property and is considered legal non-conforming. Just as the zoning case discussed prior to this one, the property owner not only wants to bring the property in to conformance with the City's Zoning Code, but also wants the property to continue to be used as a residential lot. The lot dimensions also would not support a commercial use because it would be too small to be utilized as such. The rezone of the property is also consistent with the City's future land use plan. A notice was published in the newspaper on October 27, 2022 and notices were mailed to property owners within 200' of the subject property on October 27, 2022. Ten (10) property owners were notified of the zoning change. As of preparation of the staff report, there were two no-objection letters received. Staff is in support of this request for rezone from C-2 Heavy Commercial to SF-6 Single Family 6 District, therefore respectfully requests recommendation of approval of the request.

No other comments were made.

Chairman Gescheidle closed the Public Hearing at 5:40 p.m.

Chairman Gescheidle asked for a motion. Commissioner Neuse made a motion to accept and make a recommendation to City Council to rezone the listed property from C-2 Heavy Commercial to SF-6 Single Family 6 District. Commissioner Tiller seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Patterson, Tiller, DeLuna and Ruiz- Jones all voted aye.

## **ORDINANCE NO. 2022-22**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AMENDING THE OFFICIAL ZONING MAP BY ZONING PROPERTY LOCATED AT 814 SEYDLER STREET FROM C-2 HEAVY COMMERCIAL DISTRICT TO SF-6 SINGLE FAMILY 6 DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Gonzales, Texas as previously created and appointed a Planning and Zoning Commission as authorized by the Texas Local Government Code; and

**WHEREAS**, the Texas Local Government Code authorizes a municipality to adopt zoning districts after compliance with statutory notice provisions; and

**WHEREAS**, an application to rezone 814 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District was received on October 12, 2022; and

**WHEREAS**, on November 14, 2022, the Planning and Zoning Commission conducted a public hearing on the potential rezoning and after considering the testimony and evidence, hereby makes a recommendation of approval of the proposed zoning changes; and

**WHEREAS**, on November 17, 2022 the City Council conducted a public hearing and after considering the testimony, evidence and recommendation by the Planning and Zoning Commission, determined it to be in the public interest to amend the City's Comprehensive Zoning Ordinance and Zoning Map, which in its best judgment promotes the health, safety, morals, and general welfare and protect the use and enjoyment of property throughout the City.

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

Section 1. The Properties commonly known as located at 814 Seydler Street in Gonzales, Texas, from C-2 Heavy Commercial District to SF-6 Single Family 6 District, further described in Exhibit A.

Section 2. The Official Zoning Map of the City of Gonzales, Texas shall be revised to reflect the above amendment.

Section 3. 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 Council.

Section 4. All ordinances and codes, 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 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, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Gonzales, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Gonzales except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

**PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 17<sup>th</sup> DAY of November, 2022.**

\_\_\_\_\_  
Mayor, S.H. Sucher

ATTEST:

\_\_\_\_\_  
Kristina Vega, City Secretary

## EXHIBIT A

The below listed property is rezoned from C-2 Heavy Commercial District to SF-6 Single Family 6 District.

- a. **PROPERTY OWNER:** Earl & Kim Landry  
**LEGAL DESCRIPTIONS:** PT 1 Range VII  
**PARCEL:** 12479  
**ADDRESS:** 814 Seydler Stret

FINANCIAL REPORTS FOR FUNDS AS OF 10/31/2022

CASH & INVESTMENT BY FUND AS OF 10/31/2022

QUARTERLY INVESTMENT REPORT ENDING 6/30/2022 AND 9/30/2022

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 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	2,949,856.00	236,528.77	236,528.77	8.02	0.00	2,713,327.23
402-FRANCHISE REVENUE	1,995,900.00	34,386.18	34,386.18	1.72	0.00	1,961,513.82
403-LICENSE/FEE/PERMITS	92,270.00	8,435.43	8,435.43	9.14	0.00	83,834.57
404-PARKS FEES REVENUE	293,310.00	33,361.40	33,361.40	11.37	0.00	259,948.60
405-MUNICIPAL COURT REVENUE	58,075.00	6,290.06	6,290.06	10.83	0.00	51,784.94
406-MISCELLANEOUS REVENUE	787,958.00	54,323.79	54,323.79	6.89	0.00	733,634.21
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	20,000.00	2,364.98	2,364.98	11.82	0.00	17,635.02
409-OTHER FINANCING REVENUE	131,410.00	151,173.23	151,173.23	115.04	0.00	( 19,763.23)
410-TRANSFERS	2,832,618.00	205,718.16	205,718.16	7.26	0.00	2,626,899.84
*** TOTAL REVENUES ***	9,161,397.00	732,582.00	732,582.00	8.00	0.00	8,428,815.00
EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTMENT	84,966.00	7,288.84	7,288.84	8.62	38.90	77,677.16
102-CITY MANAGER DEPARTMENT	173,019.50	15,322.95	15,322.95	8.97	198.00	157,696.55
103-COMMUNITY DEVELOPMENT	212,459.00	9,664.33	9,664.33	4.55	0.00	202,794.67
104-NON-DEPARTMENTAL	594,772.00	84,459.88	84,459.88	14.20	0.00	510,312.12
105-MAIN STREET DEPARTMENT	119,785.00	8,590.99	8,590.99	7.17	0.00	111,194.01
106-ECONOMIC DEVELOPMENT	0.00	0.00	0.00	0.00	0.00	0.00
107-BUILDING MAINTENANCE	280,421.00	21,487.93	21,487.93	7.66	0.00	258,933.07
108-CITY SECRETARY DEPARTMENT	186,150.00	13,743.25	13,743.25	7.38	0.00	172,406.75
109-FINANCE DEPARTMENT	311,672.50	16,974.87	16,974.87	5.45	0.00	294,697.63
110-HOTEL/MOTEL	0.00	0.00	0.00	0.00	0.00	0.00
201-PARKS DEPARTMENT	730,292.00	53,824.33	53,824.33	7.37	0.01	676,467.66
202-SWIMMING POOL DEPARTMENT	28,425.00	304.00	304.00	1.07	0.00	28,121.00
204-RECREATION DEPARTMENT	18,314.00	263.00	263.00	1.44	0.00	18,051.00
206-INDEPENDENCE GOLF COURSE	301,199.00	24,296.22	24,296.22	8.07	0.00	276,902.78
301-FIRE DEPARTMENT	1,579,550.00	113,212.85	113,212.85	61.88	864,237.96	602,099.19
501-POLICE DEPARTMENT	2,768,595.00	260,267.91	260,267.91	10.27	24,175.00	2,484,152.09
504-ANIMAL CONTROL DEPARTMENT	186,241.00	13,623.55	13,623.55	7.32	0.00	172,617.45
550-MUNICIPAL COURT DEPARTMENT	113,216.00	6,269.92	6,269.92	5.54	0.00	106,946.08
602-AIRPORT DEPARTMENT	130,820.00	7,309.54	7,309.54	5.59	0.00	123,510.46
603-STREETS DEPARTMENT	751,550.00	116,821.53	116,821.53	15.58	297.82	634,430.65
650-LIBRARY DEPARTMENT	310,366.00	20,438.99	20,438.99	7.38	2,454.87	287,472.14
660-MUSEUM DEPARTMENT	98,085.00	4,560.82	4,560.82	4.65	0.00	93,524.18
*** TOTAL EXPENDITURES ***	8,979,898.00	798,725.70	798,725.70	18.82	891,402.56	7,289,769.74
** REVENUES OVER (UNDER) EXPENDITURES **	181,499.00	( 66,143.70)	( 66,143.70)	527.58-	( 891,402.56)	1,139,045.26

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 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	754,150.00	46,142.67	46,142.67	6.12	0.00	708,007.33
406-MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	754,150.00	46,142.67	46,142.67	6.12	0.00	708,007.33
EXPENDITURE SUMMARY						
203-JB WELLS PARK	935,649.00	47,952.98	47,952.98	5.13	( 0.01)	887,696.03
*** TOTAL EXPENDITURES ***	935,649.00	47,952.98	47,952.98	5.13	( 0.01)	887,696.03
** REVENUES OVER (UNDER) EXPENDITURES **	( 181,499.00)	( 1,810.31)	( 1,810.31)	1.00	0.01	( 179,688.70)

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 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	10,880,143.00	928,682.07	928,682.07	8.54	0.00	9,951,460.93
750-REVENUE COLLECTION	279,802.00	2,036.52	2,036.52	0.73	0.00	277,765.48
809-HYDRO PLANT CONST.	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	11,159,945.00	930,718.59	930,718.59	8.34	0.00	10,229,226.41
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	10,706,897.00	364,515.79	364,515.79	8.69	565,875.58	9,776,505.63
750-REVENUE COLLECTIONS	304,792.00	17,863.55	17,863.55	5.86	0.00	286,928.45
809-HYDRO PLANT CONST.	146,000.00	0.00	0.00	0.00	0.00	146,000.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	11,157,689.00	382,379.34	382,379.34	8.50	565,875.58	10,209,434.08
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	2,256.00	548,339.25	548,339.25	777.32-	( 565,875.58)	19,792.33
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 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	3,108,450.00	250,463.73	250,463.73	8.06	0.00	2,857,986.27
	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
*** TOTAL REVENUES ***	3,108,450.00	250,463.73	250,463.73	8.06	0.00	2,857,986.27
	<u>=====</u>	<u>=====</u>	<u>=====</u>	<u>=====</u>	<u>=====</u>	<u>=====</u>
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	2,298,310.00	133,319.47	133,319.47	5.96	3,682.96	2,161,307.57
722-SERIES 2011 DEBT SERV	0.00	0.00	0.00	0.00	0.00	0.00
	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
*** TOTAL EXPENDITURES ***	2,298,310.00	133,319.47	133,319.47	5.96	3,682.96	2,161,307.57
	<u>=====</u>	<u>=====</u>	<u>=====</u>	<u>=====</u>	<u>=====</u>	<u>=====</u>
** REVENUES OVER(UNDER) EXPENDITURES **	810,140.00	117,144.26	117,144.26	14.01	( 3,682.96)	696,678.70
	<u>=====</u>	<u>=====</u>	<u>=====</u>	<u>=====</u>	<u>=====</u>	<u>=====</u>

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 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	1,775,500.00	123,084.13	123,084.13	6.93	0.00	1,652,415.87
731-W/W GRANT PROJECTS	0.00	318,499.81	318,499.81	0.00	0.00	( 318,499.81)
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,775,500.00	441,583.94	441,583.94	24.87	0.00	1,333,916.06
	-----	-----	-----	-----	-----	-----
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,663,508.00	369,917.45	369,917.45	22.24	0.00	1,293,590.55
731-W/W GRANT PROJECTS	0.00	141,939.55	141,939.55	0.00	0.00	( 141,939.55)
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	1,663,508.00	511,857.00	511,857.00	30.77	0.00	1,151,651.00
	-----	-----	-----	-----	-----	-----
** REVENUES OVER (UNDER) EXPENDITURES **	111,992.00	( 70,273.06)	( 70,273.06)	62.75-	0.00	182,265.06
	-----	-----	-----	-----	-----	-----

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 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	832,350.00	66,971.52	66,971.52	8.05	0.00	765,378.48
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	832,350.00	66,971.52	66,971.52	8.05	0.00	765,378.48
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	832,217.00	75,865.08	75,865.08	9.12	0.00	756,351.92
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	832,217.00	75,865.08	75,865.08	9.12	0.00	756,351.92
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	133.00	( 8,893.56)	( 8,893.56)	686.89-	0.00	9,026.56
	=====	=====	=====	=====	=====	=====

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 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.	818,613.00	0.00	0.00	0.00	0.00	818,613.00
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	818,613.00	0.00	0.00	0.00	0.00	818,613.00
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	815,613.00	500.00	500.00	0.06	0.00	815,113.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	815,613.00	500.00	500.00	0.06	0.00	815,113.00
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	3,000.00	( 500.00)	( 500.00)	16.67-	0.00	3,500.00
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 2022

## 500-HOTEL/MOTEL FUND

	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	354,400.00	39,156.36	39,156.36	11.05	0.00	315,243.64
812-MEMORIAL MUSEUM	0.00	0.00	0.00	0.00	0.00	0.00
813-FORFEITURES	0.00	0.00	0.00	0.00	0.00	0.00
814-MUNICIPAL COURT	0.00	0.00	0.00	0.00	0.00	0.00
815-ROBERT L BROTHERS	0.00	0.00	0.00	0.00	0.00	0.00
-----						
*** TOTAL REVENUES ***	354,400.00	39,156.36	39,156.36	11.05	0.00	315,243.64
=====						
EXPENDITURE SUMMARY						
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL MOTEL	524,026.00	17,355.93	17,355.93	3.31	0.00	506,670.07
812-MEMORIAL MUSEUM	0.00	0.00	0.00	0.00	0.00	0.00
813-FORFEITURES	0.00	0.00	0.00	0.00	0.00	0.00
814-MUNICIPAL COURT	0.00	0.00	0.00	0.00	0.00	0.00
815-ROBERT L BROTHERS	0.00	43.83	43.83	0.00	0.00	{ 43.83}
-----						
*** TOTAL EXPENDITURES ***	524,026.00	17,399.76	17,399.76	3.32	0.00	506,626.24
=====						
** REVENUES OVER(UNDER) EXPENDITURES **	{ 169,626.00}	21,756.60	21,756.60	12.83-	0.00	{ 191,382.60}
=====						

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 2022

## 501-MEMORIAL MUSEUM FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
812-MEMORIAL MUSEUM	2,400.00	1.45	1.45	0.06	0.00	2,398.55
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	2,400.00	1.45	1.45	0.06	0.00	2,398.55
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
812-MEMORIAL MUSEUM	4,000.00	0.00	0.00	0.00	0.00	4,000.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	4,000.00	0.00	0.00	0.00	0.00	4,000.00
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	( 1,600.00)	1.45	1.45	0.09-	0.00	( 1,601.45)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 2022

## 502-FORFEITURE FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
813-FORFEITURES	110.00	1,099.20	1,099.20	999.27	0.00	( 989.20)
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	110.00	1,099.20	1,099.20	999.27	0.00	( 989.20)
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
813-FORFEITURES	20,500.00	0.00	0.00	11.60	2,377.34	18,122.66
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	20,500.00	0.00	0.00	11.60	2,377.34	18,122.66
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	( 20,390.00)	1,099.20	1,099.20	6.27	( 2,377.34)	( 19,111.86)
	=====	=====	=====	=====	=====	=====

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 2022

503-MUNICIPAL COURT

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
814-MUNICIPAL COURT	1,720.00	38.39	38.39	2.23	0.00	1,681.61
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,720.00	38.39	38.39	2.23	0.00	1,681.61
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
814-MUNICIPAL COURT	14,927.00	47.65	47.65	0.32	0.00	14,879.35
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	14,927.00	47.65	47.65	0.32	0.00	14,879.35
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	( 13,207.00)	( 9.26)	( 9.26)	0.07	0.00	( 13,197.74)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 2022

504-ROBERT LEE BROTHERS FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
815-ROBERT L BROTHERS	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	0.00	0.00	0.00	0.00	0.00	0.00
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
815-ROBERT LEE BROTHERS	52,200.00	6,041.35	6,041.35	26.90	8,000.00	38,158.65
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	52,200.00	6,041.35	6,041.35	26.90	8,000.00	38,158.65
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	( 52,200.00)	( 6,041.35)	( 6,041.35)	26.90	( 8,000.00)	( 38,158.65)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 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	1,000,795.00	96,527.03	96,527.03	9.65	0.00	904,267.97
*** TOTAL REVENUES ***	1,000,795.00	96,527.03	96,527.03	9.65	0.00	904,267.97
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,578,448.00	83,711.95	83,711.95	5.30	0.00	1,494,736.05
*** TOTAL EXPENDITURES ***	1,578,448.00	83,711.95	83,711.95	5.30	0.00	1,494,736.05
** REVENUES OVER(UNDER) EXPENDITURES **	( 577,653.00)	12,815.08	12,815.08	2.22-	0.00	( 590,468.08)

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<hr/>			
100-GENERAL FUND			
-----			
<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	529,087.76	
100 1-001.501	CASH-GENERAL FUND RBFCU	62,487.42	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	105,789.47	
		-----	
TOTAL CASH		697,364.65	
 <u>INVESTMENTS</u>			
100 1-103.409	RBFCU-SAVINGS ACCOUNT		0.00
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		225,907.72
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		22,002.86
			-----
TOTAL INVESTMENTS			247,910.58
 <u>POOLED INVESTMENTS</u>			
100 1-104.002	TEXPOOL- GENERAL FUND		2,666,012.43
100 1-104.003	TEXPOOL-CLFRF PART II - ARPA		831,380.24
			-----
TOTAL POOLED INVESTMENTS			3,497,392.67
		-----	
TOTAL 100-GENERAL FUND		697,364.65	3,745,303.25
<hr/>			
203-JB WELLS FUND			
-----			
<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	( 441,029.48)	
		-----	
TOTAL CASH		( 441,029.48)	
		-----	
TOTAL 203-JB WELLS PARK FUND		( 441,029.48)	0.00
<hr/>			
210-ELECTRIC FUND			
-----			
<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	235,919.88	
210 1-001.606	CASH CUSTOMER METER DEPOSIT	204,768.25	
		-----	
TOTAL CASH		440,688.13	

## CASH &amp; INVESTMENTS BY FUND

AS OF: OCTOBER 31ST, 2022 OCTOBER 31ST, 2022

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>INVESTMENTS</u>			
210 1-103.410	CERT OF DEP - SOUTH STAR BANK		282,435.10
			-----
	TOTAL INVESTMENTS		282,435.10
<u>POOLED INVESTMENTS</u>			
210 1-104.002	TEXPOOL- ELECTRIC FUND		1,996,416.67
			-----
	TOTAL POOLED INVESTMENTS		1,996,416.67
		-----	-----
	TOTAL 210-ELECTRIC FUND	440,688.13	2,278,851.77
<hr/>			
220-WATER FUND			
=====			
<u>CASH</u>			
220 1-001.000	CASH - WATER FUND	545,307.98	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	31,229.00	
		-----	
	TOTAL CASH	576,536.98	
<u>POOLED INVESTMENTS</u>			
220 1-104.002	TEXPOOL- WATER FUND		1,911,669.83
			-----
	TOTAL POOLED INVESTMENTS		1,911,669.83
		-----	-----
	TOTAL 220-WATER FUND	576,536.98	1,911,669.83
<hr/>			
230-WASTEWATER FUND			
=====			
<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	( 300,546.30)	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	2,714.00	
		-----	
	TOTAL CASH	( 297,832.30)	
<u>INVESTMENTS</u>			
230 1-103.411	CERT. OF DEP - SOUTH STAR BANK		283,999.97
			-----
	TOTAL INVESTMENTS		283,999.97
<u>POOLED INVESTMENTS</u>			
230 1-104.002	TEXPOOL- WASTEWATER FUND		1,204,704.43
230 1-104.003	TEXPOOL-CORONAVIRUS LOCAL FIS		435,448.80
			-----
	TOTAL POOLED INVESTMENTS		1,640,153.23
		-----	-----
	TOTAL 230-WASTEWATER FUND	( 297,832.30)	1,924,153.20

## CASH &amp; INVESTMENTS BY FUND

AS OF: OCTOBER 31ST, 2022 OCTOBER 31ST, 2022

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<hr/>			
240-SOLID WASTE			
=====			
CASH			
240 1-001.000	CASH - SOLID WASTE FUND	120,489.27	
		-----	
TOTAL CASH		120,489.27	
		-----	
TOTAL 240-SOLID WASTE FUND		120,489.27	0.00
<hr/>			
250-DSF PROPRIETARY			
=====			
CASH			
250 1-001.000	CASH-DSF PROPRIETARY	0.00	
		-----	
TOTAL CASH		0.00	
		-----	
TOTAL 250-DSF PROPRIETARY		0.00	0.00
<hr/>			
300-CAPITAL PROJECTS-BUS			
=====			
CASH			
300 1-001.000	CASH CONTROL - CAPITAL PROJ	0.00	
300 1-101.301	BOND - CIP	0.00	
		-----	
TOTAL CASH		0.00	
<hr/>			
POOLED INVESTMENTS			
300 1-104.101	CASH-CO SERIES 2019 CIP STREET		0.00
300 1-104.104	CASH-CO SERIES 2019 CIP GEN.		0.00
			-----
TOTAL POOLED INVESTMENTS			0.00
		-----	-----
TOTAL 300-CAPITAL PROJECTS-BUSINESS		0.00	0.00
<hr/>			
400-DSF GOVERNMENTAL ACTI			
=====			
CASH			
400 1-001.000	CASH - CONTROL ACCT	0.00	
400 1-001.101	CASH-DSF GOV, ACTIVITIES	281,092.62	
		-----	
TOTAL CASH		281,092.62	
		-----	-----
TOTAL 400-DSF GOVERNMENT ACTIVITIES		281,092.62	0.00

## CASH &amp; INVESTMENTS BY FUND

AS OF: OCTOBER 31ST, 2022 OCTOBER 31ST, 2022

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<hr/>			
500-HOTEL/MOTEL FUND			
=====			
<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCT	5,000.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	789,896.99	
500 1-001.503	CASH - MUSEUM FUNDS	6,756.81	
500 1-001.504	CASH - FORFEITURES	24,505.47	
500 1-001.505	CASH - MUN CRT CHILD SAFETY	7,638.40	
500 1-001.506	CASH - MUN CRT SECURITY	21,744.45	
500 1-001.507	CASH - MUN CRT TECH	870.98	
500 1-001.508	CASH - SPECIAL EXPENSE	7,440.44	
500 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	70,199.14	
		-----	
TOTAL CASH		934,052.68	
		-----	
TOTAL 500-HOTEL/MOTEL FUND		934,052.68	0.00
<hr/>			
501-MEMORIAL MUSEUM FUND			
=====			
<u>CASH</u>			
501 1-001.000	CASH - CONTROL ACCT.	0.00	
501 1-001.503	CASH - MUSEUM FUNDS	1.45	
		-----	
TOTAL CASH		1.45	
		-----	
TOTAL 501-MEMORIAL MUSEUM FUND		1.45	0.00
<hr/>			
502-FORFEITURES			
=====			
<u>CASH</u>			
502 1-001.000	CASH - CONTROL ACCOUNT	0.00	
502 1-001.504	CASH - FORFEITURES	1,099.20	
		-----	
TOTAL CASH		1,099.20	
		-----	
TOTAL 502-FORFEITURE FUND		1,099.20	0.00
<hr/>			
503-MUNICIPAL COURT			
=====			

## CASH &amp; INVESTMENTS BY FUND

AS OF: OCTOBER 31ST, 2022 OCTOBER 31ST, 2022

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>CASH</u>			
503 1-001.000	CASH - CONTROL ACCOUNT	( 3,754.87)	
503 1-001.505	CASH - MUN CRT CHILD SAFETY	0.00	
503 1-001.506	CASH - MUN CRT SECURITY	6.00	
503 1-001.507	CASH - MUN CRT TECH	8.00	
503 1-001.508	CASH - SPECIAL EXPENSE	24.39	
		-----	
TOTAL CASH		( 3,716.48)	
		-----	
TOTAL 503-MUNICIPAL COURT		( 3,716.48)	0.00
<hr/>			
504-ROBERT L. BROTHERS			
=====			
<u>CASH</u>			
504 1-001.000	CASH - CONTROL ACCOUNT	( 6,041.35)	
504 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	0.00	
		-----	
TOTAL CASH		( 6,041.35)	
		-----	
TOTAL 504-ROBERT LEE BROTHERS FUND		( 6,041.35)	0.00
<hr/>			
575-CAPITAL PROJECTS-GOV			
=====			
<u>CASH</u>			
575 1-001.000	CASH-CONTROL ACCT	0.00	
		-----	
TOTAL CASH		0.00	
 <u>POOLED INVESTMENTS</u>			
575 1-104.101	CASH-CO SERIES 19 CIP STREET		0.00
			-----
TOTAL POOLED INVESTMENTS			0.00
		-----	-----
TOTAL 575-CAPITAL PROJECTS-GOV.		0.00	0.00
<hr/>			
700-COMPONENT UNIT			
=====			
<u>CASH</u>			
700 1-001.000	CASH -CONTROL ACCOUNT	( 15,170.57)	
700 1-001.101	CASH - ECONOMIC DEV CORP	3,625,109.14	
		-----	
TOTAL CASH		3,609,938.57	
		-----	
TOTAL 700-GONZALES ECONOMIC DEV		3,609,938.57	0.00
		-----	
			-----
FUND TOTAL OTHER INVESTMENTS			814,345.65
FUND TOTAL POOLED INVESTMENTS			9,045,632.40
			-----
TOTAL CASH AND INVESTMENTS		5,912,643.94	9,859,978.05
		=====	=====

\*\*\* END OF REPORT \*\*\*

CITY OF GONZALES PORTFOLIO  
QUARTERLY REPORT FOR THE PERIOD ENDING  
6/30/2022

Description	Yield Rate	Purchase / Renewal Date	Maturity Date	Book Value 03/31/22	Market Value 03/31/22	Accrued Interest 03/31/22	Book Value 06/30/22	Market Value 06/30/22	Accrued Interest 06/30/22
<u>Investment Pools</u>									
Texpool -General Fund	N/A	N/A	N/A	1,773,117.24	1,773,117.24	-	2,652,432.33	2,652,432.33	-
Texpool -Electric Fund	N/A	N/A	N/A	1,983,068.97	1,983,068.97	-	1,986,247.35	1,986,247.35	-
Texpool -Water Fund	N/A	N/A	N/A	752,106.62	752,106.62	-	1,901,932.22	1,901,932.22	-
Texpool -Wastewater Fund	N/A	N/A	N/A	509,379.86	509,379.86	-	1,198,567.94	1,198,567.94	-
Texpool -Coronavirus Local Fiscal Recovery	N/A	N/A	N/A	933,582.72	933,582.72	-	936,926.44	936,926.44	-
Texpool -Cert. of Obligation 2019	N/A	N/A	N/A	627,400.63	627,400.63	-	616,889.80	616,889.80	-
RBFCU - Savings Account	N/A	N/A	N/A	62,435.44	62,435.44	-	62,463.80	62,463.80	-
<u>Certificates of Deposit</u>									
General Fund - (RBFCU) 100-1-103.410	0.750%	3/19/2022	3/18/2024	225,060.10	225,060.10	1,118.60	225,481.20	225,481.20	421.10
Electric Fund - (SSB) 210-1-103.410	0.600%	12/11/2021	12/11/2023	281,582.76	281,582.76	415.97	282,008.61	282,008.61	425.85
Wastewater Fund - (SSB) 230-1-103.411	1.100%	10/13/2020	10/13/2022	281,676.15	281,676.15	778.82	282,440.15	282,440.15	764.00
<b>TOTAL PORTFOLIO</b>				<b>7,429,410.49</b>	<b>7,429,410.49</b>	<b>2,313.39</b>	<b>10,145,389.84</b>	<b>10,145,389.84</b>	<b>1,610.95</b>

CITY OF GONZALES PORTFOLIO SUMMARY  
Activity for Quarter Ending  
June 30, 2022

	Book Value	Market Value	Ratio
Total Investments at beginning of Quarter	7,429,410.49	7,429,410.49	100.00%
Investment Pool Interest Reinvested	13,003.40	13,003.40	
Investment Pool Increases	2,712,000.00	2,712,000.00	
Investment Pool Withdrawals	10,635.00	10,635.00	
Agency Security Purchases	0.00	0.00	
Agency Security Maturities/Called	0.00	0.00	
Certificate of Deposit Purchases	0.00	0.00	
CD Interest Reinvested	1,610.95	1,610.95	
Investments at End of Quarter	10,145,389.84	10,145,389.84	100.00%

As of 06/30/2022 all investments are in compliance with the Investment Policy of the City of Gonzales.

  
Laura Zella, Finance Director

CITY OF GONZALES PORTFOLIO  
QUARTERLY REPORT FOR THE PERIOD ENDING  
6/30/2022

<u>Weighted Average Maturity</u>	<u>Yield Rate</u>	<u>Maturity Date</u>	<u>Book Value</u>	<u>Percentage of Portfolio</u>	<u>Days to Maturity</u>	<u>Weighted Average</u>
TexPools & RBFCU Savings			9,355,459.88	0.922139	1	0.92
RBFCU - General Fund	0.750%	3/18/2024	225,481.20	0.022225	627	13.94
Lone Star Bank - Electric	0.600%	12/11/2023	282,008.61	0.027797	529	14.70
Lone Star Bank - Wastewater	1.100%	10/13/2022	282,440.15	0.027839	105	2.92
<b>TOTAL PORTFOLIO</b>			<b>10,145,389.84</b>	<b>100%</b>	<b>1,262</b>	<b>32.48</b>

CITY OF GONZALES PORTFOLIO  
QUARTERLY REPORT FOR THE PERIOD ENDING  
9/30/2022

Description	Yield Rate	Purchase / Renewal Date	Maturity Date	Book Value 06/30/22	Market Value 06/30/22	Accrued Interest 06/30/22	Book Value 09/30/22	Market Value 09/30/22	Accrued Interest 09/30/22
<u>Investment Pools</u>									
Texpool -General Fund	N/A	N/A	N/A	2,652,432.33	2,652,432.33	-	2,666,012.43	2,666,012.43	-
Texpool -Electric Fund	N/A	N/A	N/A	1,986,247.35	1,986,247.35	-	1,996,416.67	1,996,416.67	-
Texpool -Water Fund	N/A	N/A	N/A	1,901,932.22	1,901,932.22	-	1,911,669.83	1,911,669.83	-
Texpool -Wastewater Fund	N/A	N/A	N/A	1,198,567.94	1,198,567.94	-	1,204,704.43	1,204,704.43	-
Texpool -Coronavirus Local Fiscal Recovery	N/A	N/A	N/A	936,926.44	936,926.44	-	439,428.80	439,428.80	-
Texpool -Cert. of Obligation 2019	N/A	N/A	N/A	616,889.80	616,889.80	-	153,418.41	153,418.41	-
RBFCU - Savings Account	N/A	N/A	N/A	62,463.80	62,463.80	-	62,487.42	62,487.42	-
<u>Certificates of Deposit</u>									
General Fund - (RBFCU) 100-1-103.410	0.750%	3/19/2022	3/18/2024	225,481.20	225,481.20	421.10	225,907.72	225,907.72	426.52
Electric Fund - (SSB) 210-1-103.410	0.600%	12/11/2021	12/11/2023	282,008.61	282,008.61	425.85	282,435.10	282,435.10	426.49
Wastewater Fund - (SSB) 230-1-103.411	1.100%	10/13/2020	10/13/2022	282,440.15	282,440.15	764.00	283,214.73	283,214.73	774.58
<b>TOTAL PORTFOLIO</b>				<b>10,145,389.84</b>	<b>10,145,389.84</b>	<b>1,610.95</b>	<b>9,225,695.54</b>	<b>9,225,695.54</b>	<b>1,627.59</b>

CITY OF GONZALES PORTFOLIO SUMMARY  
Activity for Quarter Ending  
September 30, 2022

	Book Value	Market Value	Ratio
Total Investments at beginning of Quarter	10,145,389.84	10,145,389.84	100.00%
Investment Pool Interest Reinvested	46,606.32	46,606.32	
Investment Pool Increases	0.00	0.00	
Investment Pool Withdrawals	967,928.21	967,928.21	
Agency Security Purchases	0.00	0.00	
Agency Security Maturities/Called	0.00	0.00	
Certificate of Deposit Purchases	0.00	0.00	
CD Interest Reinvested	1,627.59	1,627.59	
Investments at End of Quarter	9,225,695.54	9,225,695.54	100.00%

As of 09/30/2022 all investments are in compliance with the Investment Policy of the City of Gonzales.

  
Laura Zela, Finance Director

CITY OF GONZALES PORTFOLIO  
QUARTERLY REPORT FOR THE PERIOD ENDING  
9/30/2022

<u>Weighted Average Maturity</u>	<u>Yield Rate</u>	<u>Maturity Date</u>	<u>Book Value</u>	<u>Percentage of Portfolio</u>	<u>Days to Maturity</u>	<u>Weighted Average</u>
TexPools & RBFCU Savings			8,434,137.99	0.914201	1	0.91
RBFCU - General Fund	0.750%	3/18/2024	225,907.72	0.024487	535	13.10
Lone Star Bank - Electric	0.600%	12/11/2023	282,435.10	0.030614	437	13.38
Lone Star Bank - Wastewater	1.100%	10/13/2022	283,214.73	0.030698	13	0.40
<b>TOTAL PORTFOLIO</b>			<b>9,225,695.54</b>	<b>100%</b>	<b>986</b>	<b>27.79</b>