

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
AGENDA –FEBRUARY 9, 2023 6:00 P.M.**

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

CITY EVENTS AND ANNOUNCEMENTS

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

HEARING OF RESIDENTS

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

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

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

CONSENT AGENDA ITEMS

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

- 1.1 **Minutes** - Approval of the minutes for the January 19, 2023 Regular Meeting
- 1.2 Acknowledging Receipt of the 2022 Annual Racial Profiling Report
- 1.3 Discuss, Consider & Possible Action on **Resolution #2023-17** Declaring Certain City Property Surplus and Authorizing the Sale of Said Property in the manner most advantageous to the City of Gonzales
- 1.4 Discuss, Consider & Possible Action on **Resolution #2023-18** Authorizing the City Manager to Execute an Agreement with Jay Hilscher DBA Lone Star Relays, LLC. for the Street Closures, Consumption of Alcohol on Public Property and the Recommendation for Funding from the Gonzales Convention and Visitor Bureau in the amount of \$2,500.00 for the Texas Independence Relay on March 24-25, 2023

- 1.5 Discuss, Consider & Possible Action on **Resolution #2023-19** Ratifying the Change Order Form for the 2021 Utility Improvements adding St. James Wastewater Line Replacement Contract in the amount of \$164,870.76
- 1.6 Discuss, Consider & Possible Action on **Resolution #2023-20** Authorizing the Use of Independence Square Including the Parking Lot for the Gonzales Master Gardener's Annual Spring Plant Sale on April 15, 2023
- 1.7 Discuss, Consider & Possible Action on **Resolution #2023-21** Amending the previously approved use of Both Downtown Squares including the Parking Lots, and Designated Street Closures for Saturday, April 1, 2023 and Sunday, April 2, 2023 for the Inter-Tribal POW-WOW and Dance Competition
- 1.8 Discuss, Consider & Possible Action on **Resolution #2023-22** Authorizing the Use of Independence Square for 2023 Texas Independence Day Toast to Texas on March 2, 2023.
- 1.9 Discuss, Consider & Possible Action on **Resolution #2023-23** Authorizing the Use of Independence Square including the Parking Lot, and Designated Street Closures for 2023 Texas Independence Candle Vigil to commemorate the Runaway Scrape
- 1.10 Discuss, Consider & Possible Action on **Resolution #2023-24** Approving a Professional Services Agreement to Provide Website Services by and between the Gonzales Economic Development Corporation and Insyteful, LLC.
- 1.11 Discuss, Consider & Possible Action on **Resolution #2023-25** Approving an Amendment to agreement by and between the Gonzales Economic Development Corporation and Remschel Customs, LLC, A Texas Limited Liability Company, Regarding Improvements to property generally located at 925 Oilpatch Lane, City of Gonzales, Texas
- 1.12 Discuss, Consider & Possible Action on **Resolution #2023-26** Authorizing the City Manager to Execute an Amended Agreement for Election Services with the Elections Administrator of Gonzales County for the May 6, 2023 General Election
- 1.13 Discuss, Consider & Possible Action on **Ordinance #2023-3** Amending the City of Gonzales' Election Ordinances and Notice to reflect a change in polling locations for Election Day from four precincts to a consolidated precinct located at the Randle Rather Bldg., (427 St. George, STE 100)

RESOLUTIONS

- 2.1 Discuss, Consider & Possible Action on **Resolution #2023-27** Authorizing the City Manager to Execute an Agreement for Grant Administration Services for the Texas CDBG-MIT Regional Mitigation Program's Method of Distribution Development (CDBG-MIT-MOD) Grant
- 2.2 Discuss, Consider & Possible Action on **Resolution #2023-28** Authorizing the City Manager to Negotiate and Enter into an Agreement for Engineering Services for the Texas

CDBG-MIT Regional Mitigation Program's Method of Distribution Development (CDBG-MIT-MOD) Grant

- 2.3 Discuss, Consider & Possible Action on **Resolution #2023-29** Authorizing the City Manager to Execute an Agreement for Grant Administration Services for the Texas General Land Office ("GLO") Community Development Block Grant Disaster Recovery-Mitigation (CDBG-MIT), Resilient Communities Program
- 2.4 Discuss, Consider & Possible Action on **Resolution #2023-30** Authorizing the City Manager to submit a Bid Proposal for Gonzales to Host the Texas Junior High Rodeo Association State Finals for a Period of Five Years; Authorizing the City Manager to Negotiate the Contract Terms if Awarded the Bid
- 2.5 Discuss, Consider & Possible Action on **Resolution #2023-31** Approving the Lease Agreement with Enterprise Fleet Management, Inc. for the lease of several budgeted vehicles and authorizing the City Manager to execute said agreements
- 2.6 Discuss, Consider & Possible Action on **Resolution #2023-32** Approving Changes to the Building Official and Code Compliance Officer Job Descriptions and Current Position Classifications for Fiscal Year 2022-2023

ORDINANCE

- 3.1 Discuss, Consider & Possible Action on **Ordinance #2023-4** Amending Article 8.300 Noise of the City of Gonzales Code of Ordinances

OTHER BUSINESS

- 4.1 Discussion, consideration and Council direction regarding the creation of a Beautification & Design Board

STAFF/BOARD REPORTS

- 5.1 Finance Director will provide feedback on any questions regarding:
 - Financial Reports for funds as of January 31, 2023
 - Cash & Investment by Fund as of December 31, 2022
 - Quarterly Investment Report Ending December 31, 2022
- 5.2 City Manager, Tim Crow will update the City Council on the following:
 - Timeline on Capital Improvement and Departmental Projects
 - Recently Completed Projects
 - Projects Currently in Process
 - Upcoming Projects

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 February 9, 2023, agenda of items to be considered by the Gonzales City Council was posted on the City Municipal Building bulletin board on the 6th day of February, 2023 at 5:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting. I further certify that the above agenda was removed on _____ day of _____, 2023 at _____ am/pm. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.

Kristina Vega, City Secretary

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

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –JANUARY 19, 2023**

The regular meeting of the City Council was held on **January 19, 2023**, at 6:00 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at the Gonzales Municipal Building, giving notice of time, date, place, and agenda thereof. The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

CALL TO ORDER, INVOCATION AND PLEDGE

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

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

STAFF PARTICIPATING:

Tim Crow-City Manager, Kristina Vega-City Secretary, Alexis Cerda-Administrative Assistant to the Economic Development Director, Jennifer Kolbe-Economic Development Director, Laura Zella-Finance Director, Erica Leopold- Administrative Assistant, Ryan Wilkerson-Water Department Director, Tiffany Padilla-Main Street Director, Wade Zella-Fire Chief, Scott Raven-Fire Marshal & Gayle Autry-Interim Police Chief.

Pastor Jesse Elizondo of Two Rivers Bible Church provided the invocation.

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events- None
- Announcements and recognitions by the City Manager-City Manager Crow commended the Street Department on a job well done on Stieren Road
- Announcements and recognitions by the Mayor- Mayor Sucher acknowledged volunteer Members of the community for jobs well done for the Martin Luther King Jr. March
- Recognitions of actions by community volunteers-None

HEARING OF RESIDENTS

Edwards Association- David Tucey Quincy Johnson spoke on inclusion and recognition. Several years ago, the City Council voted to approve interpretive panels that were located on the square now named Independence Square and the desire to move forward with a monument to be placed in the same proximity as the panels, and the suggestion was made to rename one of our streets as Dr. Martin Luther King Jr. Street.

Gonzales Dog Adoptions-Norma Turk and Jacque Evans spoke in favor of the increase in funding to the Gonzales Dog Adoption.

Lynn Theater-Catherine Crawley, Mark Ploeger, Gaspar Lekgega, Richard Shelton, James Lawrence, Sally Ploeger, Jeff Low, Victoria Spraberry, Dennis Kaiser, David Dement all spoke in favor of first run movies to be played at the Lynn Theater and for additional time to consider the proposals that were submitted for the purchase of the theater.

Lester Warzecha and Clay Allen spoke in favor of the proposal that was submitted by Sydney Allen and Devon Warzecha for the Lynn Theater.

PRESENTATION

Chamber of Commerce Director, Melissa Henderson provided the Quarterly Report for the Chamber of Commerce and Visitor Center as required by Chapter 351 of the Texas Tax Code.

Zoning Administrator Kristina Vega and Contract Planner Bryce Cox led discussion regarding city sponsored rezoning for Downtown Mixed-Use District (DMU) and staff's desire to provide an opportunity to property owners of downtown commercially used property to voluntarily rezone to DMU free of charge. This effort would be most efficiently accomplished by a city sponsored rezoning of downtown commercial properties who volunteer to be rezoned. With this rezoning effort we would only look to include properties where the property owner has volunteered and consented to the rezoning and would exclude all properties where the owner has not directly requested to be included. Additionally, we are looking to keep the scope narrow to only those properties that are currently used for commercial business in the core of downtown. Staff is seeking direction from City Council regarding this initiative.

Mayor Sucher asked for a motion. Council Member O'Neal moved to initiate the city sponsored rezoning for Downtown Mixed-Use District and waive the rezoning fees for a period of 180 days. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

CONSENT AGENDA ITEMS

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

- 1.1 **Minutes** - Approval of the minutes for the December 7, 2022 Special Called Meeting, December 8, 2022 Regular Meeting & December 12, 2022 Special Called Meeting
- 1.2 Discuss, Consider & Possible Action on **Resolution #2023-1** Authorizing the Expenditure in an amount not to exceed \$2,010.00 for School Zone Signage and Supplies from the Restricted Use Municipal court Child Safety Fund
- 1.3 Discuss, Consider & Possible Action on **Resolution #2023-2** Authorizing the Use of Independence Square Including the Parking Lot for the Gonzo Graveler cycling event on April 8, 2023
- 1.4 Discuss, Consider & Possible Action on **Resolution #2023-3** Ratifying the Agreement with United States Department of Justice, Drug Enforcement Administration ("DEA").

- 1.5 Discuss, Consider & Possible Action on **Resolution #2023-4** Authorizing the City Manager to Execute a License Agreement with the Gonzales Little League
- 1.6 Discuss, Consider & Possible Action on **Resolution #2023-5** Accepting an offer to purchase additional easement rights and amending the existing transmission line easement agreement with the Lower Colorado River Authority (LCRA) to extend the use of the existing fiber-optic grounding wire for expanded services, and authorizing the City Manager to execute any and all necessary documents to complete the transaction
- 1.7 Discuss, Consider & Possible Action on **Resolution #2023-6** Authorizing the Gonzales Economic Development Corporation to transfer certain Type B Sales Tax Funds to First National Bank of Gonzales
- 1.8 Discuss, Consider & Possible Action on **Resolution #2023-7** Approving an Agreement between the Gonzales Economic Development Corporation and the Gonzales Chamber of Commerce and Agriculture, A Texas Non-Corporation, Concerning Funding for Static Billboard Advertisement
- 1.9 Discuss, Consider & Possible Action on **Resolution #2023-8** Approving a Change Order by and Between the Gonzales Economic Development Corporation and Doucet & Associates, Inc., Concerning the 2521 Harwood Road Project
- 1.10 Discuss, Consider & Possible Action on **Resolution #2023-9** Approving a Professional Services Agreement to Provide Consulting and Related Services by and Between the Gonzales Economic Development Corporation and the Retail Strategies, LLC
- 1.11 Discuss, Consider & Possible Action on **Resolution #2023-10** Rejecting the Proposals received for Administration Professional Services for the CDBG-MIT Resilient Communities Program grant, and authorizing City Staff to readvertise
- 1.12 Discuss, Consider & Possible Action on **Resolution #2023-11** Rejecting the Proposals Received for Administration Professional Services for the CDBG-MIT MOD Grant and authorizing Staff to readvertise
- 1.13 Discuss, Consider & Possible Action on **Resolution #2023-12** Authorizing the City Manager to Submit a Preliminary Application and Associated Documents to Texas Department of Transportation (TXDOT) for the Transportation Alternatives Grant for the Construction of a Pedestrian Trail along Church Street
- 1.14 Discuss, Consider & Possible Action on **Ordinance #2023-1** Ordering a General Municipal Election to be Held on May 6, 2023, for the Purpose of Electing an Individual to the Office of Council Member District 3 and Council Member District 4

ACTION: Items 1.1 through 1.14

APPROVED

Council Member Koepp moved to approve the consent agenda items 1.1 through 1.4. Council Member O'Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

RESOLUTIONS

- 2.1 Discuss, Consider & Possible Action on **Resolution #2023-13** Authorizing the Appointment of two Council Members to the Golden Crescent Regional Planning Commission for terms ending August 31, 2023

ACTION: Items 2.1

APPROVED

Council Member O'Neal moved to approve **Resolution #2023-13** Authorizing the Appointment of Sherri Koepp to the General Assembly and Steve Sucher to the Board of Directors of the Golden Crescent Regional Planning Commission for terms ending August 31, 2023. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.2 Discuss, Consider & Possible Action on **Resolution #2023-14** Authorizing the City Manager to Execute an amendment to the previously approved Agreement with Gonzales Dog Adoptions, increasing the dollar amount of funding from \$27,600.00 to \$41,857.64

ACTION: Items 2.2

APPROVED

Council Member Koepp moved to approve **Resolution #2023-14** Authorizing the City Manager to Execute an amendment to the previously approved Agreement with Gonzales Dog Adoptions, increasing the dollar amount of funding from \$27,600.00 to \$41,857.64. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.3 Discuss, Consider & Possible Action on **Resolution #2023-15** Authorizing the City Manager to Execute the Contract for the installation of the City's Trojan 3000 Plus UV disinfection system to ACP, Ltd.

ACTION: Items 2.3

APPROVED

Council Member Kridler moved to approve **Resolution #2023-15** Authorizing the City Manager to Execute the Contract for the installation of the City's Trojan 3000 Plus UV disinfection system to ACP, Ltd. Council Member O'Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 7:33 p.m.

CLOSED SESSION

Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of

the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:

A) Agenda Item 2.4 regarding the Lynn Theater

RETURN TO OPEN SESSION

The Council convened into open session at 8:09 p.m.

- 2.4 Discuss, Consider & Possible Action on **Resolution #2023-16** Authorizing and Approving the Gonzales Economic Development Corporation, A Type B Economic Development Corporation and a Texas Non-Profit Corporation, to execute a Real Estate Sales Contract and any and all documents necessary to sell and convey Block 33, Lot Pt 2, Gonzales Blocks Addition, an addition to the City of Gonzales, Gonzales County, Texas, and Generally Located at 510 Saint Paul Street, Gonzales, Texas

ACTION: Items 2.4

APPROVED

Council Member Miller moved to table **Resolution #2023-16** Authorizing and Approving the Gonzales Economic Development Corporation, A Type B Economic Development Corporation and a Texas Non-Profit Corporation, to execute a Real Estate Sales Contract and any and all documents necessary to sell and convey Block 33, Lot Pt 2, Gonzales Blocks Addition, an addition to the City of Gonzales, Gonzales County, Texas, and Generally Located at 510 Saint Paul Street, Gonzales, Texas. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Miller and Kridler. Against: Koepp, O’Neal and the Mayor. The motion failed 2 to 3.

Mayor Sucher called for another motion. Council Member Koepp moved to approve **Resolution #2023-16** Authorizing and Approving the Gonzales Economic Development Corporation, A Type B Economic Development Corporation and a Texas Non-Profit Corporation, to execute a Real Estate Sales Contract and any and all documents necessary to sell and convey Block 33, Lot Pt 2, Gonzales Blocks Addition, an addition to the City of Gonzales, Gonzales County, Texas, and Generally Located at 510 Saint Paul Street, Gonzales, Texas. Council Member O’Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Koepp, O’Neal and the Mayor. Against: Miller and Kridler. The motion passed 3 to 2.

ORDINANCE

- 3.1 Discuss, Consider & Possible Action on **Ordinance #2023-2** Amending the City of Gonzales Master Rate and Fee Schedule; adding admission rates for the museum for school trips and children under five years of age; and removing wording for waste disposal fees for clarification

ACTION: Items 3.1

APPROVED

Council Member O’Neal moved to approve **Ordinance #2023-2** Amending the City of Gonzales Master Rate and Fee Schedule; adding admission rates for the museum for school trips and children under five years of age; and removing wording for waste

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

STAFF/BOARD REPORTS

4.1 Finance Director provided the Financial Reports for funds as of December 31, 2022.

No questions were asked regarding the report.

4.2 City Manager, Tim Crow provided a brief update the City Council on the following:

- Timeline on Capital Improvement Projects and Departmental Projects
 - Recently Completed Projects
 - Projects Currently in Process
 - Upcoming Projects

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 8:57 p.m.

CLOSED SESSION

5.1 (1) Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:

A) Economic Development Corporation Administrative Service Agreement

RETURN TO OPEN SESSION

6.1 The Council convened into open session at 9:31 p.m.

No action was taken.

CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

- Requests by Mayor and Council Members for items on a future City Council agenda
Mayor Sucher asked that there be a future agenda item to form a Beautification Board
- 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 9:32 p.m.

Approved this 9th day of February, 2023.

Mayor, S.H. Sucher

Kristina Vega, City Secretary

Racial Profiling Report | Full report

Gonzales Police Department

Module(s): Citations, Field Interviews

Call Type(s): N/A

Date Range: From 1/1/2022 To 12/31/2022

Motor Vehicle Racial Profiling Information

Total stops: 3024

Street address or approximate location of the stop

City street: 2945

US highway: 56

State highway: 2

County road: 5

Private property or other: 16

Was race or ethnicity known prior to stop?

Yes: 14

No: 3010

Race or ethnicity

Alaska Native / American Indian: 6

Asian / Pacific Islander: 4

Black: 312

White: 1123

Hispanic / Latino: 1579

Gender

Female:

Total 1311

Alaska Native / American Indian 1 Asian / Pacific Islander 3 Black 116

White 516 Hispanic / Latino 675

Male:

Total 1713

Alaska Native / American Indian 5 Asian / Pacific Islander 1 Black 196

White 607 Hispanic / Latino 904

Reason for stop?

Violation of law:

Total 116

Alaska Native / American Indian 0 Asian / Pacific Islander 1 Black 12
White 34 Hispanic / Latino 69

Pre-existing knowledge:

Total 12

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 1
White 5 Hispanic / Latino 6

Moving traffic violation:

Total 2496

Alaska Native / American Indian 6 Asian / Pacific Islander 2 Black 259
White 946 Hispanic / Latino 1283

Vehicle traffic violation:

Total 400

Alaska Native / American Indian 0 Asian / Pacific Islander 1 Black 40
White 138 Hispanic / Latino 221

Was a search conducted?

Yes:

Total 169

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 19
White 51 Hispanic / Latino 99

No:

Total 2855

Alaska Native / American Indian 6 Asian / Pacific Islander 4 Black 293
White 1072 Hispanic / Latino 1480

Reason for search?

Consent:

Total 52

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 5
White 22 Hispanic / Latino 25

Contraband:

Total 1

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 1 Hispanic / Latino 0

Probable cause:

Total 116

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 14
White 28 Hispanic / Latino 74

Inventory:

Total 0

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Incident to arrest:

Total 0

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Was Contraband discovered?

Yes:

Total 74

Did the finding result in arrest (total should equal previous column)?

Alaska Native / American Indian: 0

Yes: 0 No: 0

Asian / Pacific Islander: 0

Yes: 0 No: 0

Black: 8

Yes: 0 No: 8

White: 22

Yes: 0 No: 22

Hispanic / Latino: 44

Yes: 0 No: 44

No:

Total 2950

Alaska Native / American Indian 6 Asian / Pacific Islander 4 Black 304
White 1101 Hispanic / Latino 1535

Description of Contraband

Drugs:

Total 33

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 2
White 8 Hispanic / Latino 23

Currency:

Total 0

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Weapons:

Total 0

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Alcohol:

Total 40

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 6
White 14 Hispanic / Latino 20

Stolen property:

Total 0

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Other:

Total 1

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 1

Result of the stop

Verbal warning:

Total 0

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Written warning:

Total 2564

Alaska Native / American Indian 5 Asian / Pacific Islander 4 Black 264
White 994 Hispanic / Latino 1297

Citation:

Total 460

Alaska Native / American Indian 1 Asian / Pacific Islander 0 Black 48
White 129 Hispanic / Latino 282

Written warning and arrest:

Total 0
Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Citation and arrest:

Total 0
Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Arrest:

Total 0
Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Arrest based on

Violation of the Penal Code:

Total 0
Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Violation of Traffic Law:

Total 0
Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Violation of City Ordinance:

Total 0
Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Outstanding Warrant:

Total 0
Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0
White 0 Hispanic / Latino 0

Was physical force resulting in bodily injury used during stop?

Yes:

Total 0

Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0

White 0 Hispanic / Latino 0

No:

Total 3024

Alaska Native / American Indian 6 Asian / Pacific Islander 4 Black 312

White 1123 Hispanic / Latino 1579

Number of complaints of racial profiling

Total 0

Resulted in disciplinary action 0

Did not result in disciplinary action 0

Submitted electronically to the



The Texas Commission on Law Enforcement

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-17 Declaring Certain City Property Surplus and Authorizing the Sale of Said Property in the manner most advantageous to the City of Gonzales

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

In 2013 the Council approved a policy whereby the Council would declare property that staff determined to be of no further use to the City to be surplus. The policy also states that Council will recommend the disposal method of the property.

The attached properties listed have been determined to no longer have a use for the City of Gonzales and staff respectfully requests it to be declared surplus.

POLICY CONSIDERATIONS:

Approval of this resolution would be consistent with the policy approved in 2013.

FISCAL IMPACT:

The sale of the surplus property for will increase the general fund revenues.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS DECLARING CERTAIN CITY PROPERTY SURPLUS AND AUTHORIZING THE SALE OF SAID PROPERTY IN THE MANNER MOST ADVANTAGEOUS TO THE CITY OF GONZALES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2013 the Council approved a policy whereby the Council would declare property that staff determined to be of no further use to the City to be surplus; and,

WHEREAS, the policy states that Council will recommend the disposal method of the property; and

WHEREAS, the attached properties listed have been determined to no longer have a use for the City of Gonzales and staff respectfully requests it to be declared surplus; and

WHEREAS, the attached surplus property will be posted on any governmental auction site such as GovDeals or a local auction company Texas Remarketing Service or any other manner in which to be the most advantageous to 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 declares the attached Exhibit A as surplus and authorizes the sale of said property in accordance with the forgoing legislative findings.

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 9th day of February 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT "A"

Vehicle

Make	Model	Year	VIN/Serial Number	Property Description
Chevrolet	Tahoe	2009	1GNEC03019R132516	
Ford	F150	2001	1FTRW07W11KA53554	

Other

Property Description	Item Amount
WHELEN LIGHT BAR LIBERTY SERIES	Five (5)
COMPLETE UPFIT FOR 2014 CHEVY TAHOE PARTITION BAR (FRONT & BACK) LIGHTS, SIREN, CENTER CONSOLE	Two (2)
PARTITION BAR FOR CHEVY CAPRICE	Two (2)
OLD IPAD MOUNT	Four (4)
MISC. CROWN VICTORIA EQUIPMENT	One (1) Tote
MISC. SIREN EQUIPMENT	One (1) Tote
DIGITAL CAMERA SYSTEM AND SIREN BOX	One (1) Tote
MISCELLANEOUS EQUIPMENT	One (1) Group
MISCELLANEOUS SCRAP METAL	

COUNCIL AGENDA ITEM BRIEFING DATA



DATE: February 9, 2023

AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-18 Authorizing the City Manager to Execute an Agreement with Jay Hilscher DBA Lone Star Relays, LLC. for the Street Closures, Consumption of Alcohol on Public Property and the Recommendation for Funding from the Gonzales Convention and Visitor Bureau in the amount of \$2,500.00 for the Texas Independence Relay on March 24-25, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Texas Independence Relay is a 200-mile journey tracing the route of Sam Houston and the Texan army. The relay begins in historic Gonzales and ends in downtown Houston. There were approximately 2,300 participants and spectators in 2021. Texas Independence Relay desires to enter into an agreement with the City of Gonzales to conduct the relay in 2023.

This resolution will authorize the City Manager to execute the provided agreement with Jay Hilscher DBA Lone Star Relays, LLC outlining the City's and Mr. Hilscher's responsibilities regarding the Texas Independence Relay.

The event request will grant Jay Hilscher DBA Lone Star Relays, LLC the use of the lawn of the Gonzales Memorial Museum and permit the consumption of alcoholic beverages on March 25 for the Texas Independence Relay Packet Pick-Up and closure of the 400 block of Smith Street on March 24 & 25, 2023 for the Texas Independence Relay.

Furthermore, this will approve the recommendation made from the Gonzales Convention and Visitor Bureau to fund the request of \$2,500.00 for advertising for the event. Payment will be made to Jay Hilscher DBA Lone Star Relays, LLC.

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

During the budgeting process the City Council approved \$65,000 to be allocated to line item #500-7-811.521 Special Events.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING THE RECOMMENDATION OF GONZALES CONVENTION & VISITOR BUREAU FOR THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$2,500.00 TO JAY HILSCHER DBA LONE STAR RELAYS FOR ADVERTISING FOR THE TEXAS INDEPENDENCE RELAY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Gonzales Convention and Visitor Bureau received an application from The Texas Independence Relay; and,

WHEREAS, Texas Independence Relay is a 200-mile journey tracing the route of Sam Houston and the Texan army beginning in historic Gonzales and ending in downtown Houston; and,

WHEREAS, there were approximately 2,300 participants and spectators in 2021; and,

WHEREAS, in the FY 2022-23 a line-item budget of \$65,000 for Special Events to include for the Texas Independence Relay; and,

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

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

WHEREAS, the City Council hereby authorizes street closure at 400 block of Smith Street on March 24, 2023 and March 25, 2023, and the provision of traffic control cones along race route in Gonzales city limits; and,

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

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

Section 1. The City Council of the City of Gonzales, Texas hereby approves the Gonzales Convention and Visitor Bureau's recommendation to fund \$2,500 to the Texas Independence Relay for advertising to be expended in conformance with Texas Tax Code Section 351.001.

Section 2. The City Council of the City of Gonzales hereby authorizes the City Manager to execute the Event Agreement attached hereto as Exhibit A and Liability Waiver as an exhibit to the Event Agreement.

Section 3. The City Council of the City of Gonzales hereby authorizes street closure at 400 block of Smith Street on March 24, 2023 and March 25, 2023, and the provision of traffic control cones along the Relay route within the Gonzales city limits as depicted in the approved Event traffic control plan provided by the Texas Independence Relay.

Section 4. The City Council of the City of Gonzales hereby authorizes the consumption of alcohol at the Texas Independence Relay on property owned by the City of Gonzales as contemplated in the Event Agreement.

Section 5. The City Council reserves the right to request all necessary receipts, invoices and other records the City Manager deems necessary to confirm that Hotel Occupancy Tax expended pursuant to this Resolution were expended for expenses authorized by this Resolution.

Section 6. Jay Hilscher DBA Lone Star Relays, LLC shall refund the City of Gonzales any Hotel Occupancy Tax funds determined by the State Comptroller, the Secretary of State or other state agency to be an unauthorized expenditure under Texas Tax Code Section 351.001.

Section 7. 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 8. 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 9. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 10. 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 11. 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 12. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 9th day of February 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

TEXAS INDEPENDENCE RELAY EVENT AGREEMENT

This event agreement (“Agreement”) is entered into by and between City of Gonzales (City) and Jay Hilscher DBA Lone Star Relays, LLC for the Texas Independence Relay (Texas Independence Relay, or Relay).

RECITALS

WHEREAS, the Texas Independence Relay is a ~200 mile journey tracing the route of Sam Houston and the Texan Army; and,

WHEREAS, the relay begins in historic Gonzales and ends downtown Houston, Texas; and,

WHEREAS, the Texas Independence Relay celebrates the culture and history of the role of Gonzales in Texas Independence and serves a public purpose in educating the citizens and visitors about the history of this region of Texas; and

WHEREAS, there were ~2,300 participants and many spectators in 2021; and

WHEREAS, the City and Texas Independence Relay desires to enter into an agreement for the 2023 event to be held March 24 and 25.

I. TERMS

The City of Gonzales shall provide the following:

- 1) \$2,500.00 of Hotel/Motel tax to support promotion of the Relay. Invoices and cancelled checks/credit card receipts for \$2,500 must be submitted by Texas Independence Relay before September 30, 2023, the end of the Fiscal year, providing 10 business days for staff to review, confirm or seek further information from the Texas Independence Relay. Once documentation is approved, staff will forward to the City Finance Department for immediate release of funds.
- 2) Use of the lawn of the Gonzales Memorial Museum for the Friday “Packet Pick-Up” on March 24, 2023. Texas Independence Relay staff will have access to the lawn area beginning at 1:00 p.m. the day of the Packet Pick-Up. The Packet Pick-Up will run from 4:00 pm to 9:30 pm.
- 3) Provide 8 trash cans and one portable light tower at Memorial Museum on Friday, March 24.
- 4) Call from City Hall informing the entire community of the Relay and firing of the cannon using reverse 911. (Robo Call)
- 5) City will contact media to notify community of Relay and firing of cannon.
- 6) Furnish 1 ADA and 8 regular porta potties at starting line and Memorial Museum to be placed in front of the DAR house on Moore Street.
- 7) Furnish 50-100 chairs for the Packet Pick-Up on Friday, March 24, 2023.

- 8) Put up and take down large flag across street at starting line at times agreed upon in meetings prior to the event.
- 9) Street closure at 400 block of Smith Street on March 24, 2023 and March 25, 2023, and provide cones along race route in Gonzales city limits.
- 10) Temporary, yet sufficient electrical service that meets the event's needs, on Smith Street on the Saturday morning of the event.
- 11) Place link on tour Gonzalestx.travel for Texas Independence Relay

Texas Independence Relay shall:

- 1) Provide City with written post event report within 60 days after event
- 2) Provide City with copies of advertisements (or other proof of promotion, such as expos), cancelled checks and invoices in the amount of \$2,500 (or greater, if the Texas Independence Relay desires) before September 30, 2023, for timely reimbursement. Invoices and cancelled checks/credit card receipts must be submitted by Texas Independence Relay, allowing 10 business days for staff to review, confirm or seek further information from the Texas Independence Relay. Once documentation is approved, staff will forward to the City Finance Department for immediate release of funds.
- 3) Pay for 1 uniformed officer (at \$50 per hour, total \$400.00) for cannon security at the Memorial Museum and Smith Street the night before the relay from 10:00 p.m. to 6:00 a.m. (8 hours)
- 4) 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 Texas Independence Relay, using the facilities, or any and all other persons which arise from, or in any manner grow out of, any act or neglect on or about the event facility by the individuals using the facility, participating in or attending the event., guests or invitees.
- 5) Provide Liability Insurance coverage for the event naming the City of Gonzales as an additional insured, in the amount of one million dollars (\$1,000,000) combined for both bodily injury and property damage on a per occurrence or claims basis.
- 6) Require each event participant to execute the Release of Liability attached as Exhibit A or add the City of Gonzales to any existing Release of Liability and provide copies to the City prior to the event.
- 7) Provide a traffic control plan approved by Gonzales Police Chief Crow.

II. GOVERNING LAW

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

III. NON-ASSIGNMENT

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

IV. SEVERABILITY

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

V. RELATIONSHIP OF PARTIES

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

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





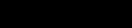
Timothy L. Crow, City Manager
City of Gonzales

Dated: _____

Representative
Jay Hilscher DBA Lone Star Relays, LLC.

Dated: _____

GONZALES EVENT INFORMATION SHEET

  <small>COME AND TAKE IT</small>	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	  <small>COME AND TAKE IT</small>
EVENT NAME	Texas Independence Relay	
HOST ORGANIZATION	Lone Star Relays	
CONTACT NAME	Jay Hilscher	
CONTACT CELL PHONE		
EVENT DATE	March 24-25, 2023	
EVENT START TIME	6AM, Saturday, March 25	EVENT END TIME 2PM, Saturday, March 25
EVENT LOCATION	Memorial Museum, 414 Smith Street (Friday get together, TBD)	
HOLIDAY CELEBRATED	Y <input type="checkbox"/> N <input type="checkbox"/>	HOLIDAY: _____
CITY COUNCIL APPROVAL REQUIRED	Y <input type="checkbox"/> N <input type="checkbox"/>	MEETING DATE: _____
<u>POLICE/FIRE/EMS DEPARTMENT</u>		
ATTENDANCE ESTIMATE	About 150 at a time (1,500 in total)	
MUSIC	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	LIVE <input type="checkbox"/> DJ <input checked="" type="checkbox"/>
FOOD	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
ALCOHOL	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	RESPONSIBLE PARTY _____
MOTORIZED VEHICLES	Y <input type="checkbox"/> N <input type="checkbox"/>	PARADE <input type="checkbox"/> SHOW <input type="checkbox"/>
PUBLIC OR PRIVATE EVENT	Public	
SECURITY	Y <input type="checkbox"/> N <input type="checkbox"/> TBD	# OFFICERS NEEDED (Call 672-8686 for costs)
<u>ELECTRIC DEPARTMENT</u>		
ADDITIONAL LIGHTING	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
NUMBER OF OUTLETS NEEDED	3-4	
AMPS/WATTS NEEDED	_____	
TENT Y <input type="checkbox"/> N <input type="checkbox"/>	SET UP DAY/TIME	_____
TENT SIZE: _____	TAKE DOWN DAY/TIME	_____
<u>STREETS DEPARTMENT</u>		
STREETS AFFECTED	Y <input type="checkbox"/> N <input type="checkbox"/>	Smith Street
BARRICADES NEEDED (max 12)	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Both ends of Smith Street in front of Memorial Museum
CONES NEEDED (max 48)	Y <input type="checkbox"/> N <input type="checkbox"/>	_____
STREETS TO BE CLOSED	Y <input type="checkbox"/> N <input type="checkbox"/>	Smith Street
SET UP TIME	Friday AM - Early Afternoon	
TAKE DOWN TIME	Saturday, Early Afternoon (TBD)... I kely 2ish	
<u>COMMUNITY SERVICES DEPARTMENT</u> (Contingent upon availability)		
NUMBER OF CHAIRS @ \$0.50 each	150	(max 500)
NO. OF ROUND TABLES @ \$2.00 each	_____	(max 15)
NO. OF 8 FOOT TABLES @ \$2.00 each	15-ish	(max 50)
NUMBER OF TRASH CANS	15-ish	(max 25)
SET UP TIME	Friday AM, March 24	
TAKE DOWN TIME	Saturday, March 25, 2:30	
FOR INFORMATION CONTACT	Kristina Vega, CITY SECRETARY	
(830) 672-2815- City Hall	citysecretary@gonzales.texas.gov	
(830) 672-2813- Fax	_____	

Insurance

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

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

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

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

The following types and amount of insurance are required:

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

Indemnity

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

Notification

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


Jay Hilscher

AUTHORIZED SIGNATURE

RELEASE OF LIABILITY

In consideration of my being allowed to participate in the Texas Independence Relay (“Event”) to be held on March 24 and 25, 2023, I do hereby assume full and complete responsibility for any injury or accident which may occur due to my involvement in the Event, or while I am on the property or premises of the City of Gonzales (“City”), and ***I hereby release and hold harmless the City for any and all injuries and damages that I may sustain*** whether the same be caused by my negligence, the negligence of another participant, or the negligence of the City.

I acknowledge that I am familiar with the risks involved in participating in this Event and that injuries, ***including death***, can occur during participation. I certify that I have read the rules and requirements of each competition featured in the Event and to the best of my knowledge ***I have no physical, mental or medical limitation*** that would prevent my participation in the Event competitions for which I have registered.

Furthermore, I understand and agree that at no time during this Event will I be considered an agent or employee of the City, nor will ***the City's insurance cover any claim for damage or injury that I may sustain during this Event. Any and all claims for damage or injury will be my sole responsibility.***

Name of Participant's Organization (if applicable)

Participant's Printed Name

Participant's Signature

*Parent or Guardian

Date:

****for any minor who participates, the parent or guardian's signature is also required***

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-19 accepting and approving the Change Order to the 2021 Utility Projects submitted by Qro Mex Construction Company for the emergency replacement of the St James Wastewater Line in amount of \$164,870.76.

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The city has contracted with Qro Mex Construction Co., Inc. to perform the 2021 Utility Projects in the amount of \$1,591,042. The city has contracted with Diamond X Contracting, Inc for the 2022 Sidewalk Improvements which include storm sewer installation in the 500 Block of St. James Street, sidewalk replacement in Texas Heroes Square and the 400 Block of St. James Street and repaving of the 400 Block of St. James Street. During the installation of storm sewer, it was discovered that there were leaks in the adjacent wastewater line that had to be immediately repaired. Also, during a meeting with the 400 Block building owners, it was discussed that some of the buildings were having issues with wastewater service, and it was recommended that new services be installed at each building. City staff videoed the wastewater line to determine the location of existing services, and at that time discovered sags and a break in the line within the 400 Block of St. James. Because there were issues with this wastewater line discovered in both the 400 and 500 blocks of St. James Street it was determined that this line should be immediately replaced prior to the completion of the sidewalk and paving within the 400 Block of St. James Street. Because we had a contract in place with Qro Mex Construction for utility replacements with unit prices appropriate for the work needing to be done, it was decided the most expeditious and economical way to replace this line was to add it to the contract with Qro Mex Construction through a Change Order. A change order can be issued for additional work provided the value of the additional work is less than 25% of the original contract. This change order is just slightly over 10% of the original contract amount.

POLICY CONSIDERATIONS:

As funds are available, the city should consider reconstructing and replacing old, deteriorated water and wastewater lines in order to provide safe water and sewer services for the public.

FISCAL IMPACT:

The change order for this work is estimated at \$164,870.76 based on unit prices in the current contract Qro Mex Construction and field measurements for quantities. The funds for this project will come from this year's budget for water and wastewater replacement projects. This project will be done in lieu of the project planned for the replacement of a wastewater line between Theo Street and Cone Street. The Theo Street to Cone Street line replacement was determined to not be as critical as the St. James wastewater line replacement and will be re-budgeted for next year.

ATTACHMENTS:

Change Order Form

STAFF RECOMMENDATION:

Staff respectfully recommends this change order with Qro Mex Construction Co., Inc. for the replacement of the St. James wastewater line in the amount of \$164,870.76 be approved.

RESOLUTION NO. 2023-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS ACCEPTING AND APPROVING THE CHANGE ORDER TO THE 2021 UTILITY IMPROVEMENT PROJECTS WITH QRO MEX CONSTRUCTION CO., INC. IN THE AMOUNT OF \$164,870.76 FOR THE REPLACEMENT OF THE WASTEWATER LINE IN THE 400 AND 500 BLOCKS OF ST. JAMES STREET; AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, Quo Mex Construction Co., Inc. was the lowest responsible bidder for the 2021 Utility Improvement Projects and was awarded the contract by City Council in May of 2022; and,

WHEREAS, Local Government Code Section 252.048(d), states that a change order to an original contract may not be increased by more than 25 percent; and,

WHEREAS, the original contract amount was \$1,591,042 and the proposed Change Order amount is \$164,870.76, which is less than 25 percent of the original amount; and,

WHEREAS, the City Engineer evaluated the condition of the existing wastewater line and finds that replacing this line to be in the best interest of the city; and,

WHEREAS, the City Engineer has reviewed the Change Order, has confirmed that it is consistent with the approved contract and recommends approval of the Change Order with Quo Mex Construction Co., Inc. in the amount of \$164,870.76; and,

WHEREAS, the City Council finds that approving this Change Order 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 approves the Change Order to the 2021 Utility Improvement Projects with Quo Mex Construction Co., Inc. and authorizes the City Manager to execute the Change Order.

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 9th day of February 2023.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

CHANGE ORDER FORM

Change Order Number: 2

Project: 2021 Utility Improvement Projects

Subject: Change order to add St. James Wastewater Line Replacement Contract

Author: Keith Schauer, P.E.

Initiation Date: 1/27/2023

Type of Change:

☒

Necessary

☐ Elective

Reason for Change:

<input type="checkbox"/>	Different Site Conditions
<input type="checkbox"/>	Errors and Omissions/Design Modification
<input checked="" type="checkbox"/>	Owner Initiated/ Requested
<input type="checkbox"/>	Contractor Requested
<input type="checkbox"/>	Other

Reason for Change: It was determined during the installaiton of storm sewer in the 500 block of St. James that the wastewater line in the 400 and 500 blocks of St. James Street was in very poor condition and needed to be replaced as soon as possible; especially considering the 400 block is to be repaved as part of the on going sidewalk project in St. James Street.

Description of Change:

Add \$164,870.76

Total \$164,870.76

Schedule Impact:

☒ Critical

☐ Not Critical

Change in Schedule: 30 Days Project to be completed in 30 Days or less

Cost Impact:

Estimate: \$164,870.76

Change Order Amount: \$164,870.76 Dollars

Agreement:

Engineer:

Date: 1/27/23

Project Manager:

Date:

City Manager:

Date: 1-27-2023

Contractor:

Date:

Project: Gonzales, 2021 Utility Improvements Plans					
			Proposal: Remove and Install Wastewater Line From St. Louis St. to St. George St. on St. James St.		
Line No.	Qty	Unit	Description	Unit Price	Total Price
1	1	LS	MOBILIZATION- MOBILIZATION	\$ 7,500.00	\$ 7,500.00
2	1	LS	CONSTRUCTION SURVEYING- PROVIDE ALL CONSTRUCTION SURVEYING AND LAYOUT FOR THE PROJECT	\$ 3,500.00	\$ 3,500.00
3	1	LS	TRAFFIC CONTROLS- PROVIDE AND INSTALL, MAINTAIN, AND REMOVE TRAFFIC CONTROLS, AS NECESSARY PER PLANS, DETAILS, AND SPECIFICATIONS.	\$ 7,500.00	\$ 7,500.00
4	818	LF	LIMESTONE BASE BACKFILL- PROVIDE AND INSTALL TYPE A, GRADE 1 OR 2, LIMESTONE BACKFILL FOR ALL UTILITY TRENCHES UNDER PAVED AREAS. MOISTURE CONDITION TO BETWEEN -2% AND +2% OF OPTIMUM AND COMPACT TO 98% PER ASTM D-698, PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 23.00	\$ 18,814.00
5	160	LF	CEMENT STABILIZED SAND- PROVIDE AND INSTALL 2.5 BAGS OF CEMENT PCY MIXTURE OF CEMENT STABILIZED SAND AT A MINIMUM OF 6" ABOVE 4" BELOW WWL AT WATER AND WASTE WATER CROSSINGS, MINIMALLY AS NEEDED, COMPLETE AND IN PLACE AS PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 18.00	\$ 2,880.00
6	818	LF	2-INCHES HMAC TRENCH REPAIR- PROVIDE, INSTALL AND COMPACT (ENTIRE WIDTH OF TRENCH REPAIR AND AROUND MANHOLES, AND TO INCLUDE ANY DAMAGE TO STREETS DUE TO CONSTRUCTION ACTIVITIES) WITH PRIME COAT COMPLETE IN PLACE AS PER TRENCH PAVING DETAILS AND SPECIFICATIONS.	\$ 8.00	\$ 6,544.00
7	1	LS	SEWAGE BYPASS SIPHON AND/OR PUMPING- PROVIDE BY-PASSING SEWAGE BY SIPHON AND/OR PUMPING AROUND WORK AREAS WHEN AND WHERE REQUIRED OF ADEQUATE CAPACITY TO HANDLE FLOWS REQUIRED DURING THE INSTALLATION OF ALL REPLACEMENT PIPING AND SERVICES.	\$ 8,180.00	\$ 8,180.00
8	818	LF	8 -INCH PVC WASTEWATER LINE- PROVIDE AND INSTALL ASTM D3034 SDR 26 WASTEWATER LINE INCLUDING TRENCHING, TRACER WIRE, TRENCH SAFETY, BACKFILL AND COMPACTION, TO ALIGNMENT AND GRADES AS SHOWN PER PLANS, DETAILS, AND SPECIFICATIONS.	\$ 65.00	\$ 53,170.00
9	130	LF	6 -INCH PVC 160 PSI WASTEWATER LINE- PROVIDE AND INSTALL ASTM D2241 SDR 26 160PSI WASTEWATER LINE INCLUDING TRENCHING, TRACER WIRE, TRENCH SAFETY, BACKFILL AND COMPACTION, TO ALIGNMENT AND GRADES AS SHOWN PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 45.00	\$ 5,850.00
10	3	EA	48 -INCH DIAMETER CONCRETE MANHOLE BASE AND CONE- PROVIDE AND INSTALL MANHOLE PER PLANS, DETAILS AND SPECIFICATIONS. INCLUDES TRENCHING, TRENCH SAFETY, BACKFILL AND COMPACTION.	\$ 5,000.00	\$ 15,000.00
11	6	LF	48 -INCH DIAMETER CONCRETE MANHOLE RISER SECTIONS- PROVIDE AND INSTALL RISER SECTIONS TO MANHOLE BASE AND CONE SECTIONS AS REQUIRED TO ACHIEVE PROPER GRADE. INCLUDES TRENCH SAFETY, BACKFILL AND COMPACTION.	\$ 450.00	\$ 2,700.00
12	3	EA	32 -INCH DIAMETER RING COVER- PROVIDE AND INSTALL RING AND COVER WITH GRADE RINGS AS NECESSARY PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 1,200.00	\$ 3,600.00
13	12	EA	SANITARY SEWER SERVICE- PROVIDE AND INSTALL SANITARY SEWER SERVICE USING ASTM 2241 SDR 26 PIPE WITH 150 PSI FITTINGS. CONNECT EXISTING SERVICE LINE TO PROPOSED LINE AND/OR MANHOLE. INCLUDING TRENCH SAFETY, CLEAN-OUT, FRAME & COVER, CONCRETE COLLAR AND SODDING OF DISTURBED AREAS AS PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 1,700.00	\$ 20,400.00
14	4	EA	CONNECT TO EXISTING SANITARY SEWER MAINS- TIE PROPOSED MAIN LINE AND OR/MANHOLE TO EXISTING MANHOLE AS PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 1,500.00	\$ 6,000.00
BASE BID				\$	161,638.00
15			NUMBER OF CALENDAR DAYS- PROVIDE NUMBER OF CALENDAR DAYS TO COMPLETE THIS PROJECT	30 Days	
16			2% Bonds and Insurance	\$	3,232.76
Base Bid Total:				\$	164,870.76

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-20 Authorizing the Use of Independence Square Including the Parking Lot for the Gonzales Master Gardener's Annual Spring Plant Sale on April 15, 2023

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The Gonzales Master Gardeners are preparing for their annual Spring Plant Sale on April 15, 2023. They are requesting the use of Independence Square, including the parking lot. They intend on setting up Friday, April 14, 2023 at 7:00 a.m. and will take down at 1:00 p.m. on Saturday, April 15, 2023. The event will be held from 8:30 a.m. until 1:00 p.m. There will be an approximate attendance of 250 people and is open to the public.

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

The fiscal impact to the city would be the labor cost for city staff to deliver the trash receptacles requested and the cost to pick up the cans and the trash after the event concludes. The City has not adopted a fee schedule that includes permit fees at this time, therefore, the city will not charge for the service until those fees are adopted.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE USE OF INDEPENDENCE SQUARE INCLUDING THE PARKING LOT FOR THE GONZALES MASTER GARDENER'S ANNUAL SPRING PLANT SALE ON APRIL 15, 2023; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Gonzales Master Gardeners uses Texas Heroes Square including the parking lot for the Gonzales Master Gardeners Annual Spring Plant Sale; and,

WHEREAS, the event will be held from 8:30 a.m. until 1:00 p.m. on April 15, 2023 and will have an approximate attendance of 250 people; and,

WHEREAS, set up for the event will be 7:00 a.m. on Friday, April 14, 2023 with take down at 1:00 p.m. on April 15, 2023; and

WHEREAS, the City Council hereby finds that said events increase the community spirit of the City of Gonzales, and therefore 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 use of Independence Square including the parking lot for the Gonzales Master Gardener's Annual Spring Plant Sale on April 14 and 15, 2023 as stated herein and set forth in the submitted Event form attached hereto as Exhibit A.

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

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

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

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

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

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

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

PASSED AND APPROVED this 9th day of February 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

GONZALES EVENT INFORMATION SHEET

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

★
COME AND TAKE IT

★
COME AND TAKE IT

EVENT NAME Master Gardeners' Spring Plant Sale
HOST ORGANIZATION Gonzales Master Gardeners
CONTACT NAME Shirley Frazier
CONTACT CELL PHONE [REDACTED]
EVENT DATE April 14 - April 15
EVENT START TIME 8:30 a.m. 4-14 EVENT END TIME April 15 1:00 p.m.
EVENT LOCATION Heros Square
HOLIDAY CELEBRATED Y N ☒ HOLIDAY: _____
CITY COUNCIL APPROVAL REQUIRED Y ☒ N MEETING DATE: _____

POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE 250
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 NA
AMPS/WATTS NEEDED NA
TENT Y N ☒ SET UP DAY/TIME April 14 7:00 a.m.
TENT SIZE: _____ TAKE DOWN DAY/TIM April 15 1:00 p.m.

STREETS DEPARTMENT

STREETS AFFECTED Y N ☒ _____
BARRICADES NEEDED (max 12) Y N ☒ _____
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 CHAIRS @ \$0.50 each none (max 500)
NO. OF ROUND TABLES @ \$2.00 each none (max 15)
NO. OF 8 FOOT TABLES @ \$2.00 each none (max 50)
NUMBER OF TRASH CANS 4 (max 25)
SET UP TIME April 14 7:00 a.m.
TAKE DOWN TIME April 15 1:00 p.m.

FOR INFORMATION CONTACT

(830) 672-2815 - City Hall

(830) 672-2813 - Fax

CITY SECRETARY'S OFFICE

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	\$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

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-21 Amending the previously approved use of Both Downtown Squares including the Parking Lots, and Designated Street Closures for Saturday, April 1, 2023 and Sunday, April 2, 2023 for the Inter-Tribal POW-WOW and Dance Competition

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Gonzales Main Street Advisory Board is preparing for their Council approved 2023 Inter-Tribal POW-WOW & Dance Competition. Upon additional discovery, Main Street would like to amend the already approved event. On September 8, 2022 the City Council approved the use of both squares, parking lots, and street closure for the 2023 Inter-Tribal POW-WOW & Dance Competition. Main Street would like to amend the request to include closure of the west end of Independence Square parking lot from March 30th at 10:00am until April 4th at 12:00 noon to allow for tent and equipment set up and tear down necessary for the event.

POLICY CONSIDERATIONS:

This event is included within the service agreement between the City of Gonzales and Gonzales Main Street Inc. There will be no added cost for this event. City Council hereby finds that said events increase the community spirit of the City of Gonzales and serve a public purpose.

FISCAL IMPACT:

The total fiscal impact is unknown at this time, however Gonzales Main Street, Inc. will solicit donations for promotion of the event and to cover costs. The fiscal impact for the City would include the cost for the Street Department staff to move the barricades to the squares where the Main Street Advisory Board will be responsible for placing them at the correct locations for the closures (2 hrs x \$25.00/hr. x 2 employees=\$100.00), and the cost for the Electric Department to check the electricity to ensure that the vendors have electricity for their vendor booths (2hrs at \$35.00/hr.= \$70.00). The approximate in-kind costs to the City would be \$170.00 total.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AMENDING GONZALES MAIN STREET USE OF THE DOWNTOWN SQUARE INCLUDING THE PARKING LOT AND DESIGNATED STREET CLOSURES TO INCLUDE CLOSURE OF THE WEST END OF THE INDEPENDENCE SQUARE PARKING LOT ON MARCH 30, 2023 TO APRIL 4, 2023 TO ACCOMMODATE THE NECESSARY SET UP AND TEAR DOWN OF TENT AND EQUIPMENT.

WHEREAS, Gonzales Main Street uses both Downtown Squares including the parking lot on St. Joseph, St. Paul and St. George Streets for the Gonzales Main Street's Inter-Tribal POW-WOW and Dance Competition; and

WHEREAS, the event will be held 8:00 AM. until 10:00 PM. on Saturday, April 1st, 2023 and 10:00 A.M. until 6:00 PM on Sunday April 2nd, 2023. We are anticipating an approximate attendance of 3,000 people; and

WHEREAS, the City Council hereby approves amending the event to include closure of the west end of Independence Square parking lot from March 30, 2023 – April 4, 2023 to accommodate the set up and tear down of necessary equipment.

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 amends the original approval of Gonzales Main Street to use both Downtown Squares, and designated street closures for the Inter-Tribal POW-WOW & Dance Competition on April 1, 2023 and April 2, 2023 and allows for the closure of the west end of the parking lot of Independence Square on March 30, 2023 to allow for equipment set up and will allow that area to be closed until tear down is complete on April 4, 2023 as stated herein and set forth in the previously submitted Event form.

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 9th day of February 2023.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

GONZALES EVENT INFORMATION SHEET



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



EVENT NAME	Inter-Tribal Pow-Wow and Dance Competition		
HOST ORGANIZATION <small>Type text here</small>	Gonzales Main Street, Inc.		
CONTACT NAME	Main Street Director		
CONTACT CELL PHONE	830-203-1705		
EVENT DATE	April 1, 2023 & April 2, 2023		
EVENT START TIME 8:00 am	EVENT END TIME 6:00 pm		
EVENT LOCATION	Independence Square & Texas Hero Square		
HOLIDAY CELEBRATED	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	HOLIDAY:	
CITY COUNCIL APPROVAL REQUIRED	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	MEETING DATE: September 8, 2022	

POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE	3000		
MUSIC	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	LIVE <input checked="" type="checkbox"/>	DJ <input checked="" type="checkbox"/>
FOOD	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
ALCOHOL	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	RESPONSIBLE PARTY	
MOTORIZED VEHICLES	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	PARADE	SHOW
PUBLIC OR PRIVATE EVENT	Public		
SECURITY	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	# OFFICERS NEEDED (Call 672-8686 for costs)	

ELECTRIC DEPARTMENT

ADDITIONAL LIGHTING	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
NUMBER OF OUTLETS NEEDED	Ensure all outlets work on both Texas Hero Square and Independence Square		
AMPS/WATTS NEEDED			
TENT Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	SET UP DAY/TIME	March 30, 2023 - 10:00 AM	
TENT SIZE: 120 x 60	TAKE DOWN DAY/TIME	April 4, 2023 - 12:00 PM	

STREETS DEPARTMENT

STREETS AFFECTED	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	St. George, St. Paul, St. Joseph, St. Lawrence
BARRICADES NEEDED (max 12)	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
CONES NEEDED (max 48)	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
STREETS TO BE CLOSED	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
SET UP TIME	6:30 AM	
TAKE DOWN TIME	11:00 PM	

COMMUNITY SERVICES DEPARTMENT (Contingent upon availability)

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

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

Insurance

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

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

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

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

The following types and amount of insurance are required:


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

Indemnity

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

Notification

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



AUTHORIZED SIGNATURE

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-22 Authorizing the Use of Independence Square for 2023 Texas Independence Day Toast to Texas on March 2, 2023.

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Gonzales Chamber of Commerce is preparing for their Texas Independence Day Toast to Texas on March 2, 2023. They are requesting the use of Independence Square to set up a sound system and offer a Public Address at 11:30am and be followed by a Toast to Texas at the 12:00 noon lunch siren. No roads or parking lots will be closed for this event.

POLICY CONSIDERATIONS:

This is consistent with current procedures for the use of City owned property.

FISCAL IMPACT:

There will not be any fiscal impact to the City. The event will be a come and go event for those that wish to attend and there will not be any set up or take-down conducted by City employees.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING GONZALES CHAMBER OF COMMERCE USE OF INDEPENDENCE SQUARE FOR 2023 TEXAS INDEPENDENCE DAY TOAST TO TEXAS ON MARCH 2, 2023; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gonzales Chamber of Commerce uses Independence Square for the Texas Independence Day Toast to Texas; and

WHEREAS, the event will be held from 11:30 a.m. on Thursday, March 2, 2023 until 12:30 p.m. on the same day and will have an approximate attendance of 100 people; 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 Gonzales Chamber of Commerce to use Independence Square, as stated herein.

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 9th day of February, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

GONZALES EVENT INFORMATION SHEET



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



EVENT NAME	<u>2023 Texas Independence Commemorative Festival - TOAST TO TEXAS</u>		
HOST ORGANIZATION <small>Type text here</small>	<u>Chamber of Commerce</u>		
CONTACT NAME	<u>Melissa Henderson</u>		
CONTACT CELL PHONE	<u>[REDACTED]</u>		
EVENT DATE	<u>March 2, 2023</u>		
EVENT START TIME <u>11:30am</u>	EVENT END TIME	<u>12:30pm</u>	
EVENT LOCATION	<u>Independence Square</u>		
HOLIDAY CELEBRATED	<u>Y X</u> <u>N</u>	HOLIDAY:	<u>Texas Independence Day</u>
CITY COUNCIL APPROVAL REQUIRED	<u>Y X</u> <u>N</u>	MEETING DATE:	<u>February 9, 2023</u>

POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE	<u>100</u>		
MUSIC <small>Emcee/Speaker</small>	<u>Y X</u> <u>N</u>	LIVE <u>X</u> DJ <u></u>	
FOOD	<u>Y</u> <u>N X</u>		
ALCOHOL	<u>Y</u> <u>N X</u>	RESPONSIBLE PARTY	<u></u>
MOTORIZED VEHICLES	<u>Y</u> <u>N X</u>	PARADE <u></u> SHOW <u></u>	
PUBLIC OR PRIVATE EVENT	<u>Public</u>		
SECURITY	<u>Y</u> <u>N</u>	# OFFICERS NEEDED	<u>(Call 672-8686 for costs)</u>

ELECTRIC DEPARTMENT

ADDITIONAL LIGHTING	<u>Y</u> <u>N X</u>	
NUMBER OF OUTLETS NEEDED	<u>For sound system only</u>	
AMPS/WATTS NEEDED	<u></u>	
TENT <u>Y</u> <u>N X</u>	SET UP DAY/TIME	<u></u>
TENT SIZE:	TAKE DOWN DAY/TIME	<u></u>

STREETS DEPARTMENT

STREETS AFFECTED	<u>Y</u> <u>N X</u>	
BARRICADES NEEDED (max 12)	<u>Y</u> <u>N X</u>	
CONES NEEDED (max 48)	<u>Y</u> <u>N X</u>	
STREETS TO BE CLOSED	<u>Y</u> <u>N X</u>	
SET UP TIME	<u></u>	
TAKE DOWN TIME	<u></u>	

COMMUNITY SERVICES DEPARTMENT (Contingent upon availability)

NUMBER OF CHAIRS @ \$0.50 each	<u>chairs or benches requested for elderly participants</u>	<u>(max 500)</u>
NO. OF ROUND TABLES @ \$2.00 each		<u>(max 15)</u>
NO. OF 8 FOOT TABLES @ \$2.00 each		<u>(max 50)</u>
NUMBER OF TRASH CANS		<u>(max 25)</u>
SET UP TIME	<u></u>	
TAKE DOWN TIME	<u></u>	

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

Insurance

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

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

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

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

The following types and amount of insurance are required:

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

Indemnity

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

Notification

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



AUTHORIZED SIGNATURE

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-23 Authorizing the Use of Independence Square including the Parking Lot, and Designated Street Closures for 2023 Texas Independence Candle Vigil to commemorate the Runaway Scrape.

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Gonzales Chamber of Commerce is requesting the use of Independence Square, including the parking lot. They intend to block off the square on Saturday, March 11, 2023 at 4:00 p.m., and will remove everything by 11:00 p.m. The event will begin at 9:00 pm. They plan on having a presentation and the lighting of battery-operated votive candles to commemorate the Runaway Scrape. With additional assistance and approval from the fire marshal, they will host a demonstration that will involve the burning of a small structure.

POLICY CONSIDERATIONS:

This is consistent with current procedures for the use of City owned property.

FISCAL IMPACT:

The fiscal impact for the City would include the cost for the Street Department staff to move the barricades to the square where the Chamber of Commerce 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). The approximate in-kind costs to the City would be \$50.00 total.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING GONZALES CHAMBER OF COMMERCE USE OF INDEPENDENCE SQUARE INCLUDING THE PARKING LOT FOR THEIR TEXAS INDEPENDENCE RUNAWAY SCRAPE COMMEMORATION EVENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gonzales Chamber of Commerce uses Independence Square including the parking lot for the Texas Independence Runaway Scrape commemoration; and

WHEREAS, the square will be blocked off on Saturday, March 11, 2023 at 4:00 p.m. to allow time for set up of the event and clean-up will be from 10:00 p.m. until 11:00 p.m.; and

WHEREAS, the event will be held from 9:00 p.m. on Saturday, March 11, 2023 until 10:00 p.m. on Saturday, March 11, 2023 and will have an approximate attendance of 50 people; 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 Gonzales Chamber of Commerce to use Independence Square and parking lot for the Texas Independence Run Away Scrape commemoration as stated herein and set forth in the submitted Event form.

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 9th day of February, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

GONZALES EVENT INFORMATION SHEET



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



EVENT NAME	<u>CANDLE VIGIL - 2023 Texas Independence Commemorative Festival</u>		
HOST ORGANIZATION	<u>Chamber of Commerce</u>		
CONTACT NAME	<u>Melissa Henderson</u>		
CONTACT CELL PHONE	<u>[REDACTED]</u>		
EVENT DATE	<u>March 11, 2023</u>		
EVENT START TIME <u>9:00pm</u>	EVENT END TIME	<u>11:00pm</u>	
EVENT LOCATION	<u>Independence Square</u>		
HOLIDAY CELEBRATED	Y <u> </u> N <u>X</u>	HOLIDAY:	<u> </u>
CITY COUNCIL APPROVAL REQUIRED	Y <u>X</u> N <u> </u>	MEETING DATE:	<u>February 9, 2023</u>

POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE	<u>50</u>		
MUSIC	Y <u> </u> N <u>X</u>	LIVE <u> </u> DJ <u> </u>	
FOOD	Y <u> </u> N <u>X</u>		
ALCOHOL	Y <u> </u> N <u>X</u>	RESPONSIBLE PARTY	<u> </u>
MOTORIZED VEHICLES	Y <u> </u> N <u>X</u>	PARADE <u> </u> SHOW <u> </u>	
PUBLIC OR PRIVATE EVENT	<u>Public</u>		
SECURITY	Y <u> </u> N <u>X</u>	# OFFICERS NEEDED	<u>(Call 672-8686 for costs)</u>

ELECTRIC DEPARTMENT

ADDITIONAL LIGHTING	Y <u> </u> N <u>X</u>		
NUMBER OF OUTLETS NEEDED	<u>n/a</u>		
AMPS/WATTS NEEDED	<u>n/a</u>		
TENT Y <u> </u> N <u>X</u>	SET UP DAY/TIME	<u> </u>	
TENT SIZE: <u> </u>	TAKE DOWN DAY/TIME	<u> </u>	

STREETS DEPARTMENT

STREETS AFFECTED	Y <u> </u> N <u>X</u>	
BARRICADES NEEDED (max 12)	Y <u>X</u> N <u> </u>	<u>Close square at 4:00 PM</u>
CONES NEEDED (max 48)	Y <u>X</u> N <u> </u>	<u>Close square at 4:00 PM</u>
STREETS TO BE CLOSED	Y <u> </u> N <u>X</u>	<u>Independence Square parking lot only</u>
SET UP TIME	<u>4:00pm</u>	
TAKE DOWN TIME	<u>11:00 PM</u>	

COMMUNITY SERVICES DEPARTMENT (Contingent upon availability)

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

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

Insurance

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

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

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

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

The following types and amount of insurance are required:

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

Indemnity

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

Notification

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


AUTHORIZED SIGNATURE

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-24 Approving a Professional Services Agreement to Provide Website Services by and between the Gonzales Economic Development Corporation and Insyteful, LLC for Basic Website Services.

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution.

BACKGROUND:

At its January 23, 2023, meeting the GEDC board unanimously approved renewing the contract for basic services with Insyteful, LLC with the request for quarterly updates on any updates made to the GEDC website and analytic reports.

On January 4, 2022, former City Manager, Tim Patek, signed an agreement with Insyteful, LLC for the specific purpose of performing the basic web services for the year 2022 which included: webhosting, web maintenance, and CORE4 Subscription modules- Buildings & Sites, Custom Report Generator, and Demographic Dashboard. This contract expired on December 31, 2022. The scope of the services includes webhosting www.gonzalesedc.org, web maintenance, a subscription to modules for tabs that show available buildings and sites, a custom report generator and a demographic dashboard.

POLICY CONSIDERATIONS:

The GEDC can enter into special contracts for professional services.

FISCAL IMPACT:

The GEDC will pay \$6,500.00 annually for these basic website services. The GEDC has funds available in 7-700.411 line item for this expense. This is an increase of \$500 over the contract from the last fiscal year.

ATTACHMENTS:

Contract for Services for 2023

STAFF RECOMMENDATIONS:

Staff respectfully recommends approval of the basic services agreement.

RESOLUTION NO. 2023-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING A PROFESSIONAL SERVICES AGREEMENT TO PROVIDE WEBSITE SERVICES BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION AND INSYTEFUL, LLC; 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, does hereby authorize and approve the Professional Services Agreement to Provide Website Services by and between the GEDC and Insyteful, LLC, attached hereto as ***Exhibit A***, and is incorporated herein for all purposes.

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

Section 1. That the City Council of the City of Gonzales, Texas, does hereby authorize and approve the Professional Services Agreement to Provide Website Services by and between the GEDC and Insyteful, LLC, 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 9th day of February, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

Exhibit A

[Professional Services Agreement]

Gonzales, TX Economic Development Corporation
820 Saint Joseph Street
Gonzales, TX 78629
ATTN: Jennifer Kolbe
(830) 672-2815 ext. 1600
GEDC@gonzales.texas.gov

Gonzales EDC has engaged Insyteful, LLC for the specific purpose of performing the continuing basic services for the year 2022 noted below.

1. Webhosting – www.gonzalesedc.org
2. Web Maintenance – www.gonzalesedc.org
3. CORE4 Subscription modules – Buildings & Sites, Custom Report Generator, Demographic Dashboard

ANNUAL TOTAL: \$6,500.00

CLIENT INITIAL _____

TERMS AND APPROVAL

This agreement to be billed as due upon signature for the period 01.01.2023 through 12.31.2023.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated below:



Ray Methvin, CEO
Insyteful, LLC

01.20.2023

Date

(Client Signature)

Date

(Print Name)

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-25 Approving an Amendment to Agreement by and between the Gonzales Economic Development Corporation and Renschel Customs, LLC., A Texas Limited Liability Company, regarding improvements to property generally located at 925 Oilpatch Lane, City of Gonzales, Texas

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution.

BACKGROUND:

At its January 23, 2023, meeting the GEDC voted unanimously to approve the amendment to agreement with Renschel Customs.

In the performance agreement with Renschel customs under Section 4 (a) it states the Developer covenants and agrees to complete construction of the Qualified Expenditures by February 28, 2023. Developer covenants and agrees to submit to the GEDC paid invoices, paid receipts, or other paid documentation of the Qualified Expenditures made to the Property in the minimum amount of Seventy-Two Thousand and No/100 Dollars (\$72,000.00) and in a form acceptable to the GEDC prior to any reimbursement. Developer covenants and agrees to provide to the GEDC said invoices, receipts, or other documentation by March 31, 2023.

Due to back ordered supplies, holidays, and the contractor, Frazier-Leal, getting behind on other projects, Renschel customs was unable to get in Fall 2022 as anticipated. Renschel Customs met with the contractor on January 9, 2023 and is anticipating the remodeling to begin within the next two weeks. Renschel Customs is asking for a one-month extension on all deadlines laid out in Section 4 (a). If this amendment was not approved the Developer would be in default of the original agreement and therefore not eligible for reimbursement.

POLICY CONSIDERATIONS:

The GEDC is a Type B economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended; and Section 505.158 of the Texas Local Government Code provides that “for a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, “project” also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation’s board of directors to promote new or expanded business development.” Further, the statute provides that “a Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation’s authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.”

FISCAL IMPACT:

The GEDC has funds available in the Business Incentive Grant Program 7-700.718 of the 2022-

2023 FY budget.

ATTACHMENTS:

Amendment to Agreement

STAFF RECOMMENDATIONS:

Staff respectfully recommends approval of the amendment.

RESOLUTION NO. 2023-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING AN AMENDMENT TO AGREEMENT BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION AND REMSCHEL CUSTOMS, LLC, A TEXAS LIMITED LIABILITY COMPANY, REGARDING IMPROVEMENTS TO PROPERTY GENERALLY LOCATED AT 925 OILPATCH LANE, CITY OF GONZALES, TEXAS; 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, Sections 505.158 (b) of the Texas Local Government Code, a Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation’s authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings; and

WHEREAS, the City Council of the City of Gonzales, Texas, desires to approve an Amendment to Agreement by and between the Gonzales Economic Development Corporation and the Remschel Customs, LLC, a Texas limited liability company, concerning improvements to property generally located at 925 Oilpatch Lane, City of Gonzales, Texas, 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 authorize and approve the Amendment to Agreement attached hereto as ***Exhibit A***, and authorizes the Mayor to execute this Resolution.

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 judgement of 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 9th day of February, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

Exhibit A

[Amendment to Agreement]

FIRST AMENDMENT TO PERFORMANCE AGREEMENT

This **FIRST AMENDMENT TO PERFORMANCE AGREEMENT** (hereinafter referred to as the “First Amendment”) is made and entered into by and between the **GONZALES ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as the “GEDC”), and **REMSCHEL CUSTOMS, LLC**, a Texas limited liability company (hereinafter referred to as the “Developer”):

RECITALS:

WHEREAS, on or about August 24, 2022, the GEDC and Developer entered into the original Performance Agreement (hereinafter referred to as the “Original Agreement”) regarding financial assistance to construct and install improvements to the automotive customization facility generally located at 925 Oilpatch Lane, Gonzales, Texas; and

WHEREAS, the GEDC and Developer now desire to amend Section 4(a) of the Original Agreement to address the completion date of the Qualified Expenditures.

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 Developer agree as follows:

SECTION 1. FINDINGS INCORPORATED.

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

SECTION 2. AMENDMENT TO ORIGINAL AGREEMENT.

- (a) **Amendment to Original Agreement.** That Section 4(a) of the Original Agreement is hereby amended to read as follows:

“Qualified Expenditures. Developer covenants and agrees to commence construction of the Qualified Expenditures by **September 1, 2022**. In addition, Developer covenants and agrees to complete construction of the Qualified Expenditures by **April 30, 2023**. Developer covenants and agrees to submit to the GEDC paid invoices, paid receipts, or other paid documentation of the Qualified Expenditures made to the Property in the minimum amount of **Seventy-Two Thousand and No/100 Dollars (\$72,000.00)** and in a form acceptable to the GEDC prior to any reimbursement. Developer covenants and agrees to provide to the GEDC said invoices, receipts, or other documentation by **May 31, 2023.**”

SECTION 3. MISCELLANEOUS PROVISIONS.

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

- (a) **Amendments.** This First Amendment constitutes the entire understanding and agreement of the parties as to the matters set forth in this First Amendment. No alteration of or

amendment to this First Amendment shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

- (b) **Applicable Law and Venue.** This First Amendment shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Gonzales County, Texas. Venue for any action arising under this First Amendment shall lie in the state district courts of Gonzales County, Texas.
- (c) **Assignment.** This First Amendment may not be assigned without the express written consent of the other party.
- (d) **Binding Obligation.** This First Amendment shall become a binding obligation on the signatories upon execution by all signatories hereto. GEDC warrants and represents that the individual executing this First Amendment on behalf of the GEDC has full authority to execute this First Amendment and bind the GEDC to the same. Developer warrants and represents that the individual executing this First Amendment on Developer's behalf has full authority to execute this First Amendment and bind it to the same.
- (e) **Caption Headings.** Caption headings in this First Amendment are for convenience purposes only and are not to be used to interpret or define the provisions of the First Amendment.
- (f) **Counterparts.** This First Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.
- (g) **Effective Date.** The effective date (the "Effective Date") of this First Amendment shall be the date of the latter to execute this First Amendment by and between the GEDC and Developer.
- (h) **Original Agreement and any Amendments.** All of the terms, conditions, and obligations of the Original Agreement, and any amendments remain in full force and effect except where specifically modified by this First Amendment.
- (i) **Severability.** The provisions of this First Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this First Amendment is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation have the force and effect of the law, the remaining portions of the First Amendment shall be enforced as if the invalid provision had never been included.
- (j) **Time is of the Essence.** Time is of the essence in the performance of this First Amendment.

[The Remainder of this Page Intentionally Left Blank]

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

GEDC:

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

By: _____
Ken Morrow, President
Date Signed: _____

ATTEST:

, Secretary

DEVELOPER:

REMSCHEL CUSTOMS, LLC,
a Texas limited liability company

By: _____
Garrett Remschel, Owner
Date Signed: _____

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider and Possible Action on Resolution #2023-26 Authorizing the City Manager to Execute an Amended Agreement for Election Services with the Elections Administrator of Gonzales County for the May 6, 2023 General Election

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

At the November 17, 2022 City Council Meeting, the City Council approved the agreement for Election Services with Gonzales County Election Administrator to conduct the May 6, 2023 Election. Since that meeting there were a few minor requirements within the agreement that were inadvertently left out. This amended agreement is being presented to ensure that all of the statutory requirements are listed within the agreement that will be executed between both parties.

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. 2023-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDED 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 electing a Council Member District 3 and a Council Member District 4 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 amending the 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 City Manager to Execute an amended 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 9th day of February, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

**JOINT ELECTION AGREEMENT AND ELECTION SERVICE CONTRACT
BETWEEN
GONZALES COUNTY, TEXAS
AND
CITY OF GONZALES and GONZALES INDEPENDENT SCHOOL DISTRICT,
FOR THE CONDUCT OF A JOINT ELECTION TO BE HELD
SATURDAY, MAY 6, 2023**

This Joint Election Agreement and Election Service Contract is made this _____ day of _____, 2023, by and between Gonzales County Elections Administrator, hereinafter referred to as “EA”, and the City of Gonzales and Gonzales Independent School District, hereinafter referred to as “Participating Authorities”.

WHEREAS, pursuant to Texas Election Code Section 271.002, governing bodies of political subdivisions may enter into an agreement to hold joint elections in election precincts that can be served by common polling places.

NOW, THEREFORE, IT IS AGREED that a joint election will be conducted by EA on behalf of the Participating Authorities under the following terms and conditions:

THIS AGREEMENT is subject to the written approval of all parties and shall not be binding on the parties until such written approval is obtained.

THIS AGREEMENT will require the EA to be appointed the Joint Early Voting Clerk.

THIS AGREEMENT will require the Participating Authorities to use joint ballots, when applicable.

THIS AGREEMENT requires the Participating Authorities to share costs associated with this Joint Election proportionally where polling places are shared by more than one entity.

THIS AGREEMENT requires the Participating Authorities to be responsible for ordering its own election and publishing notice of the elections separately. The cost to publish the notices will be the responsibility of each individual entity.

THIS AGREEMENT will require joint Early Voting and Election Day locations, dates, and times to be used by the Participating Authorities.

THIS AGREEMENT will require the EA to tabulate the precinct results and canvassing separately for each Participating Authority. The results will be delivered to each entity by email, facsimile or mail.

THIS AGREEMENT will require the EA to be responsible for the safekeeping of election records for this joint election.

THIS AGREEMENT will require the EA to be responsible for performing the following duties and to furnish the following services and equipment pursuant to the election services contract with Gonzales County:

1. Recommend election judges, alternate judges and clerks.
2. Pay election judges and other election workers.
3. Procure and distribute all necessary election supplies.
4. Determine time and places of Polling Locations.
5. Ordering of the programming and ballots to be used for the election.
6. Receive and process applications for ballot by mail.
7. Supply all necessary voting equipment; transport equipment to and from the polling locations, and prepare the voting equipment for use at the polling locations.
8. Issue Writs of Election to the election judges appointed.
9. Perform early voting clerk duties.
10. Publish the legal notice of the date, time and place of the electronic tabulating equipment test and conduct such test and provide copies to entities.
11. Arrange for the use of a central counting station and for the tabulating personnel needed at the counting station and assist in the preparation of programs and the test materials for tabulation of the ballots to be used with electronic voting equipment.
12. Assist in providing the general overall supervision of the election and will provide to the Canvassing Authority the prescribed election records and reports as required when a central counting station is used:
 - a. Canvassing Summary Report,
 - b. Accumulated totals Report of early voting and Election Day, and
 - c. Electronically submit results to the Secretary of State.
13. Voting System to be used:
 - a. ExpressVote Ballot Marking Device and DS200 Digital Ballot Scanner for In-Person Voting, Early and Election Day

THIS AGREEMENT will require the PARTICIPATING AUTHORITIES to be responsible for the following:

1. Proper public Notice of Election
2. Conduct ballot order drawing
3. 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
4. Canvassing of the election and all other statutory requirements by the Texas Election Code and/or the Federal Voting Rights Act
5. Reimbursement of all expenses incurred, including, but not limited to programming, ballots, notices, supplies and payroll as invoiced by Gonzales County.

GENERAL CONDITIONS

1. EARLY VOTING

- A. Gwen Schaefer, Elections Administrator, will be appointed as early voting clerk in compliance with Sections 271.006 of the Texas Election Code. Other deputy early voting clerks will be appointed as needed to process early voting mail and to conduct early voting at the main location. The names of Early Voting Clerks may be obtained from the EA.
- B. Early voting by personal appearance will be conducted on weekdays beginning Monday, April 24, 2023 through Friday, April 28, 2023 between 8:00 a.m. and 5:00 p.m., Monday, May 1, 2023, through Tuesday, May 2, 2023, between 8:00 a.m. and 5:00 p.m. Any qualified voter for the Joint Election may vote early by personal appearance at the main early voting polling place.

MAIN EARLY VOTING POLLING PLACE

RANDLE RATHER BUILDING

427 St. George, Suite 100, Gonzales, TX 78962

- C. Persons voting by mail will send their voted ballots to EA.
- D. All early voting ballots will be prepared for counting by an Early Voting Ballot Board appointed in accordance with Section 87.001 of the Texas Election Code. EA will appoint members of the board and provide a list of members to the participating authority upon request.

2. VOTING LOCATIONS

- A. Election Day will be conducted at the “Randle Rather Building, 427 St. George, Suite 100, Gonzales, TX 78629”

3. JOINT ELECTION COSTS: PAYMENT

- A. Costs. Each Participating Authority remains responsible for all costs associated with their respective elections.
- B. Cancellation. In the event any of the parties to this Agreement cancel their election because of unopposed candidates under Subchapter C of Title I of the Texas Election Code, the remaining parties shall be responsible for their respective elections, including all associated costs. The canceling party(s) shall be responsible for its respective share of election expenses incurred through the date that the election is canceled as allocated to that Participating Authority. In that event that a party cancels its election, the other parties shall continue to have access to the polling locations.

If an election is to be canceled by one of the parties, notice will be given to all parties within two (2) days of cancellation.

4. GENERAL PROVISIONS

- A. Communication: Throughout the term of this Agreement, the Participating Authorities will engage in ongoing communications concerning the conduct of the Joint Election and discuss and resolves any problems which might arise regarding the Joint Election.
- B. Effective Date: This Agreement takes effect upon the complete execution of this Agreement by all Participating Authorities.
- C. To the extent the geographical boundaries of the political subdivision extend into a county other than Gonzales County, Texas, the obligations of the EA contained in this contract are contingent upon the political subdivision and/or the other county complying with all state or federal requirements for the establishment of polling locations. With respect to election services for the political subdivision provided by the EA relative to polling locations outside of Gonzales County, Texas, the EA's obligations herein are limited strictly to providing election services for the political subdivision who is a signatory to this agreement.

5. RECORDS OF THE ELECTION

- A. Gwen Schaefer, Elections Administrator, is hereby appointed general custodian of the voted ballots and all records of the Joint Election as authorized by Section 217.010 of the Texas Election Code.
- B. Access to the election records will be available to participating authority as well as to the public in accordance with the Texas Public Information act, Chapter 552, Government Code, at the Elections Department, 427 St. George St., Suite 306, Gonzales, TX 78629, at any time during normal business hours.
- C. Records of the election will be retained and disposed of in accordance with the records retention schedules which may have been adopted by each participating authority, and in accordance with the provisions of Title 6, Subtitle C, Chapter 201 through 205, Texas Local Government Code, including the minimum retention requirements established by the Texas State Library and Archives Commission. If records of the election are involved in any pending election contest, investigation, litigation, or Texas Public Information Act, EA shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of the participating authority to bring to the attention of the EA any notice of any pending election contest, investigation, litigation, or Texas Public Information Act request which may be filed with a participating authority.

- D. Upon request to maintain records beyond eligibility for preservation according with Section 66.058 of the Texas Election Code, EA shall supply a written cost estimate for storage to requesting participant.

6. MISCELLANEOUS PROVISIONS

- A. Venue and Choice of Law: Participating Authorities agree that venue for any dispute arising under this Agreement will lie in the appropriate courts of Gonzales County, Texas. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the United States of America.
- B. Severability: If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement; and, parties to this Agreement shall perform their obligations under this Agreement in accordance with the intent of the parties to this Agreement as expressed in the terms and provisions of this Agreement.
- C. Breach: In the event that any Participating Authority breaches any of its obligations under this Agreement, the non-breaching party(s) shall be entitled to pursue any and all rights and remedies allowed by law. Nothing in this Agreement shall be construed as a waiver of any immunity or defense to which any Participating Authority is entitled under statutory or common law.
- D. Other Instruments: The Participating Authorities agree that they will execute other and further instruments or any documents as may become necessary or convenient to effectuate and carry out the purposes of this Agreement.
- E. Mediation: When mediation is acceptable to all parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless all parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in Section 154.023 of the Texas Civil Practice and Remedies Code, unless all parties agree, in writing, to waive the confidentiality. Notwithstanding the foregoing the parties intend to fully comply with the Texas Open Meetings Act and the Texas Public Information Act, whenever applicable. The term “confidential” as used in this Agreement has the same meaning as defined and construed under the Texas Public Information Act and the Texas Open Meetings Act.
- F. Amendment/Modification: Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent, or employee of any Participating Authority has any authority to

modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective Participating Authority.

- G. Counterparts: This Agreement may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitute one and the same Agreement.

7. ELECTION JUDGES, CLERKS AND OTHER ELECTION WORKERS

- A. EA will be responsible for the appointment of the presiding judge and an alternate for each polling location. EA shall arrange for the training and compensation of all presiding judges and clerks. The names of Elections Judges may be obtained by contacting the EA.
- B. EA is responsible for notifying all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to insure that all election Judges appointed for the joint election are eligible to serve. The presiding judge, with the Elections Office assistance, will be responsible for ensuring the eligibility of each appointed clerk hired to assist the judge in the conduct of the election.
- C. EA will hold training classes on the use of voting equipment and election laws at the Gonzales Elections Office, 427 St. George Street, Suite 306, Gonzales, TX. Additional training classes may be scheduled as needed. Election judges will be notified of additional training sessions. No election judges will be appointed unless he/she has attended an election judge training session taught by the Elections Office in the past eighteen (18) months.
- D. The election judges are responsible for picking up election supplies at the time and place determined by EA (which will be set forth in the election judge letter requesting service for this election). Each election judge and clerk will receive \$12.00 per hour for their hours worked on Election Day and Early Voting. The election judge will receive an additional \$25.00 for delivering election returns and supplies to the Randle Rather Building, 427 St. George Street, Gonzales, TX.

8. SUPPLIES AND PRINTING

- A. EA will arrange for all election supplies and election printing, including, but not limited to, all forms, signs and other materials used by the election judges at the voting locations.
- B. EA will provide instructions and other information needed to enable the election judges to conduct a proper election.

- C. Participating authorities shall furnish to EA a list of candidates and/or propositions showing the order and the exact manner in which their candidate names and/or propositions are to appear on the official ballot in both English and Spanish. The list will be delivered to EA as soon as possible after ballot positions have been determined by the participating authority. Participating authority will be responsible for proofreading and approving the ballot in so far as it pertains to the authority's candidates and/or propositions.

9. RETURNS OF ELECTIONS

- A. EA will be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this agreement.
- B. Participating authority hereby, in accordance with Section 127.002, 127.003 and 127.005 of the Texas Election Code, appoint the following central counting station officials.

Manager:	Gwen Schaefer Gonzales County Elections Administrator
----------	--

Tabulating Supervisor:	Nicole Vogel Gonzales County Elections Clerk
------------------------	---

- C. The manager or representative will deliver timely cumulative reports of the election results as precincts are tabulated. The manager will be responsible for releasing cumulative totals and precinct returns from the election to the joint participants, candidates, press, and general public by distribution of hard copies (taped on the window in front of the Randle Rather Building) or electronic transmittals (where accessible).
- D. EA will prepare the unofficial canvass report after all precincts have been counted, and will deliver a copy of the unofficial canvass to each participating authority as soon as possible after all returns and provisional ballots have been tabulated, but in no event later than eight (8) days after the election. Participating authority will be responsible for their official canvass of their respective elections.
- E. EA will be responsible for conducting the post-election manual recount, unless a waiver is given from the Secretary of State in accordance with Section 127.201 of the Texas Election Code.

10. ELECTION EXPENSES

- A. The participating authorities agree to share the costs of administering the May 6, 2023 Joint Election. A general supervisory fee not to exceed 10% of the total cost of the election shall be assessed as authorized by the Texas Election Code, Sec. 31.100.

Allocation of costs for the entire election, unless specifically stated otherwise, will be shared between the participating authorities.

- B. Any estimate of election costs is strictly an estimate. Final election expenses will be determined within 120 business days after the election. EA will provide each participating authority with a final invoice of expenses.

11. ELECTION REPORTS

EA will be responsible for ensuring the delivery of the reports titled Early Voting Daily Vote Totals and Daily Early Voter Listing (Alphabetical by precinct if applicable) to each participating authority each day of Early Voting for the previous day's voting activity. On the day after the conclusion of Early Voting, a Daily Early Voter Listing by precinct report inclusive of all days of Early Voting is to be delivered to each participating authority. When possible, the Early Voters' reports will be delivered by electronic means via e-mail, facsimile, or website.

12. RUNOFF ELECTION

In the event a runoff is necessary, the agreement will automatically be extended to cover the runoff. The EA will provide the designated entity in the runoff election with an estimate of cost to conduct participating authority's runoff.

13. NOTICE

Whenever this agreement requires any consent, approval notice, request or demand, it must be in writing to be effective and shall be delivered to the party intended to receive it was shown below:

If to the Elections Administrator:

Gwen Schaefer
Gonzales County Elections Administrator
427 St. George Street, Suite 306
Gonzales, TX 78629
830-519-4054

If to the Participating Authority:

Timothy L. Crow, City Manager
City of Gonzales, Texas
820 St. Joseph Street
Gonzales, TX 78629

14. This contract may be executed in multiple originals.

May 6, 2023 JOINT AGREEMENT ACCEPTANCE AND APPROVAL

Recommended for approval by:

Gwen Schaefer
Gonzales County Elections Administrator

ACCEPTED AND AGREED TO BY CITY OF GONZALES:

Timothy L. Crow, City Manager

Patrick C. Davis, Gonzales County Judge

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Ordinance #2023-3 Amending the City of Gonzales' Election Ordinance and Notice to reflect a change in polling locations for Election Day from four precincts to a consolidated precinct located at the Randle Rather Building (427 St. George, STE 100)

DATE: February 9, 2023

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

Every year the City of Gonzales holds their elections at the same polling location as the School and Hospital District in order to satisfy the joint election requirements. This year the City Council of the City of Gonzales ordered the General election on January 19, 2023. Since then City Secretary and Elections Administrator have had numerous discussions regarding the need to have multiple polling locations. It was determined that it would be in the all of the entities best interest to consolidate the polling locations into one. This will cut down the cost for the election as well as the number of election workers that will be required to conduct this election.

Staff has verified with the Secretary of State that amending the polling location is acceptable by amending the election order. The SOS stated that moving the main (or only polling location) is the type if change that would warrant an amendment of the election order. Since the city has not already published the notice of publication, the risk that a voter will rely on the information contained in the current election order is much lower.

POLICY CONSIDERATIONS:

Amendment to the election order will change the polling location from four precincts to a consolidated precinct located at the Randle Rather Building (427 St. George, STE 100)

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.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this amendment to the Election Order and Notice.

ORDINANCE 2023-3

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AMENDING THE CITY OF GONZALES ELECTION ORDINANCE AND NOTICE TO REFLECT A CHANGE IN POLLING LOCATIONS FOR ELECTION DAY FROM FOUR PRECINCTS TO A CONSOLIDATED PRECINCT LOCATED AT THE RANDLE RATHER BUILDING (427 ST. GEORGE, STE 100); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, as per Election Code Chapter 271 the City of Gonzales entered into a Joint Election Agreement and Election Service Contract with the Gonzales County Election Administrator's Office for the conduct of a joint election; and,

WHEREAS, the Secretary of State verified that amending the election order is permissible based on the fact that the city has not already published the notice of election; and,

WHEREAS, amending the election order changing the polling location from four precincts to a consolidated precinct located at the Randle Rather Building (427 St. George, STE 100) will lower election expenses and be more convenient; and,

WHEREAS, the City Council of the City of Gonzales finds it in the best interest of the citizens of Gonzales to amend the polling location to hold the election at the Randle Rather Building instead of the previous location,

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

Section 1. Ordinance #2023-3 of the City of Gonzales are hereby amended as set forth in the Attached **Exhibits A**.

Section 2. That this Ordinance shall be cumulative of all provisions of the City of Gonzales, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the more restrictive shall apply.

Section 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 City Council.

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

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

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of

such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

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

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

PASSED AND APPROVED this 9th day of February, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT A

Amend Ordinance #2023-01 of the City of Gonzales as follows:

AMEND:

ORDINANCE NO. 2023-01 ORDENANZA NRO. 2023-01

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 6, 2023, FOR THE PURPOSE OF ELECTING AN INDIVIDUAL TO THE OFFICE OF COUNCIL MEMBER DISTRICT 3 AND COUNCIL MEMBER DISTRICT 4; PROVIDING FOR EARLY VOTING; PROVIDING FOR OTHER MATTERS RELATING TO THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

UNA ORDENANZA DE LA CIUDAD DE GONZALES, TEXAS, QUE ORDENA QUE SE CELEBRE UNA ELECCIÓN MUNICIPAL GENERAL EL 6 DE MAYO DE 2023, CON EL PROPÓSITO DE ELEGIR A UN INDIVIDUO PARA EL CARGO DE MIEMBRO DEL CONSEJO DISTRITO 3 Y MIEMBRO DEL CONSEJO DISTRITO 4; QUE DISPONE LA VOTACIÓN ANTICIPADA; QUE DISPONE OTROS ASUNTOS RELATIVOS A LA ELECCIÓN; Y QUE DISPONE UNA FECHA DE ENTRADA EN VIGENCIA.

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

AHORA, POR LO TANTO, EL CONSEJO MUNICIPAL DE LA CIUDAD DE GONZALES, TEXAS, ORDENA:

Section 1. That a May 6, 2023 regular election for the purpose of electing an individual to the office of Council Member District 3, and Council Member District 4 is hereby Ordered.

This Order of Election is to be posted at the Gonzales Municipal Building on the Bulletin Board used for posting notices of the meetings of the City Council.

Sección 1. Que se ordena por la presente una elección regular el 6 de mayo de 2023 con el propósito de elegir a un individuo para el cargo de Miembro del Consejo Distrito 3 y Miembro del Consejo Distrito 4.

Esta Orden de Elección se publicará en el Edificio Municipal de Gonzales en el Tablero de Anuncios que se utiliza para publicar avisos de las asambleas del Consejo Municipal.

Section 2. The City Council of the City of Gonzales finds that it is in the best interest of the public health, safety and interest to conduct a joint election with Gonzales County for the May 6, 2023 election requiring the use of polling locations and early voting hours as determined by Gonzales County.

Sección 2. El Consejo Municipal de la Ciudad de Gonzales halla que lo mejor para la salud, la seguridad y el interés públicos es celebrar una elección conjunta con el Condado de Gonzales para la elección del 6 de mayo de 2023 que requiera del uso de los lugares de votación y los horarios de votación anticipada que el Condado de Gonzales determine.

Section 3. The Election Administrator for Gonzales County shall serve as early voting clerk; the appointment of a deputy clerk or clerks for early voting by the Election Administrator shall be in accordance with the law.

Sección 3. El Administrador de Elecciones del Condado de Gonzales actuará como oficial de votación anticipada; la designación de un suboficial o suboficiales para la votación anticipada por el Administrador del Condado se hará en conformidad con la ley.

Section 4. On Election Day, May 6, 2023, the polls shall be open between the hours of 7:00 a.m. and 7:00 p.m., at the locations established by Gonzales County on the dates and times as follows, or as may be amended by Gonzales County, per the contract.

ELECTION DAY:

**Randle Rather Bldg, 427 St. George, STE 100,
Gonzales, TX 78629**

<u>Gonzales County Election Precinct</u>	<u>Voting Location</u>
Pet. 1	Randle Rather Bldg, 427 St. George, STE 100, Gonzales, TX 78629
Pet. 2	Gonzales Master Gardner's, 623 N. Fair St., Gonzales, TX 78629
Pet. 3	Gonzales City Building, 820 St. Joseph, Gonzales, TX 78629
Pet. 12	Riverside Community Center, 110 St. Lawrence Street, Gonzales, TX 78629

Sección 4. El Día de Elección, 6 de mayo de 2023, las casillas abrirán en el horario de 7:00 a.m. a 7:00 p.m., en los lugares de votación establecidos por el Condado de

Gonzales en las siguientes fechas y horarios o según el Condado de Gonzales los modifique en virtud del contrato.

Día de Elección:

Randle Rather Bldg, 427 St. George, STE 100,
Gonzales, TX 78629

~~Precinto electoral del
Condado de Gonzales~~

~~Lugar de Votación~~

Precinto 1	Randle Rather Bldg, 427 St. George, STE 100, Gonzales, TX 78629
Precinto 2	Gonzales Master Gardner's, 623 N. Fair St., Gonzales, TX 78629
Precinto 3	Gonzales City Building, 820 St. Joseph, Gonzales, TX 78629
Precinto 12	Riverside Community Center, 110 St. Lawrence Street, Gonzales, TX 78629

Section 5. Early Voting by personal appearance shall commence on April 24, 2023 and continue through May 2, 2023, at the locations established by Gonzales County on the dates and times as follows, or as may be amended by Gonzales County, per the contract.

Main Early Voting Location:
Randle-Rather Building – EV Election Room
427 St. George, Gonzales, Texas 78629

April 24 th -April 28 th	Monday – Friday	8:00 a.m. – 5:00 p.m.
May 1 st -May 2 nd	Monday-Tuesday	8:00 a.m. – 5:00 p.m.

Additionally, early voting locations will be identified in the contract executed with Gonzales County.

Sección 5. La votación anticipada en persona empezará el 24 de abril de 2023 y continuará hasta el 2 de mayo de 2023, inclusive, en los lugares de votación establecidos por el Condado de Gonzales en las siguientes fechas y horarios o según el Condado de Gonzales los modifique en virtud del contrato.

Lugar principal de votación anticipada:

Randle-Rather Building – Sala de elección de votación anticipada
427 St. George, Gonzales, Texas 78629

Del 24 de abril al 28 de abril	de lunes a viernes	8:00 a.m. – 5:00 p.m.
1 de mayo y 2 de mayo	lunes y martes	8:00 a.m. – 5:00 p.m.

Además, los lugares de votación anticipada serán identificados en el contrato firmado con el Condado de Gonzales.

Section 6. Applications for ballot by mail shall be received by the Gonzales Election Administrator at 427 St. George, Ste 306, Gonzales, Texas 78629 no later than close of business on April 25, 2023.

Sección 6. Las solicitudes de boletas por correo serán recibidas por el Administrador de Elecciones de Gonzales en 427 St. George, Ste 306, Gonzales, Texas 78629 hasta el cierre de operaciones el 25 de abril de 2023.

Section 7. This election shall be held in accordance with the Constitution of the State of Texas and the Election Code, and all resident qualified voters of the City shall be eligible to vote in the election. The City Secretary and Mayor are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carry out and conducting the election, whether or not expressly authorized herein.

Sección 7. Esta elección se celebrará en conformidad con la Constitución del Estado de Texas y el Código Electoral, y todos los votantes habilitados residentes de la Ciudad serán elegibles para votar en la elección. Por la presente, se autoriza e instruye a la Secretaria de la Ciudad y al Alcalde a que tomen todas y cada una de las medidas necesarias para cumplir con las disposiciones del Código para realizar y celebrar la elección, sean expresamente autorizadas en la presente o no.

Section 8. The Mayor and/or the City Secretary of the City of Gonzales are hereby authorized to execute and/or issue, for and on behalf of the City, such orders, documents, and forms as may, from time to time, be promulgated by the Secretary of State of the State of Texas in conjunction with the election herein ordained.

Sección 8. Por la presente, se autoriza al Alcalde y/o la Secretaria de la Ciudad de la Ciudad de Gonzales a firmar y/o expedir para la Ciudad y en su nombre, ciertas órdenes, documentos y formas como pueda, periódicamente, promulgar la Secretaría del Estado de Texas en conjunto con la elección ordenada en este documento.

Section 9. Said election shall be held in accordance with Texas Election Code and the Federal Voting Rights Act of 1965, as amended.

Sección 9. Dicha Elección se llevará a cabo de acuerdo con el Código Electoral de Texas y la Ley Federal de Derecho al Voto de 1965 y sus enmiendas.

- Section 10. It is hereby declared to be the intention of the City Council of the City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.
- Sección 10. Por la presente, se declara que es intención del Consejo Municipal de la Ciudad que las frases, cláusulas, oraciones, párrafos y secciones de esta Ordenanza sean divisibles, y si cualquier frase, cláusula, oración, párrafo o sección de esta Ordenanza fuera declarado inconstitucional por el fallo o decreto válido de cualquier tribunal con competencia jurisdiccional, dicha inconstitucionalidad no afectará ninguna de las frases, cláusulas, oraciones, párrafos o secciones restantes de esta Ordenanza, debido a que la misma hubiera sido promulgada por el Consejo Municipal sin la incorporación en esta Ordenanza de cualquiera de esas frases, cláusulas, oraciones, párrafos o secciones inconstitucionales.
- Section 11. It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, as amended.
- Sección 11. Por la presente, se halla y se determina oficialmente que la asamblea en la cual esta Ordenanza fue adoptada estuvo abierta al público y que se dio aviso público de la hora, el lugar y el propósito de dicha asamblea según lo exige la Ley de Asambleas Públicas en el Capítulo 551 del Código de Gobierno de Texas y sus enmiendas.
- Section 12. This ordinance shall become effective immediately upon its passage.
- Sección 12. Esta ordenanza entrará en vigencia inmediatamente después su aprobación.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-30 Authorizing the City Manager to Submit the Texas Junior High Rodeo Association Finals bid proposal for a 5-year Contract

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND

On December 14, 2022 the City of Gonzales received a letter from the Texas Junior High Rodeo Association, Site Selection Committee regarding the Bid Specifications for Five Year Agreement; Texas Junior High State Finals Rodeo Site. The bid proposal is due in their hands no later than April 30, 2023 and will be presented to the Board of Directors at their May 2023, meeting. There are approximately 552 contestants that attend this event and stay in the city with their families for 8-10 days. Estimating the people that attend with the contestants is 2,500 people. Staff encourages all of the business for the event be done local, such as the printing of the programs for the event, any meals that are catered for the event and any other purchases necessary for the event.

POLICY CONSIDERATIONS:

If Gonzales is selected during the proposal this resolution will allow the City Manager to negotiate the five year contract.

FISCAL IMPACT:

The City annually sees a positive economic impact on retail sales tax and municipal hotel occupancy tax revenue during the Texas Junior High Rodeo State Finals.

Additionally, the total amount of revenues for stall and RV rentals from 2020-2022 are as follows:

2020-2021 \$119,755

2021-2022 \$127,210

STAFF RECOMMENDATION:

Staff recommends the City Manager to submit a competitive bid for acquiring the TJHRA 5 year contract for their state finals to be held in Gonzales, Texas.

RESOLUTION NO. 2023-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO SUBMIT THE TEXAS JUNIOR HIGH RODEO ASSOCIATION FINALS BID PROPOSAL FOR A 5-YEAR CONTRACT; AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE CONTRACT TERMS IF AWARDED THE BID; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gonzales has hosted the Texas Junior High Rodeo State Finals for seventeen years since 2005; and,

WHEREAS, the Texas Junior High Rodeo State Finals attracts approximately 3,000 attendees and their guests and in return provides a positive economic impact on sales tax, municipal hotel occupancy tax and retail sales revenue each year; and,

WHEREAS, the Texas Junior High Rodeo Association has sent a request for proposals to cities desiring to bid to host the event for the next five years; and,

WHEREAS, if Gonzales desires to participate in the RFP, the bid proposal is due no later than April 30, 2023 and will be presented to the Board of Directors at their May 2023 board meeting; and

WHEREAS, the City of Gonzales City Council finds it in the City's best interest to submit a proposal to be considered to the Texas Junior High Rodeo Association for a five-year agreement for the Texas Junior High State Finals Rodeo Site.

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

Section 1. The City Council of the City of Gonzales, Texas hereby authorizes the City Manager to submit a proposal to host the Texas Junior High Rodeo State Finals for the next five years in Gonzales, and if awarded, authorizes the City Manager to negotiate a contract and bring said contract back before the City Council for final approval and allocation of the necessary funding, if any.

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 9th day of February, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution 2023-31 Approving the Lease Agreement with Enterprise Fleet Management, Inc. for the lease of several budgeted vehicles and authorizing the City Manager to execute said agreements

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

On September 8, 2022, the City Council adopted Ordinance 2022-15 Adopting the 2022-2023 Budget. In the 2021-2022 budget, staff had allocated funding for three non-police vehicles and Council approved the lease documents for them. A purchase order was completed, the order was placed, but GMC cancelled the order after the 2022-2023 budget started. Staff has been diligently working with Enterprise to find a solution for those three vehicles due to the significant price increase after GMC cancelled the order. The 2022-2023 budget has allocated the following funding for the annual lease of vehicles: \$7,205 in Community Development for one truck, \$6,000 in Building Maintenance for one truck, \$21,222 in Police Department for two tahoes, and \$15,397 in the Water Department for two trucks. This is a total of six vehicles that the City will be obtaining through the lease program with Enterprise. Staff has received quotes from Enterprise for the various vehicles that are allocated in the 2022-2023 budget and the amounts are as follows:

Department	Monthly Rate	Fiscal Impact – remainder of budget
Community Development	\$519.71 per month	\$3,637.97
Building Maintenance	\$519.71 per month	\$3,637.97
Police (2 tahoes)	\$1,685.94 per month	\$11,801.58
Water (2 trucks)	\$1,949.36 per month	\$13,645.52

The new vehicles will replace the following: the Community Development Department will replace a 2007 Ford F150, the Building Maintenance Department will replace 2003 Sonoma truck, the Police Department will replace a 2013 and 2015 tahoe and the Water Department will replace a 2015 F-150 and a 1994 S10 truck. On April 14, 2022, the City Council adopted Resolution 2022-41 authorizing the City Manager to enter into a Master Equity Lease Agreement, Maintenance Agreement and Maintenance Management and Fleet Rental Agreement with Enterprise Fleet Management, Inc. to allow for the lease of vehicles.

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

During the budget process, City Council expressed the desire to create the leasing of fleet vehicles that were needed. The 2022-2023 budget has allocated the following funding for the annual lease of vehicles: \$7,205 in Community Development for one truck, \$6,000 in Building Maintenance for one truck, \$21,222 in Police Department for two tahoes, and \$15,397 in the Water Department for two trucks. The exact fiscal impact for the 2022-2023 budget will depend on when the vehicles arrive, but they will not exceed the amount budgeted.

ATTACHMENTS:

City of Gonzales – Open-End (Equity) Lease Rate Quote No. 6998030, 6996042, 7003245

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS APPROVING THE LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, INC. FOR THE LEASE OF SEVERAL BUDGETED VEHICLES AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, On September 8, 2022 the City Council adopted Ordinance 2022-15 Adopting the 2022-2023 Budget; and,

WHEREAS, during budget workshops this summer, City Council expressed the desire to continue leasing vehicles from Enterprise instead of purchasing; and,

WHEREAS, during the budget process, City Council expressed the desire to create the leasing of fleet vehicles that were needed. The 2022-2023 budget has allocated the following funding for the annual lease of vehicles: \$7,205 in Community Development for one truck, \$6,000 in Building Maintenance for one truck, \$21,222 in Police Department for two tahoes, and \$15,397 in the Water Department for two trucks; and

WHEREAS, the exact fiscal impact for the 2022-2023 budget will depend on when the vehicles arrive, but they will not exceed the amount budgeted; and

WHEREAS, on April 14, 2022, the City Council adopted Resolution 2022-41 authorizing the City Manager to enter into a Master Equity Lease Agreement, Maintenance Agreement and Maintenance Management and Fleet Rental Agreement with Enterprise Fleet Management, Inc. to allow for the lease of the vehicles; and

WHEREAS, the City finds that entering into an agreement with Enterprise for leasing vehicles would 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, Texas hereby approves the lease of two 2023 Ford Maverick trucks, two 2023 Tahoes 2WD, and two 2023 Chevrolet 1500 Silverado 4x2 Crew Cab trucks, all of which are allocated in the 2022-2023 Budget and authorizing the City Manager execute said agreements.

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 9th day of February, 2023.

Mayor S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

Prepared For: City of Gonzales, Texas
Zella, Laura

Date 01/27/2023
AE/AM JP8/OA0

Unit #

Year 2023 **Make** Chevrolet **Model** Silverado 1500

Series Work Truck 4x2 Crew Cab 5.75 ft. box 147.4 in. WB

Vehicle Order Type In-Stock **Term** 48 **State** TX **Customer#** 583109

\$ 47,305.00	Capitalized Price of Vehicle ¹
\$ 0.00 *	License and Certain Other Charges <u>6.2500%</u> State <u>TX</u>
\$ 158.50 *	Initial License Fee
\$ 0.00	Registration Fee
\$ 60.00	Other: (See Page 2)
\$ 0.00	Capitalized Price Reduction
\$ 0.00	Tax on Capitalized Price Reduction
\$ 0.00	Gain Applied From Prior Unit
\$ 0.00 *	Tax on Gain On Prior
\$ 0.00 *	Security Deposit
\$ 0.00 *	Tax on Incentive (Taxable Incentive Total : \$0.00)

All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

Order Information

Driver Name Need to assign
Exterior Color (0 P) Summit White
Interior Color (0 I) Jet Black w/Cloth Seat Trim
Lic. Plate Type Government
GVWR 0

\$ 47,365.00	Total Capitalized Amount (Delivered Price)
\$ 710.48	Depreciation Reserve @ <u>1.5000%</u>
\$ 264.20	Monthly Lease Charge (Based on Interest Rate - Subject to a Floor) ²
\$ 974.68	Total Monthly Rental Excluding Additional Services

Additional Fleet Management

Master Policy Enrollment Fees
Commercial Automobile Liability Enrollment
Liability Limit \$0.00

\$ 0.00	Physical Damage Management	Comp/Coll Deductible	<u>0 / 0</u>
\$ 0.00	Full Maintenance Program ³ Contract Miles <u>0</u>	OverMileage Charge	<u>\$ 0.0450</u> Per Mile
	Incl: # Brake Sets (1 set = 1 Axle) <u>0</u>	# Tires <u>0</u>	Loaner Vehicle Not Included

\$ 0.00 Additional Services SubTotal

\$ 0.00 Use Tax 0.0000% **State**

\$ 974.68 Total Monthly Rental Including Additional Services

\$ 13,261.96	Reduced Book Value at <u>48</u> Months
\$ 400.00	Service Charge Due at Lease Termination

Quote based on estimated annual mileage of 10,000

(Current market and vehicle conditions may also affect value of vehicle)

(Quote is Subject to Customer's Credit Approval)

Notes

Enterprise FM Trust will be the owner of the vehicle covered by this Quote. Enterprise FM Trust (not Enterprise Fleet Management) will be the Lessor of such vehicle under the Master Open - End (Equity) Lease Agreement and shall have all rights and obligations of the Lessor under the Master Open - End (Equity) Lease Agreement with respect to such vehicle. Lessee must maintain insurance coverage on the vehicle as set forth in Section 11 of the Master Open-End (Equity) Lease Agreement until the vehicle is sold.

ALL TAX AND LICENSE FEES TO BE BILLED TO LESSEE AS THEY OCCUR.

Lessee hereby authorizes this vehicle order, agrees to lease the vehicle on the terms set forth herein and in the Master Equity Lease Agreement and agrees that Lessor shall have the right to collect damages in the event Lessee fails or refuses to accept delivery of the ordered vehicle. Lessee certifies that it intends that more than 50% of the use of the vehicle is to be in a trade or business of the Lessee.

LESSEE City of Gonzales, Texas

BY **TITLE**

DATE

* INDICATES ITEMS TO BE BILLED ON DELIVERY.

¹ Capitalized Price of Vehicle May be Adjusted to Reflect Final Manufacturer's Invoice. Lessee Hereby Assigns to Lessor any Manufacturer Rebates And/Or Manufacturer Incentives Intended for the Lessee, Which Rebates And/Or Incentives Have Been Used By Lessor to Reduce the Capitalized Price of the Vehicle.

² Monthly Lease Charge Will Be Adjusted to Reflect the Interest Rate on the Delivery Date (Subject to a Floor).

³ The inclusion herein of references to maintenance fees/services are solely for the administrative convenience of Lessee. Notwithstanding the inclusion of such references in this [Invoice/Schedule/Quote], all such maintenance services are to be performed by Enterprise Fleet Management, Inc., and all such maintenance fees are payable by Lessee solely for the account of Enterprise Fleet Management, Inc., pursuant to that certain separate [Maintenance Agreement] entered into by and between Lessee and Enterprise Fleet Management, Inc.; provided that such maintenance fees are being billed by Enterprise FM Trust, and are payable at the direction of Enterprise FM Trust, solely as an authorized agent for collection on behalf of Enterprise Fleet Management, Inc.

Aftermarket Equipment Total

Description	(B)illed or (C)apped	Price
Legacy Auto Transporter	C	\$ 825.00
Total Aftermarket Equipment Billed		\$ 0.00
Total Aftermarket Equipment Capitalized		\$ 825.00
Aftermarket Equipment Total		\$ 825.00

Other Totals

Description	(B)illed or (C)apped	Price
Initial Administration Fee	C	\$ 60.00
Courtesy Delivery Fee	C	\$ 0.00
Total Other Charges Billed		\$ 0.00
Total Other Charges Capitalized		\$ 60.00
Other Charges Total		\$ 60.00

VEHICLE INFORMATION:

2023 Chevrolet Silverado 1500 Work Truck 4x2 Crew Cab 5.75 ft. box 147.4 in. WB - US

Series ID: CC10543

Pricing Summary:

	INVOICE	MSRP
Base Vehicle	\$40,362	\$42,000.00
Total Options	\$-126.90	\$-90.00
Destination Charge	\$1,895.00	\$1,895.00
Total Price	\$42,130.10	\$43,805.00

SELECTED COLOR:

Exterior: GAZ-(0 P) Summit White
Interior: H1T-(0 I) Jet Black w/Cloth Seat Trim

SELECTED OPTIONS:

CODE	DESCRIPTION	INVOICE	MSRP
1SZ	2.7L Turbo Engine Credit	\$-1,410.00	\$-1,500.00
1WT	Preferred Equipment Group 1WT	NC	NC
A68	Rear 60/40 Folding Bench Seat (Folds Up)	Included	Included
AED	Power Front Windows w/Passenger Express Down	Included	Included
AEQ	Power Rear Windows w/Express Down	Included	Included
AKO	Deep-Tinted Glass	Included	Included
AKP	Solar Absorbing Tinted Glass	Included	Included
AQQ	Remote Keyless Entry	Included	Included
AXG	Power Front Windows w/Driver Express Up/Down	Included	Included
AZ3	40/20/40 Front Split-Bench Seat	Included	Included
BG9	Rubberized-Vinyl Floor Covering	Included	Included
BLUE	Bluetooth For Phone	Included	Included
C49	Electric Rear-Window Defogger	Included	Included
C5U	GVWR: 6,800 lbs (3,084 kgs)	STD	STD
CLOTH	Cloth Seat Trim	NC	NC
CTT	Hitch Guidance	Included	Included
D31	Inside Rearview Mirror w/Tilt	Included	Included
DLF	Heated Power-Adjustable Outside Mirrors	Included	Included
FE9	Federal Emissions Requirements	NC	NC
G80	Auto-Locking Rear Differential	\$359.45	\$395.00
GAZ_01	(0 P) Summit White	NC	NC
GU6	3.42 Rear Axle Ratio	STD	STD
H1T_01	(0 I) Jet Black w/Cloth Seat Trim	NC	NC
IOR	Radio: Chevrolet Infotainment 3 System	STD	STD
K34	Electronic Cruise Control	Included	Included
KC9	120-Volt Bed Mounted Power Outlet	Included	Included
KI4	120-Volt Instrument Panel Power Outlet	\$204.75	\$225.00
KW5	220 Amp Alternator	Included	Included
L3B	Engine: 2.7L Turbo High-Output	Included	Included
MQE	Transmission: 8-Speed Automatic	Included	Included
N33	Manual Tilt Wheel Steering Column	Included	Included
PAINT	Solid Paint	STD	STD
PCV	WT Convenience Package	Included	Included

CODE	DESCRIPTION	INVOICE	MSRP
PEB	WT Value Package	\$627.90	\$690.00
PED	Chevy Safety Assist	Included	Included
QBN	Tires: 255/70R17 AS BW	Included	Included
QBR	255/70R17 AS BW Spare Tire	Included	Included
QK1	Standard Tailgate	Included	Included
QT5	EZ Lift Power Lock & Release Tailgate	\$136.50	\$150.00
R7N	Not Equipped w/Steering Column Lock	\$-45.50	\$-50.00
RD6	Wheels: 17" x 8" Ultra Silver Painted Steel	Included	Included
RFO	Not Equipped w/Rear USB Ports	NA	NA
TQ5	IntelliBeam Automatic High Beam On/Off	Included	Included
UDC	3.5" Monochromatic Display Driver Info Center	Included	Included
UE4	Following Distance Indicator	Included	Included
UEU	Forward Collision Alert	Included	Included
UHX	Lane Keep Assist w/Lane Departure Warning	Included	Included
UHY	Automatic Emergency Braking	Included	Included
UKJ	Front Pedestrian Braking	Included	Included
UQF	6-Speaker Audio System	Included	Included
UVB	HD Rear Vision Camera	Included	Included
VH6	Black (Semi-Gloss) Front Bumper	Included	Included
VJG	Black (Semi-Gloss) Rear Bumper	Included	Included
Z82	Trailer Package	Included	Included
Z85	Standard Suspension Package	STD	STD

CONFIGURED FEATURES:

Body Exterior Features:

Number Of Doors: 4
Rear Cargo Door Type: tailgate
Driver And Passenger Mirror: power remote heated manual folding side-view door mirrors
Convex Driver Mirror: convex driver and passenger mirror
Door Handles: black
Front And Rear Bumpers: black front and rear bumpers with black rub strip
Rear Step Bumper: rear step bumper
Box Style: regular
Body Material: galvanized steel/aluminum body material
: class IV trailering with harness, hitch
Grille: black grille

Convenience Features:

Air Conditioning: manual air conditioning
Console Ducts: console ducts
Cruise Control: cruise control with steering wheel controls
Power Windows: power windows with front and rear 1-touch down
Remote Keyless Entry: keyfob (all doors) remote keyless entry
Illuminated Entry: illuminated entry
Integrated Key Remote: integrated key/remote
Auto Locking: auto-locking doors
Passive Entry: proximity key
Trunk FOB Controls: keyfob trunk/hatch/door release
Steering Wheel: steering wheel with manual tilting
Day-Night Rearview Mirror: day-night rearview mirror
Front Cupholder: front cupholder
Overhead Console: mini overhead console with storage
Glove Box: locking glove box
Driver Door Bin: driver and passenger door bins
Rear Door Bins: rear door bins
Seatback Storage Pockets: 2 seatback storage pockets
Dashboard Storage: dashboard storage
IP Storage: covered bin instrument-panel storage
Front Underseat Storage Tray: locking front underseat storage tray
Driver Footrest: driver's footrest
Retained Accessory Power: retained accessory power
Power Accessory Outlet: 1 12V DC power outlet
AC Power Outlet: 2 120V AC power outlet

Entertainment Features:

radio: AM/FM stereo with seek-scan
Radio Data System: radio data system
Speakers: 6 speakers
1st Row LCD: 1 1st row LCD monitor
Wireless Connectivity: wireless phone connectivity
Antenna: fixed antenna

Lighting, Vis bility and Instrumentation Features:

Headlamp Type: delay-off aero-composite halogen headlamps
Auto-levelling Headlights: auto-leveling headlights
Auto-Dimming Headlights: IntelliBeam auto high-beam headlights
Cab Clearance Lights: cargo bed light
Front Wipers: variable intermittent wipers
Rear Window Defroster: rear window defroster
Tinted Windows: deep-tinted windows
Dome Light: dome light with fade
Front Reading Lights: front and rear reading lights
Variable IP Lighting: variable instrument panel lighting

Display Type: analog appearance
Tachometer: tachometer
Voltmeter: voltmeter
Exterior Temp: outside-temperature display
Low Tire Pressure Warning: tire specific low-tire-pressure warning
Trip Computer: trip computer
Trip Odometer: trip odometer
Lane Departure Warning: lane departure
Front Pedestrian Braking: pedestrian detection
Following Distance Indicator: following distance alert
Forward Collision Alert: forward collision
Oil Pressure Gauge: oil pressure gauge
Water Temp Gauge: water temp. gauge
Engine Hour Meter: engine hour meter
Clock: in-radio display clock
Systems Monitor: systems monitor
Check Control: redundant digital speedometer
Rear Vision Camera: rear vision camera
Oil Pressure Warning: oil-pressure warning
Water Temp Warning: water-temp. warning
Battery Warning: battery warning
Low Oil Level Warning: low-oil-level warning
Low Coolant Warning: low-coolant warning
Lights On Warning: lights-on warning
Key in Ignition Warning: key-in-ignition warning
Low Fuel Warning: low-fuel warning
Low Washer Fluid Warning: low-washer-fluid warning
Door Ajar Warning: door-ajar warning
Brake Fluid Warning: brake-fluid warning
Turn Signal On Warning: turn-signal-on warning
Transmission Fluid Temperature Warning: transmission-fluid-temperature warning
Brake Pad Wear: brake pad wear

Safety And Security:

ABS four-wheel ABS brakes
Number of ABS Channels: 4 ABS channels
Brake Assistance: brake assist
Brake Type: four-wheel disc brakes
Vented Disc Brakes: front and rear ventilated disc brakes
Daytime Running Lights: daytime running lights
Spare Tire Type: full-size spare tire
Spare Tire Mount: underbody mounted spare tire w/crankdown
Driver Front Impact Airbag: driver and passenger front-impact airbags
Driver Side Airbag: seat-mounted driver and passenger side-impact airbags
Overhead Airbag: curtain 1st and 2nd row overhead airbag
Occupancy Sensor: front passenger airbag occupancy sensor
Seatbelt Pretensioners: front seatbelt pre-tensioners
3Point Rear Centre Seatbelt: 3 point rear centre seatbelt
Side Impact Bars: side-impact bars
Perimeter Under Vehicle Lights: remote activated perimeter/approach lights
Tailgate/Rear Door Lock Type: tailgate/rear door lock included with power door locks
Rear Child Safety Locks: rear child safety locks
Ignition Disable: immobilizer
Panic Alarm: panic alarm
Electronic Stability: StabiliTrak w/Proactive Roll Avoidance electronic stability stability control with anti-roll
Traction Control: ABS and driveline traction control
Front and Rear Headrests: manual adjustable front head restraints
Rear Headrest Control: 2 rear head restraints

Seats And Trim:

Seating Capacity max. seating capacity of 6

Front Bucket Seats: front split-bench 40-20-40 seats

Number of Driver Seat Adjustments: 4-way driver and passenger seat adjustments

Reclining Driver Seat: manual reclining driver and passenger seats

Driver Fore/Aft: manual driver and passenger fore/aft adjustment

Front Centre Armrest Storage: front centre armrest with storage

Rear Seat Type: rear 60-40 split-bench seat

Rear Folding Position: rear seat fold-up cushion

Leather Upholstery: cloth front and rear seat upholstery

Door Trim Insert: vinyl door panel trim

Headliner Material: full cloth headliner

Floor Covering: full vinyl/rubber floor covering

Cabback Insulator: cabback insulator

Dashboard Console Insert, Door Panel Insert Combination: metal-look instrument panel insert, door panel insert, console insert

Shift Knob Trim: urethane shift knob

Interior Accents: chrome interior accents

Standard Engine:

Engine 310-hp, 2.7-liter I-4 (regular gas)

Standard Transmission:

Transmission 8-speed automatic w/ OD and auto-manual

Prepared For: City of Gonzales, Texas				Date 01/30/2023	
Zella, Laura				AE/AM JP8/OA0	
Unit #					
Year	2023	Make	Chevrolet		Model Tahoe
Series Police Vehicle 4x2					
Vehicle Order Type	Ordered	Term 48	State TX	Customer# 583109	
\$ 38,313.31	Capitalized Price of Vehicle ¹				
\$ 0.00	*	License and Certain Other Charges <u>6.2500%</u> State <u>TX</u>			
\$ 158.50	*	Initial License Fee			
\$ 0.00	Registration Fee				
\$ 360.00	Other: (See Page 2)				
\$ 0.00	Capitalized Price Reduction				
\$ 0.00	Tax on Capitalized Price Reduction				
\$ 0.00	Gain Applied From Prior Unit				
\$ 0.00	*	Tax on Gain On Prior			
\$ 0.00	*	Security Deposit			
\$ 0.00	*	Tax on Incentive (Taxable Incentive Total : \$0.00)			
\$ 38,673.31	Total Capitalized Amount (Delivered Price)				
\$ 657.45	Depreciation Reserve @ <u>1.7000%</u>				
\$ 185.52	Monthly Lease Charge (Based on Interest Rate - Subject to a Floor) ²				
\$ 842.97	Total Monthly Rental Excluding Additional Services				
Additional Fleet Management					
Master Policy Enrollment Fees					
\$ 0.00	Commercial Automobile Liability Enrollment				
	Liability Limit <u>\$0.00</u>				
\$ 0.00	Physical Damage Management				Comp/Coll Deductible <u>0 / 0</u>
\$ 0.00	Full Maintenance Program ³ Contract Miles <u>0</u>				OverMileage Charge <u>\$ 0.0450</u> Per Mile
	Incl: # Brake Sets (1 set = 1 Axle) <u>0</u>				# Tires <u>0</u> Loaner Vehicle Not Included
\$ 0.00	Additional Services SubTotal				
\$ 0.00	Use Tax	<u>0.0000%</u>	State .		
\$ 842.97	Total Monthly Rental Including Additional Services				
\$ 7,115.71	Reduced Book Value at <u>48</u> Months				
\$ 400.00	Service Charge Due at Lease Termination				

All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

Order Information

Driver Name	Need to assign
Exterior Color	(0 P) Summit White
Interior Color	(0 I) Jet Black w/Cloth Seat Trim
Lic. Plate Type	Government
GVWR	0

All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

Order Information

Driver Name	Need to assign
Exterior Color	(0 P) Summit White
Interior Color	(0 I) Jet Black w/Cloth Seat Trim
Lic. Plate Type	Government
GVWR	0

Quote based on estimated annual mileage of 15,000
 (Current market and vehicle conditions may also affect value of vehicle)
 (Quote is Subject to Customer's Credit Approval)

Notes

Enterprise FM Trust will be the owner of the vehicle covered by this Quote. Enterprise FM Trust (not Enterprise Fleet Management) will be the Lessor of such vehicle under the Master Open - End (Equity) Lease Agreement and shall have all rights and obligations of the Lessor under the Master Open - End (Equity) Lease Agreement with respect to such vehicle. Lessee must maintain insurance coverage on the vehicle as set forth in Section 11 of the Master Open-End (Equity) Lease Agreement until the vehicle is sold.

ALL TAX AND LICENSE FEES TO BE BILLED TO LESSEE AS THEY OCCUR.

Lessee hereby authorizes this vehicle order, agrees to lease the vehicle on the terms set forth herein and in the Master Equity Lease Agreement and agrees that Lessor shall have the right to collect damages in the event Lessee fails or refuses to accept delivery of the ordered vehicle. Lessee certifies that it intends that more than 50% of the use of the vehicle is to be in a trade or business of the Lessee.

LESSEE City of Gonzales, Texas

BY	TITLE	DATE
----	-------	------

* INDICATES ITEMS TO BE BILLED ON DELIVERY.

¹ Capitalized Price of Vehicle May be Adjusted to Reflect Final Manufacturer's Invoice. Lessee Hereby Assigns to Lessor anyManufacturer Rebates And/Or Manufacturer Incentives Intended for the Lessee, Which Rebates And/Or Incentives Have Been UsedBy Lessor to Reduce the Capitalized Price of the Vehicle.

² Monthly Lease Charge Will Be Adjusted to Reflect the Interest Rate on the Delivery Date (Subject to a Floor).

³ The inclusion herein of references to maintenance fees/services are solely for the administrative convenience of Lessee. Notwithstanding the inclusion of such references in this [Invoice/Schedule/Quote], all such maintenance services are to be performed by Enterprise Fleet Management, Inc., and all such maintenance fees are payable by Lessee solely for the account of Enterprise Fleet Management, Inc., pursuant to that certain separate [Maintenance Agreement] entered into by and between Lessee and Enterprise Fleet Management, Inc.; provided that such maintenance fees are being billed by Enterprise FM Trust, and are payable at the direction of Enterprise FM Trust, solely as an authorized agent for collection on behalf of Enterprise Fleet Management, Inc.

Aftermarket Equipment Total

Description	(B)illed or (C)apped	Price
Legacy Auto Transporter	C	\$ 300.00
Total Aftermarket Equipment Billed		\$ 0.00
Total Aftermarket Equipment Capitalized		\$ 300.00
Aftermarket Equipment Total		\$ 300.00

Other Totals

Description	(B)illed or (C)apped	Price
Initial Administration Fee	C	\$ 60.00
Courtesy Delivery Fee	C	\$ 300.00
Total Other Charges Billed		\$ 0.00
Total Other Charges Capitalized		\$ 360.00
Other Charges Total		\$ 360.00

VEHICLE INFORMATION:

2023 Chevrolet Tahoe Police Vehicle 4x2 - US

Series ID: CC10706

Pricing Summary:

	INVOICE	MSRP
Base Vehicle	\$45,833.7	\$48,450.00
Total Options	\$-9,715.39	\$-329.00
Destination Charge	\$1,895.00	\$1,895.00
Total Price	\$38,013.31	\$50,016.00

SELECTED COLOR:

Exterior: GAZ-(0 P) Summit White
Interior: H1T-(0 I) Jet Black w/Cloth Seat Trim

SELECTED OPTIONS:

CODE	DESCRIPTION	INVOICE	MSRP
1FL	Preferred Equipment Group 1FL	NC	NC
5J3	Surveillance Mode Calibration Interior Lighting	Included	Included
6E2	SEO: Fleet Calibration (6E2)	\$22.75	\$25.00
9C1	Identifier for Police Package Vehicle	NC	NC
AKP	Non Tinted Solar Absorbing Glass	\$-268.45	\$-295.00
AMF	Remote Keyless Entry Package (SEO)	\$68.25	\$75.00
ATD	3rd Row Passenger Seat Delete	Included	Included
AU7	Fleet Common Key	Included	Included
AZ3	Front 40/20/40 Split-Bench Seat	STD	STD
C6C	GVWR: 7,400 lbs (3,357 kgs)	STD	STD
FE9	Federal Emissions Requirements	NC	NC
GAZ_01	(0 P) Summit White	NC	NC
GU5	3.23 Rear Axle Ratio	STD	STD
H1T_02	(0 I) Jet Black w/Cloth Seat Trim	NC	NC
IOR	Radio: Chevrolet Infotainment 3 System	STD	STD
K47	High-Capacity Air Cleaner	Included	Included
K6K	760 Cold-Cranking Amps Auxiliary Battery	Included	Included
KX4	250 Amps Alternator	Included	Included
L84	Engine: 5.3L EcoTec3 V8	STD	STD
MHU	Transmission: Electronic 10-Speed Automatic w/OD	STD	STD
NSS	Credit - Not Equipped with Automatic Stop/Start	\$-45.50	\$-50.00
PNTTBL01	Paint Table : Solid Paint	\$0.00	\$0.00
PXT	Wheels: 20" x 9" Steel	Included	Included
R6D	FLT - Bid Assistance/CE	\$-9,416.00	\$0.00
R7N	Not Equipped w/Steering Column Lock	\$-45.50	\$-50.00
R9Y	FLT - Fleet Maintenance Credit	\$-30.94	\$-34.00
RAV	Spare P275/55R20 AS BW Tire	Included	Included
RC1	Front Skid Plate	Included	Included
STD TM	Cloth Seat Trim	STD	STD
UQF	6-Speaker Audio System Feature	Included	Included
UT7	SEO: Ground Wires	Included	Included
V53	Luggage Rack Side Rails Delete	Included	Included
XCS	Tires: 275/55R20SL AS BW	Included	Included

CODE	DESCRIPTION	INVOICE	MSRP
Z56	Full Independent Suspension Package	Included	Included
ZY1	Solid Paint	STD	STD

CONFIGURED FEATURES:

Body Exterior Features:

Number Of Doors: 4
Rear Cargo Door Type: liftgate
Driver And Passenger Mirror: power remote heated manual folding side-view door mirrors
Spoiler: rear lip spoiler
Skid Plates: skid plates
Side Steps: yes
Door Handles: body-coloured
Front And Rear Bumpers: body-coloured front and rear bumpers
Rear Step Bumper: rear step bumper
Body Material: galvanized steel/aluminum body material
: class IV trailering with harness, hitch
Body Side Cladding: black bodyside cladding
Grille: grille with chrome bar

Convenience Features:

Air Conditioning: automatic dual-zone front air conditioning
Air Filter: air filter
Rear Air Conditioning: rear air conditioning with separate controls
Cruise Control: cruise control with steering wheel controls
Power Windows: power windows with front and rear 1-touch down
1/4 Vent Rear Windows: power rearmost windows
Remote Keyless Entry: keyfob (all doors) remote keyless entry
Illuminated Entry: illuminated entry
Integrated Key Remote: integrated key/remote
Auto Locking: auto-locking doors
Passive Entry: Keyless Open and Start proximity key
Trunk FOB Controls: keyfob trunk/hatch/door release
Steering Wheel: steering wheel with manual tilting, manual telescoping
Day-Night Rearview Mirror: day-night rearview mirror
Driver and Passenger Vanity Mirror: illuminated auxiliary driver and passenger-side visor mirrors
Emergency SOS: OnStar and Chevrolet connected services capable emergency communication system
Front Cupholder: front and rear cupholders
Overhead Console: mini overhead console
Glove Box: locking glove box
Driver Door Bin: driver and passenger door bins
Rear Door Bins: rear door bins
Seatback Storage Pockets: 2 seatback storage pockets
IP Storage: covered bin instrument-panel storage
Driver Footrest: driver's footrest
Retained Accessory Power: retained accessory power
Power Accessory Outlet: 1 12V DC power outlet
AC Power Outlet: 2 120V AC power outlet

Entertainment Features:

radio: AM/FM stereo with seek-scan
Voice Activated Radio: voice activated radio
Speed Sensitive Volume: speed-sensitive volume
Steering Wheel Radio Controls: steering-wheel mounted audio controls
Speakers: 6 speakers
Internet Access: Wi-Fi Hotspot capable internet access
TV Tuner: OnStar Turn-by-Turn Navigation turn-by-turn navigation directions
1st Row LCD: 2 1st row LCD monitor
Wireless Connectivity: wireless phone connectivity
Antenna: window grid antenna

Lighting, Visibility and Instrumentation Features:

Headlamp Type: delay-off aero-composite LED low/high beam headlamps
Front Wipers: variable intermittent Rainsense rain detecting wipers wipers

Rear Window wiper: fixed interval rear window wiper
Rear Window Defroster: rear window defroster
Front Reading Lights: front and rear reading lights
Ignition Switch: ignition switch light
Variable IP Lighting: variable instrument panel lighting
Display Type: analog appearance
Tachometer: tachometer
Voltmeter: voltmeter
Low Tire Pressure Warning: tire specific low-tire-pressure warning
Park Distance Control: Front and Rear Park Assist front and rear parking sensors
Trip Computer: trip computer
Trip Odometer: trip odometer
Oil Pressure Gauge: oil pressure gauge
Water Temp Gauge: water temp. gauge
Engine Hour Meter: engine hour meter
Clock: in-radio display clock
Systems Monitor: systems monitor
Check Control: redundant digital speedometer
Rear Vision Camera: rear vision camera
Oil Pressure Warning: oil-pressure warning
Water Temp Warning: water-temp. warning
Battery Warning: battery warning
Low Oil Level Warning: low-oil-level warning
Low Coolant Warning: low-coolant warning
Lights On Warning: lights-on warning
Key in Ignition Warning: key-in-ignition warning
Low Fuel Warning: low-fuel warning
Low Washer Fluid Warning: low-washer-fluid warning
Door Ajar Warning: door-ajar warning
Trunk Ajar Warning: trunk-ajar warning
Brake Fluid Warning: brake-fluid warning
Turn Signal On Warning: turn-signal-on warning
Transmission Fluid Temperature Warning: transmission-fluid-temperature warning

Safety And Security:

ABS four-wheel ABS brakes
Number of ABS Channels: 4 ABS channels
Brake Assistance: brake assist
Brake Type: four-wheel disc brakes
Vented Disc Brakes: front and rear ventilated disc brakes
Daytime Running Lights: daytime running lights
Spare Tire Type: full-size spare tire
Spare Tire Mount: underbody mounted spare tire w/crankdown
Driver Front Impact Airbag: driver and passenger front-impact airbags
Driver Side Airbag: seat-mounted driver and passenger side-impact airbags
Overhead Airbag: curtain 1st, 2nd and 3rd row overhead airbag
Occupancy Sensor: front passenger airbag occupancy sensor
Height Adjustable Seatbelts: height adjustable front seatbelts
Seatbelt Pretensioners: front seatbelt pre-tensioners
3Point Rear Centre Seatbelt: 3 point rear centre seatbelt
Side Impact Bars: side-impact bars
Tailgate/Rear Door Lock Type: tailgate/rear door lock included with power door locks
Rear Child Safety Locks: rear child safety locks
Ignition Disable: PASS-Key III immobilizer
Security System: security system
Panic Alarm: panic alarm
Tracker System: tracker system
Electronic Stability: electronic stability
Traction Control: ABS and driveline traction control
Front and Rear Headrests: manual adjustable front head restraints

Rear Headrest Control: 2 rear head restraints
Break Resistant Glass: break resistant glass

Seats And Trim:

Seating Capacity max. seating capacity of 6
Front Bucket Seats: front split-bench 40-20-40 seats
Number of Driver Seat Adjustments: 8-way driver and passenger seat adjustments
Reclining Driver Seat: power reclining driver and passenger seats
Driver Lumbar: power 2-way driver and passenger lumbar support
Driver Height Adjustment: power height-adjustable driver and passenger seats
Driver Fore/Aft: power driver and passenger fore/aft adjustment
Driver Cushion Tilt: power driver and passenger cushion tilt
Front Centre Armrest Storage: front centre armrest
Rear Seat Type: rear manual reclining 60-40 split-bench seat
Rear Seat Fore/Aft: manual rear seat fore/aft adjustment
Rear Folding Position: rear seat tumble forward
Rear Seat Armrest: rear seat centre armrest
Leather Upholstery: cloth front and rear seat upholstery
Headliner Material: full cloth headliner
Floor Covering: full vinyl/rubber floor covering
Interior Accents: chrome/metal-look interior accents
Cargo Space Trim: carpet cargo space
Trunk Lid: plastic trunk lid/rear cargo door
Cargo Light: cargo light
Concealed Cargo Storage: concealed cargo storage

Standard Engine:

Engine 355-hp, 5.3-liter V-8 (regular gas)

Standard Transmission:

Transmission 10-speed automatic w/ OD and auto-manual

Prepared For: City of Gonzales, Texas				Date 02/01/2023	
Zella, Laura				AE/AM JP8/OA0	
Unit #					
Year	2023	Make	Ford	Model	Maverick
Series	XL Front-Wheel Drive SuperCrew 4.5 ft. box 121.1 in. WB				
Vehicle Order Type	Ordered	Term	48	State	TX
		Customer#	583109		
\$ 24,905.00	Capitalized Price of Vehicle ¹				
\$ 0.00	*	License and Certain Other Charges <u>6.2500%</u> State <u>TX</u>			
\$ 158.50	*	Initial License Fee			
\$ 0.00	Registration Fee				
\$ 335.00	Other: (See Page 2)				
\$ 0.00	Capitalized Price Reduction				
\$ 0.00	Tax on Capitalized Price Reduction				
\$ 0.00	Gain Applied From Prior Unit				
\$ 0.00	*	Tax on Gain On Prior			
\$ 0.00	*	Security Deposit			
\$ 0.00	*	Tax on Incentive (Taxable Incentive Total : \$0.00)			
<hr/>					
\$ 25,240.00	Total Capitalized Amount (Delivered Price)				
\$ 378.60	Depreciation Reserve @ <u>1.5000%</u>				
\$ 141.11	Monthly Lease Charge (Based on Interest Rate - Subject to a Floor) ²				
<hr/>					
\$ 519.71	Total Monthly Rental Excluding Additional Services				
Additional Fleet Management					
Master Policy Enrollment Fees					
\$ 0.00	Commercial Automobile Liability Enrollment				
	Liability Limit <u>\$0.00</u>				
\$ 0.00	Physical Damage Management		Comp/Coll Deductible	<u>0 / 0</u>	
\$ 0.00	Full Maintenance Program ³ Contract Miles <u>0</u>		OverMileage Charge	<u>\$ 0.0450</u> Per Mile	
	Incl: # Brake Sets (1 set = 1 Axle) <u>0</u>		# Tires <u>0</u>	Loaner Vehicle Not Included	
<hr/>					
\$ 0.00	Additional Services SubTotal				
\$ 0.00	Use Tax	<u>0.0000%</u>	State .		
<hr/>					
\$ 519.71	Total Monthly Rental Including Additional Services				
<hr/>					
\$ 7,067.20	Reduced Book Value at <u>48</u> Months				
<hr/>					
\$ 400.00	Service Charge Due at Lease Termination				

All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

Order Information

Driver Name	Need to assign
Exterior Color	(0 P) Oxford White
Interior Color	(0 I) Black Onyx/Medium Dark Slate w/Front Cl
Lic. Plate Type	Government
GVWR	0

All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

Order Information

Driver Name	Need to assign
Exterior Color	(0 P) Oxford White
Interior Color	(0 I) Black Onyx/Medium Dark Slate w/Front Cl
Lic. Plate Type	Government
GVWR	0

Quote based on estimated annual mileage of 10,000
 (Current market and vehicle conditions may also affect value of vehicle)
 (Quote is Subject to Customer's Credit Approval)

Notes

Enterprise FM Trust will be the owner of the vehicle covered by this Quote. Enterprise FM Trust (not Enterprise Fleet Management) will be the Lessor of such vehicle under the Master Open - End (Equity) Lease Agreement and shall have all rights and obligations of the Lessor under the Master Open - End (Equity) Lease Agreement with respect to such vehicle. Lessee must maintain insurance coverage on the vehicle as set forth in Section 11 of the Master Open-End (Equity) Lease Agreement until the vehicle is sold.

ALL TAX AND LICENSE FEES TO BE BILLED TO LESSEE AS THEY OCCUR.

Lessee hereby authorizes this vehicle order, agrees to lease the vehicle on the terms set forth herein and in the Master Equity Lease Agreement and agrees that Lessor shall have the right to collect damages in the event Lessee fails or refuses to accept delivery of the ordered vehicle. Lessee certifies that it intends that more than 50% of the use of the vehicle is to be in a trade or business of the Lessee.

LESSEE City of Gonzales, Texas
 BY

TITLE

DATE

* INDICATES ITEMS TO BE BILLED ON DELIVERY.
¹ Capitalized Price of Vehicle May be Adjusted to Reflect Final Manufacturer's Invoice. Lessee Hereby Assigns to Lessor anyManufacturer Rebates And/Or Manufacturer Incentives Intended for the Lessee, Which Rebates And/Or Incentives Have Been UsedBy Lessor to Reduce the Capitalized Price of the Vehicle.
² Monthly Lease Charge Will Be Adjusted to Reflect the Interest Rate on the Delivery Date (Subject to a Floor).
³ The inclusion herein of references to maintenance fees/services are solely for the administrative convenience of Lessee. Notwithstanding the inclusion of such references in this [Invoice/Schedule/Quote], all such maintenance services are to be performed by Enterprise Fleet Management, Inc., and all such maintenance fees are payable by Lessee solely for the account of Enterprise Fleet Management, Inc., pursuant to that certain separate [Maintenance Agreement] entered into by and between Lessee and Enterprise Fleet Management, Inc.; provided that such maintenance fees are being billed by Enterprise FM Trust, and are payable at the direction of Enterprise FM Trust, solely as an authorized agent for collection on behalf of Enterprise Fleet Management, Inc.

Other Totals

Description	(B)illed or (C)apped	Price
Initial Administration Fee	C	\$ 60.00
Courtesy Delivery Fee	C	\$ 275.00
Total Other Charges Billed		\$ 0.00
Total Other Charges Capitalized		\$ 335.00
Other Charges Total		\$ 335.00

VEHICLE INFORMATION:

2023 Ford Maverick XL Front-Wheel Drive SuperCrew 4.5 ft. box 121.1 in. WB - US

Series ID: W8E

Pricing Summary:

	INVOICE	MSRP
Base Vehicle	\$21,751	\$22,195.00
Total Options	\$107.00	\$115.00
Destination Charge	\$1,495.00	\$1,495.00
Total Price	\$23,353.00	\$23,805.00

SELECTED COLOR:

Exterior:

YZ-(0 P) Oxford White

Interior:

9W-(0 I) Black Onyx/Medium Dark Slate w/Front Cloth Bucket Seats

SELECTED OPTIONS:

CODE	DESCRIPTION	INVOICE	MSRP
100A	Equipment Group 100A Standard	NC	NC
121WB	121" Wheelbase	STD	STD
19W	4G LTE Wi-Fi Hotspot Removal	NA	NA
9	Front Cloth Bucket Seats	Included	Included
425	50-State Emissions System	STD	STD
445	Transmission: Automatic Continuous Variable (CVT)	Included	Included
51D	Full Size Spare Tire	\$107.00	\$115.00
64Z	Wheels: 17" Steel w/Sparkle Silver Painted Cover	Included	Included
993	Engine: 2.5L Hybrid	Included	Included
9W_02	(0 I) Black Onyx/Medium Dark Slate w/Front Cloth Bucket Seats	NC	NC
C09	Priced DORA	NC	NC
PAINT	Monotone Paint Application	STD	STD
STDAX	2.91 Axle Ratio	Included	Included
STDGV	GVWR: 5,200 lbs	Included	Included
STDRD	Radio: AM/FM Stereo w/6 Speakers	Included	Included
STDTR	Tires: P225/65R17 A/S BSW	Included	Included
YZ_01	(0 P) Oxford White	NC	NC

CONFIGURED FEATURES:

Body Exterior Features:

Number Of Doors: 4
Rear Cargo Door Type: tailgate
Driver And Passenger Mirror: manual folding side-view door mirrors
Door Handles: black
Front And Rear Bumpers: body-coloured front and rear bumpers with black rub strip
Rear Step Bumper: rear step bumper
Box Style: regular
Body Material: galvanized steel/aluminum body material
Grille: black grille

Convenience Features:

Air Conditioning: automatic air conditioning
Air Filter: air filter
Cruise Control: cruise control with steering wheel controls
Fuel Remote Release: power fuel remote release
Power Windows: power windows with driver 1-touch down
Remote Keyless Entry: keyfob (all doors) remote keyless entry
Illuminated Entry: illuminated entry
Integrated Key Remote: integrated key/remote
Auto Locking: auto-locking doors
Steering Wheel: steering wheel with manual tilting, manual telescoping
Day-Night Rearview Mirror: day-night rearview mirror
Driver and Passenger Vanity Mirror: auxiliary driver and passenger-side visor mirrors
Emergency SOS: 911 Assist
Front Cupholder: front and rear cupholders
Floor Console: full floor console with covered box
Overhead Console: mini overhead console with storage
Glove Box: glove box
Driver Door Bin: driver and passenger door bins
Rear Door Bins: rear door bins
Seatback Storage Pockets: 1 seatback storage pockets
Dashboard Storage: dashboard storage
IP Storage: bin instrument-panel storage
Rear Underseat Storage Tray: rear underseat storage tray
Driver Footrest: driver's footrest
Retained Accessory Power: retained accessory power
Power Accessory Outlet: 2 12V DC power outlets

Entertainment Features:

radio: AM/FM stereo with seek-scan
Radio Data System: radio data system
Speed Sensitive Volume: speed-sensitive volume
Steering Wheel Radio Controls: steering-wheel mounted audio controls
Speakers: 6 speakers
1st Row LCD: 2 1st row LCD monitor
Wireless Connectivity: wireless phone connectivity
Antenna: integrated roof antenna

Lighting, Visibility and Instrumentation Features:

Headlamp Type: delay-off aero-composite LED low/high beam headlamps
Auto-Dimming Headlights: Ford Co-Pilot360 - Auto High Beam auto high-beam headlights
Cab Clearance Lights: cargo bed light
Tinted Windows: deep-tinted windows
Dome Light: dome light with fade
Front Reading Lights: front reading lights
Variable IP Lighting: variable instrument panel lighting
Display Type: analog appearance
Compass: compass

Exterior Temp: outside-temperature display
Low Tire Pressure Warning: tire specific low-tire-pressure warning
Trip Computer: trip computer
Trip Odometer: trip odometer
Front Pedestrian Braking: pedestrian detection
Forward Collision Alert: forward collision
Water Temp Gauge: water temp. gauge
Clock: in-radio display clock
Systems Monitor: systems monitor
Check Control: redundant digital speedometer
Rear Vision Camera: rear vision camera
Oil Pressure Warning: oil-pressure warning
Water Temp Warning: water-temp. warning
Battery Warning: battery warning
Lights On Warning: lights-on warning
Key in Ignition Warning: key-in-ignition warning
Low Fuel Warning: low-fuel warning
Low Washer Fluid Warning: low-washer-fluid warning
Bulb Failure Warning: bulb-failure warning
Door Ajar Warning: door-ajar warning
Trunk Ajar Warning: trunk-ajar warning
Brake Fluid Warning: brake-fluid warning

Safety And Security:

ABS four-wheel ABS brakes
Number of ABS Channels: 4 ABS channels
Brake Assistance: brake assist
Brake Type: four-wheel disc brakes
Vented Disc Brakes: front and rear ventilated disc brakes
Daytime Running Lights: daytime running lights
Spare Tire Type: full-size spare tire
Spare Tire Mount: underbody mounted spare tire w/crankdown
Driver Front Impact Airbag: driver and passenger front-impact airbags
Driver Side Airbag: seat-mounted driver and passenger side-impact airbags
Overhead Airbag: Safety Canopy System curtain 1st and 2nd row overhead airbag
Knee Airbag: knee airbag
Occupancy Sensor: front passenger airbag occupancy sensor
Height Adjustable Seatbelts: height adjustable front seatbelts
Seatbelt Pretensioners: front and rear seatbelt pre-tensioners
3Point Rear Centre Seatbelt: 3 point rear centre seatbelt
Side Impact Bars: side-impact bars
Tailgate/Rear Door Lock Type: manual tailgate/rear door lock
Rear Child Safety Locks: rear child safety locks
Ignition Disable: SecuriLock immobilizer
Panic Alarm: panic alarm
Electronic Stability: AdvanceTrac w/Roll Stability Control electronic stability stability control with anti-roll
Traction Control: ABS and driveline traction control
Front and Rear Headrests: manual adjustable front head restraints
Rear Headrest Control: 3 rear head restraints

Seats And Trim:

Seating Capacity max. seating capacity of 5
Front Bucket Seats: front bucket seats
Number of Driver Seat Adjustments: 6-way driver and passenger seat adjustments
Reclining Driver Seat: manual reclining driver and passenger seats
Driver Height Adjustment: manual height-adjustable driver and passenger seats
Driver Fore/Aft: manual driver and passenger fore/aft adjustment
Front Centre Armrest Storage: front centre armrest
Rear Seat Type: rear full bench seat
Rear Folding Position: rear seat fold-forward seatback
Leather Upholstery: cloth front and rear seat upholstery

Headliner Material: full cloth headliner

Floor Covering: full carpet floor covering

Dashboard Console Insert, Door Panel Insert Combination: coloured instrument panel insert, door panel insert, console insert

Shift Knob Trim: urethane shift knob

Floor Mats: carpet front floor mats

Standard Engine:

Engine 191-hp, 2.5-liter I-4 (hybrid regular gas)

Standard Transmission:

Transmission 2-speed CVT w/ OD

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-32 Approving Changes to the Building Official and Code Compliance Officer Job Descriptions and Current Position Classifications for Fiscal Year 2022-2023

DATE: February 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

In review of the job functions and oversight of the Code Compliance Officer by the City Manager, it has been determined that the position would be best fit to work under the supervisions of the Police Department. More specifically, under the direction of the Chief of Police. This will add a layer of oversight for the code compliance process, that in most cases will result in a submittal to the Municipal Court for processing. With the current Building Official position being vacant the Code Compliance Officer reports to the City Manager which does not allow for the level of oversight that is needed for compliance issues.

This resolution is approving the change in job descriptions for the Code Compliance Officer to ensure that it is listed as a direct report to the Chief of Police as well as the change to the Building Official description removing the Code Compliance Officer from being a direct report to this position. The classification will also be amended to add the Code Compliance Officer under the Police Department and remove it from the Community Services Department.

POLICY CONSIDERATIONS:

This resolution will amend the job descriptions for Building Official and Code Compliance Officer as well as the position classification for fiscal year 2022-2023.

FISCAL IMPACT:

The fiscal impact will be to remove the salary and financial responsibilities from 103-Community Services Department and add them to the 501-Police Department. Both Departments are funded within the general fund. This will not be an increase in funding and will only be done to reflect the correct expenditures in the correct departments. A budget amendment will be completed at the March meeting to reflect the changes and be presented for Council approval.

ATTACHMENTS:

Job descriptions, and position classifications.

STAFF RECOMMENDATIONS:

City staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING CHANGES TO THE BUILDING OFFICIAL AND CODE COMPLIANCE OFFICER JOB DESCRIPTIONS AND CURRENT POSITION CLASSIFICATIONS FOR FISCAL YEAR 2022-2023; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the job descriptions for the City of Gonzales employees are set in place to accurately describe the major responsibilities, essential functions and minimum requirements of each position; and

WHEREAS, it is the desire of staff to present the amended job descriptions and classifications to City Council for review and final approval; and

WHEREAS, the City Council and City Manager find there is a need to ensure that the job descriptions and job classifications are up to date with the most current departmental practices; and

WHEREAS, the City Council finds that approving the City of Gonzales job descriptions and job classifications as described herein 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, Texas approves Approving Changes to the Building Official and Code Compliance Officer Job Descriptions and Current Position Classifications for Fiscal Year 2022-2023 as set forth in the attached 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 9th day of February, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

**CITY OF GONZALES
POSITION DESCRIPTION**

TITLE: Building Official
DEPARTMENT: Community Development

JOB CODE: Full-Time
FLSA: Exempt

SUMMARY: This is an administrative position responsible for enforcing the city's building codes by ensuring that residential and commercial construction complies with applicable codes and ordinances. This position oversees the building, repair, and maintenance of all city structures and handles complaints of substandard housing and property. Has daily contact with the public and contractors requiring tact and courtesy. Is responsible for the preparation of reports and makes decisions requiring mature judgment. Also manages special projects as assigned by the City Manager. This position directly reports to the City Manager for supervision.

The intent of this position description is to provide a representative summary of the major duties and responsibilities performed by incumbent(s) in this position. Incumbent(s) may not be required to perform all duties in this description and incumbent(s) may be required to perform position-related tasks other than those specifically listed in this description.

Essential Job Functions:

- Assume management responsibility for all services and activities of the Building Inspection and City of Gonzales Code of Ordinances including administering, interpreting and enforcing adopted building codes, ordinances and regulations.
- Manage and participate in the development and implementation of goals, objectives, policies, and priorities for assigned programs; recommend, within departmental policy, appropriate service and staffing levels; recommend and administer policies and procedures.
- Continuously monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures; assess and monitor work load, administrative and support systems, and internal reporting relationships; identify opportunities for improvement and review with the Community Development Director; implement improvements.
- Select and evaluate ~~Code Enforcement and~~ Building Inspection personnel; provide or coordinate staff training; work with employees to correct deficiencies, provide timely, accurate and thorough Performance Reviews for supervised employees.
- Plan, direct, coordinate, and review the work plan for the Building Inspection and meet with staff to identify and resolve problems; assign work activities, projects and programs; monitor work flow; review and evaluate work products, methods and procedures.
- ~~Manage and participate in the development and administration of the Code Enforcement annual budget; direct the forecast of funds needed for staffing, equipment, materials, and supplies; direct the monitoring of and approve expenditures; direct and implement adjustments as necessary.~~
- Serve as liaison for the Building ~~Code~~-Enforcement with other City departments, divisions and outside agencies; negotiate and resolve significant and controversial issues.
- Review development codes with architects, engineers and developers; coordinate the permit process between developers and other City departments and divisions; respond to questions; mediate and resolve conflicts and complaints.
- Recommend modifications to building inspection ~~and code~~-enforcement programs, policies, and procedures as appropriate.
- Prepare statistical reports on operations and activities including budget program measurements.
- Review and update building and environmental codes to ensure constitutional compliance with state and federal laws; stay abreast of new and amended state and federal codes and ordinances; participate in code development meetings with various municipalities to adopt uniform code requirements.
- Issue citations and testify in court as necessary for Building Inspection and City of Gonzales Code of Ordinances.
- Stay abreast of new trends and innovations in the field of building inspection and environmental code inspection.
- Manage, direct, and coordinate the work of field personnel.
- Establish and coordinate the plans review process for proposed developments.

**CITY OF GONZALES
POSITION DESCRIPTION**

- Coordinate the exchange of comments from departments to the developer
- Insure all department equipment, vehicles and tools are properly and adequately maintained to the level of the manufacturer's recommendations or higher
- Other duties as assigned.

Required Knowledge and Skills:

- Skill in providing excellent customer service to persons of all ages, regardless of social or economic backgrounds.
- Knowledge of dispute resolution techniques
- Knowledge of comprehensive municipal operations
- Capable of interacting with all social groups
- Computer literate with related equipment, hardware and software
- Coordinate schedules with all departments
- Professional document preparation
- Effective oral and written communication skills

Required Education, Experience and Certificates:

- High School Diploma or equivalent
- Bachelor's degree preferred
- Valid Texas Driver's License
- Registered Code Enforcement Officer-3 years minimum
- Plumbing Inspector-Texas State Board of Plumbing Examiners
- Texas Department of License Registration-Journeyman Electrical License (minimum)
- International Code Council-(ICC) certified in the following within a 24 month period: Residential Building Inspector (B-1), Commercial Building Inspector (B-2), Building Plans Examiner (B-3)

Environmental Factors and Conditions/Physical Requirements:

- Work is performed in an office setting and outside environment
- May be subject to repetitive motion such as typing and vision to monitor
- May be subject to bending, reaching, kneeling and lifting (up to 50 lbs.)
- May be subject to dangerous machinery, exposure to extreme weather conditions, potential for physical harm, hazardous chemicals and infectious diseases

Equipment and Tools Utilized:

- Standard Office Equipment
- Equipment utilized may include City vehicles, machinery, construction and maintenance related tools and equipment.

**CITY OF GONZALES
POSITION DESCRIPTION**

TITLE: Code Compliance Officer

DEPARTMENT: ~~Community Development~~ Police Department

JOB CODE: Full-Time

FLSA: Non-Exempt

SUMMARY: This is an administrative position working under the supervision of the ~~Building Official~~ Chief of Police or designee to assist with the duties of inspection, code enforcement, zoning and light maintenance of City facilities. Has daily contact with the public and contractors requiring tact and courtesy. Is responsible for the preparation of reports and makes decisions requiring judgment. This position directly reports to the ~~Building Official~~ Chief of Police or designee for supervision.

The intent of this position description is to provide a representative summary of the major duties and responsibilities performed by incumbent(s) in this position. Incumbent(s) may not be required to perform all duties in this description and incumbent(s) may be required to perform position-related tasks other than those specifically listed in this description.

Essential Job Functions:

- Identify and investigate code violations regarding but not limited to junk vehicles, high grass/weeds, junk, litter, debris, unsecured buildings, signs, and zoning.
- Meet with property owners or occupants regarding code violations to pursue voluntary compliance.
- Write letters regarding code violations and mail certified return receipt as required.
- Maintain computer database regarding code violations.
- Solicit bids for contract to cleanup properties, secure buildings, mow grass, etc.
- Attend meetings as required
- File complaints in appropriate court, testify in court, and meet with City Attorney as needed.
- Maintain status file on code violations.
- Attend seminars and classes for code enforcement officers
- Acquire knowledge of Zoning Ordinance to ensure compliance regarding existing ordinances. and make recommendations to the Planning and Zoning Commission and to the Zoning Board of Adjustment.
- Other duties as assigned.

Required Knowledge and Skills:

- Skill in providing excellent customer service to persons of all ages, regardless of social or economic backgrounds.
- Knowledge of dispute resolution techniques
- Knowledge of comprehensive municipal operations
- Interactive with all social groups
- Computer literate with related equipment, hardware and software
- Professional document preparation
- Effective oral and written communication skills

Required Education, Experience and Certificates:

- High School Diploma or equivalent
- Valid Texas Driver's License
- Registered Code Enforcement Officer-able to obtain within one year

Environmental Factors and Conditions/Physical Requirements:

- Work is performed in an office setting and outside environment
- May be subject to repetitive motion such as typing and vision to monitor
- May be subject to bending, reaching, kneeling and lifting (up to 50 lbs.)
- May be subject to dangerous machinery, exposure to extreme weather conditions, potential for physical harm, hazardous chemicals and infectious diseases

Equipment and Tools Utilized:

- Standard Office Equipment
- Equipment utilized may include City vehicles, machinery and maintenance related tools and equipment¹²⁷

POSITION CLASSIFICATION		
DEPARTMENT	EEO CLASS	FLSA
100-102 Administration		
City Manager	Professional-01	Exempt
Superintendent of Public Works	Officials/Administrative-15	Exempt
Special Project Manager	Officials/Administrative-15	Exempt
Communications Manager	Officials/Administrative-15	Exempt
100-103 Community Development		
Building Official	Officials/Administrative-10	Exempt
Building Inspector	Officials/Administrative-10	Non-exempt
Code Compliance Officer	Administrative Support-15	Non-exempt
100-105 Main Street		
Main Street Manager	Administrative Support-01	Exempt
100-107 Building Maintenance		
Janitor	Service/Maintenance-15	Non-exempt
Maintenance	Skilled Craft-15	Non-exempt
Building Maintenance Superintendent	Skilled Craft-15	Non-exempt
100-108 City Secretary		
Director of Administrative Services/City Secretary	Officials/Administrative-15	Exempt
Administrative Assistant	Administrative Support-15	Non-exempt
100-109 Finance		
Director of Finance	Officials/Administrative-01	Exempt
Accountant I	Administrative Support-01	Non-exempt
Accountant II	Administrative Support-01	Non-exempt
100-201 Parks		
Parks and Recreation Director	Officials/Administrative-15	Exempt
Administrative Assistant	Administrative Support-01	Non-exempt
Crew Leader	Service/Maintenance-15	Non-exempt
Equipment Operator I (6)	Service/Maintenance-15	Non-exempt
Equipment Operator (Seasonal)	Service/Maintenance-15	Non-exempt
100-202 Swimming Pool		
Pool Manager (Seasonal)	Service/Maintenance-15	Non-exempt
Lifeguards-(Seasonal)	Service/Maintenance-15	Non-exempt
Pool Cashier (Seasonal)	Service/Maintenance-15	Non-exempt
100-204 Recreation		
Camp Supervisor (Seasonal)	Service/Maintenance-15	Non-exempt
Camp Instructors(Seasonal)	Service/Maintenance-15	Non-exempt
100-206 Golf		
Golf Course Superintendent	Service/Maintenance-15	Non-exempt
Grounds Keeper	Service/Maintenance-15	Non-exempt
Cashier (Part-time)	Officials/Administrative-01	Non-exempt

POSITION CLASSIFICATION		
DEPARTMENT	EEO CLASS	FLSA
100-301 Fire Department		
Chief (Part-time)	Officials/Administrative-05	Exempt
Battalion Chief (2)	Officials/Administrative-05	Exempt
Captain (3)	Professional-05	Non-exempt
Lieutenant (3)	Professional-05	Non-exempt
Firefighter (6)	Protective Services-05	Non-exempt
Firefighter (Part-time as needed)	Protective Services-05	Non-exempt
Firefighter Trainee	Protective Services-05	Non-exempt
100-501 Police Department		
Chief of Police	Officials/Administrative-04	Exempt
Assistant Chief	Officials/Administrative-04	Exempt
Captain	Professional-04	Exempt (not funded)
Criminal Services Lieutenant	Professional-04	Exempt
Support Services/Admin Lieutenant	Professional-04	Exempt
DEA Task Force Investigator	Technicians-04	Non-exempt
Patrol Sergeant (4)	Technicians-04	Non-exempt
Patrol Officer (12)	Protective Services-04	Non-exempt
Cadet	Protective Services-04	Non-exempt
Telecommunication Sergeant	Administrative Support-15	Non-exempt
Telecommunication Operator (4)	Administrative Support-15	Non-exempt
Telecommunication Operator (Part-time 1)	Administrative Support-15	Non-exempt
Police Records Clerk	Administrative Support-15	Non-exempt
Code Compliance Officer	Administrative Support-15	Non-exempt
100-504 Animal Control		
Animal Control Officer	Service/Maintenance-15	Non-exempt
100-550 Municipal Court		
Court Clerk	Administrative Support-01	Non-exempt
100-603 Street Department		
Street Director	Officials/Administrative-02	Exempt
Crew Leader/ Equipment Operator II	Skilled Craft-02	Non-exempt
Equipment Operator II (2)	Skilled Craft-02	Non-exempt
Equipment Operator I (3)	Skilled Craft-02	Non-exempt
100-650 Library		
Library Director	Officials/Administrative-15	Exempt
Librarian I (3)	Professionals-15	Non-exempt
Part-Time Librarian Assistant (1)	Professionals-15	Non-exempt
100-660 Museum		
Museum Director	Administrative Support-15	Non-exempt
Museum Worker (Part-time 1)	Administrative Support-15	Non-exempt
203-203 J.B. Wells Park		
Arena Operations Manager	Officials/Administrative-15	Non-exempt
Revenue Collections Clerk	Administrative Support-01	Non-exempt
Crew Leader	Service/Maintenance-15	Non-exempt
Equipment Operator I (4)	Service/Maintenance-15	Non-exempt
Equipment Operator (Seasonal)	Service/Maintenance-15	Non-exempt
210-710 Electric Department		
Electric Director/Liaison	Officials/Administrative-12	Exempt
Lineman I/Meter Reader	Skilled Craft-12	Non-Exempt
Hydro Plant Station Technician (Part-time 1)	Skilled Craft-12	Non-Exempt

POSITION CLASSIFICATION		
DEPARTMENT	EEO CLASS	FLSA
210-750 Revenue Collections		
Revenue Collections Supervisor	Administrative Support-01	Exempt
Revenue Collections Clerk (3)	Administrative Support-01	Non-exempt
220-720 Water Department		
Water Department Director	Officials/Administrative-13	Exempt
Crew Leader	Skilled Craft-13	Non-exempt
Water Operator I (2)	Skilled Craft-13	Non-exempt
Water Operator II	Skilled Craft-13	Non-exempt
230-730 Wastewater Department		
Wastewater Superintendent	Officials/Administrative-13	Exempt
Crew Leader (2)	Skilled Craft-13	Non-exempt
Operator I (3)	Skilled Craft-13	Non-exempt
Operator II (2)	Skilled Craft-13	Non-exempt
240-740 Solid Waste		
Equipment Operator I (2)	Skilled Craft-02	Non-exempt
500-811 Hotel/Motel		
Tourism Director	Professional-01	Exempt
700-700 Economic Development		
Economic Development President/CEO	Officials/Administrative-01	Exempt
Administrative Assistant to President/CEO	Administrative Support-01	Non-exempt

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving Ordinance #2023-4 Amending
Article 8.300 Noise of the City of Gonzales
Code of Ordinances

DATE: February 9, 2023

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

The City of Gonzales, Code of Ordinances is in need of an amendment to the Noise decibel level Ordinance in order to aid in the clarification and compliance to the decibel level in commercial properties and the proximity to residential areas. The Gonzales Police Department has received numerous complaints regarding excessive noise. In review of the current decibel level in comparison to the complaints that are received, it is recommended to lower the decibel level within the residential areas and those areas that abut residential districts.

A breakdown of the revisions:

- Clarifying the daytime/evening and nighttime hours.
- Revision to the decibel level within residential, commercial, and industrial zoned properties.
- Added provisions and decibel levels within 200 feet of residentially use zoned properties during nighttime hours (10:00 p.m.-7:00 a.m.).

POLICY CONSIDERATIONS:

This will clarify and provide additional guidance on the ordinance in the best interest of the citizens.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Redlined Ordinance

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this ordinance.

ORDINANCE NO. 2023-4

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, AMENDING THE GONZALES CODE OF ORDINANCES ARTICLE 8.300 NOISE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; ESTABLISHING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Gonzales (City), a home rule municipality, in accordance with the authorization of Texas statutes; and

WHEREAS, the City Council may from time to time choose to amend, supplement, change or modify the City's noise regulations; and

WHEREAS, the City of Gonzales understands that the issue of loud noise may occasionally be a public nuisance as may be generated from its public and private properties; and

WHEREAS, City staff has reviewed its current decibel levels in comparison to the number of complaints received regarding excessive noise; and

WHEREAS, the City Council finds that proposed amendments of the City's regulations relating noise nuisance enumeration within the City's corporate limits are in the best interest of the health, safety, and general welfare of the City.

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

Section 1. The City Council of the City of Gonzales, Texas hereby amends the City of Gonzales Code of Ordinances Article 8.300 Noise as set forth in the attached "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 Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. 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 4. 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 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. 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 7. This Ordinance shall become in force and effect from and after its final passage and it is so resolved.

PASSED AND APPROVED this 9th day of February, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

Exhibit “A”

ARTICLE 8.300
NOISE

§ 8.301 **Definitions and Standards.**

As used in this article, the following words and terms shall have the meanings respectively ascribed:

A-Weighted Sound Level. The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.

Chief of Police. The chief of police or his designees.

Daytime/Evening. The hours between ~~67:00~~ 7:00 a.m. and 10:00 p.m., ~~Sunday through Thursday, and 6:00 a.m. and 11:00 p.m., Friday and Saturday.~~ Monday through Sunday.

Impulsive Sound. Sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, and the discharge of firearms.

Leq. An average measure of continuous noise that has the equivalent acoustic energy of the fluctuating signal over the same time period. The time period of monitoring will be continuous over any two (2) hours and will use the A-weighting network reported in decibel units.

Nighttime. The hours between 10:00 p.m. and ~~67:00~~ 7:00 a.m., Monday through Sunday ~~through Thursday, and 11:00 p.m. and 6:00 a.m., Friday and Saturday.~~

Noise Nuisance. Any loud, irritating, vexing, or disturbing sound originating from a nearby property under separate ownership which causes injury, discomfort, or distress of a person of reasonable nervous sensibilities, or any sound that exceeds the maximum permitted sound levels specified in Section 8.302(a)(6)(B).

Sound Level. The weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network such as A, B, or C as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4-1983, R 2001). If the frequency weighing employed is not indicated, the A-weighting shall apply.

Sound Level Meter. An instrument which includes a microphone, amplifier, RMS detector, integrator or time averages, output meter, and weighting network used to measure sound pressure levels.

§ 8.302 **Noise Nuisance Enumeration.**

The following acts, among others not hereinafter enumerated, are declared to be “noise nuisances,” and are unlawful and in violation of the provisions of this article when such acts are done or accomplished or carried on in such a manner, or with such volume, intensity, or with continued

duration, so as to annoy, to distress, or to disturb the quiet, comfort, or repose of a person of reasonable nervous sensibilities, within the vicinity or hearing thereof, or so as to endanger or injure the safety or health of humans or animals, or so as to interfere with the physical well being of humans or animals, or so as to endanger or injure personal or real property:

- (1) The playing, permitting, or causing the playing of any radio, television, phonograph, drum, jukebox, nickelodeon, musical instrument, sound amplifier, or similar device which produces, reproduces, or amplifies sound.
- (2) Any loud or vociferous language, or any soliciting for, or description of, any amusement house, moving picture theater, or other like place of amusement, or for the performance therein, in the entrance thereto, the foyer or lobby thereof, or on the sidewalks adjoining the same.
- (3) The keeping of any animal, fowl, or bird, which makes frequent or long, continued noise.
- (4) The continued or frequent sounding of any horn or other signal device on any automobile or vehicle, motorcycle, bus or other vehicle, except as a danger signal.
- (5) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, automobile, motorcycle, or other motor vehicle or boat, except through a muffler or other device which prevents loud or explosive noises therefrom.
- (6) The erection, including construction, excavation, demolition, alteration, or repair work, or the permitting or causing thereof, of any building or other structure, or the operation or the permitting or causing the operation of any tools or equipment used in construction, excavation, drilling, demolition, alteration, or repair work.
 - (A) Other than during the daytime on weekdays; or
 - (B) At anytime such that the sound level at or across a real property boundary exceeds 80 dBA.
 - (C) This section shall not apply in cases of urgent necessity in the interest of public safety, or in cases of public convenience, including city sponsored or co-sponsored parades and public events.
- (7) The crying, calling, or shouting, in person or by mechanical device, or the use of any whistle, rattle, bell, gong, clapper, hammer, drum, horn, loudspeaker, or phonograph with or without an amplifier, hand organ, or other devices or instruments, musical or otherwise.
- (8) The raucous shouting, whistling, yelling, singing, hooting, or crying of peddlers, hawkers, vendors, or any other persons.
- (9) The making of noise that exceeds ~~sixty-three~~fifty (6350) decibels on residential zoned property as defined by Chapter 14, Zoning, when measured from property under separate ownership.

- (10) The making of noise in ~~business-commercial~~ zoned property as defined by chapter 14, zoning that exceeds ~~75-65~~ dB(A) decibels between daytime/evening hours ~~being between 8:00 a.m. and 11:00 p.m.~~ daily, and that exceeds ~~65-60~~ dB(A) decibels between nighttime hours ~~being 11:01 p.m. and 7:59 a.m.,~~ daily, when measured from property under separate ownership.
- (11) The making of noise that exceeds seventy-~~two-five~~ (~~7275~~) decibels on industrial zoned property as defined by Chapter 14, Zoning, when measured from property under separate ownership.
- (12) The making of noise that exceeds ~~eighty-five~~fifty (~~8550~~) decibels, ~~using the Leq method of noise measure for noise emanating from entertainment zoned property as defined by Chapter 14, Zoning, when measured from property under separate ownership in any residential use zone or within 200 feet of any residential use zone decibels during the nighttime hours.~~ Any adjacent property owned, leased, controlled, or managed by any person, entity, or any affiliate that directly or indirectly controls, is controlled by, or shares common control with the other entity that has an ownership interest or lease interest in the monitored property shall not be considered property under separate ownership for purposes of determining the boundaries of the noise source property in an entertainment district.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discussion, consideration and Council direction regarding the creation of a Beautification & Design Board

DATE: February 9, 2023

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

During the December 8, 2022 City Council meeting the Mayor requested the creation of a Beautification Committee be brought back to the Council for discussion and direction.

The vision of the board is as follows:

Beautification & Design Board

Statement of need:

The City of Gonzales has strong design elements – Independence Park, its historic homes, East Avenue and North Avenue, its downtown squares – but the general appearance of the vehicular approaches to the city and of the central business district can be said to be lackluster, and even uninviting.

A Beautification & Design Board is needed to help develop and steward a master plan for beautification of the city and to help sequence and guide resources and projects that support the master plan.

Format:

City Council approved board subject to Texas Open Meetings Act requirements. Meetings to be advertised in advance, minutes to be taken and recorded.

Scope of work:

Develop master plan for beautifying the city's public spaces and state roadways within city limits.
Vet and present beautification proposals to include public art and beautification projects.
Bring forward and provide input on ordinances to enhance beautification.

Membership:

Voting members – Up to 7 individuals approved by City Council. Candidates drawn from application pool. Recommend start up limited to 5 individuals and expand to 7 members later if desired.

Areas of content knowledge and expertise

Master planning

Funding strategy

Architecture

Structural facades

Public infrastructure design

Public art

City residency not required.

Staff liaison to be assigned by City Manager.

Engage representatives from other boards or city departments (Chamber, Main Street, Parks & Recreation, civic clubs, historical commission) on a project basis.

Sampling of current projects for review:

Gateway arch for central business district

Art Club mural in East Avenue Park

Independence Square designator sign

Sampling of future projects for review:

Water Street Bypass and Sarah DeWitt Blvd design

Landscape architecture in central business district

Sidewalk connecting Market Square to Heroes Square

Lighting in central business district

Wayfinding signage / banners

Adopt a Highway / Adopt A City Block concept

POLICY CONSIDERATIONS:

The Council will engage in discussions regarding the creation of the referenced board. If the Council so chooses, an item will be presented at the next City Council meeting to create the board within the City's Code of Ordinances.

CITY OF GONZALES FINANCIALS

FINANCIAL REPORTS FOR FUNDS AS OF 01/31/2023

CASH & INVESTMENT BY FUND AS OF 01/31/2023

QUARTERLY INVESTMENT REPORT ENDING 12/31/2022

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	521,705.30	1,221,834.17	41.42	0.00	1,728,021.83
402-FRANCHISE REVENUE	1,995,900.00	190,394.99	619,060.84	31.02	0.00	1,376,839.16
403-LICENSE/FEE/PERMITS	92,270.00	7,762.83	27,694.17	30.01	0.00	64,575.83
404-PARKS FEES REVENUE	293,310.00	17,163.59	82,494.33	28.13	0.00	210,815.67
405-MUNICIPAL COURT REVENUE	58,075.00	5,992.61	17,269.79	29.74	0.00	40,805.21
406-MISCELLANEOUS REVENUE	787,958.00	21,821.16	129,254.12	16.40	0.00	658,703.88
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	20,000.00	2,268.93	39,228.06	196.14	0.00	(19,228.06)
409-OTHER FINANCING REVENUE	131,410.00	9,170.00	184,521.73	140.42	0.00	(53,111.73)
410-TRANSFERS	2,832,618.00	0.00	682,221.48	24.08	0.00	2,150,396.52
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	9,161,397.00	776,279.41	3,003,578.69	32.79	0.00	6,157,818.31
	-----	-----	-----	-----	-----	-----
EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTMENT	84,966.00	3,222.15	18,599.33	21.94	38.90	66,327.77
102-CITY MANAGER DEPARTMENT	173,019.50	14,124.66	39,101.37	22.60	0.00	133,918.13
103-COMMUNITY DEVELOPMENT	212,459.00	11,261.98	58,506.07	27.54	0.00	153,952.93
104-NON-DEPARTMENTAL	594,772.00	19,860.16	182,604.13	30.70	0.00	412,167.87
105-MAIN STREET DEPARTMENT	119,785.00	7,840.73	36,449.73	30.43	0.00	83,335.27
106-ECONOMIC DEVELOPMENT	0.00	0.00	0.00	0.00	0.00	0.00
107-BUILDING MAINTENANCE	280,421.00	16,225.05	79,189.24	28.24	0.00	201,231.76
108-CITY SECRETARY DEPARTMENT	186,150.00	12,196.54	55,438.89	29.78	0.00	130,711.11
109-FINANCE DEPARTMENT	311,672.50	18,074.17	77,049.62	24.72	0.00	234,622.88
110-HOTEL/MOTEL	0.00	0.00	0.00	0.00	0.00	0.00
201-PARKS DEPARTMENT	730,292.00	51,479.36	218,253.09	31.51	11,857.51	500,181.40
202-SWIMMING POOL DEPARTMENT	28,425.00	0.00	424.87	1.49	0.00	28,000.13
204-RECREATION DEPARTMENT	18,314.00	0.00	263.00	1.44	0.00	18,051.00
206-INDEPENDENCE GOLF COURSE	301,199.00	21,746.56	86,000.74	28.55	0.00	215,198.26
301-FIRE DEPARTMENT	1,579,550.00	102,152.29	429,302.07	29.03	29,202.96	1,121,044.97
501-POLICE DEPARTMENT	2,768,595.00	207,752.25	882,036.95	32.34	13,230.29	1,873,327.76
504-ANIMAL CONTROL DEPARTMENT	186,241.00	11,575.43	53,194.66	28.56	0.00	133,046.34
550-MUNICIPAL COURT DEPARTMENT	113,216.00	6,130.39	32,545.48	28.75	0.00	80,670.52
602-AIRPORT DEPARTMENT	130,820.00	1,368.31	26,580.10	20.32	0.00	104,239.90
603-STREETS DEPARTMENT	751,550.00	94,402.93	289,146.39	38.51	297.82	462,105.79
650-LIBRARY DEPARTMENT	310,366.00	20,510.24	97,719.29	31.49	0.00	212,646.71
660-MUSEUM DEPARTMENT	98,085.00	10,466.66	72,621.59	74.04	0.00	25,463.41
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	8,979,898.00	630,389.86	2,735,026.61	31.07	54,627.48	6,190,243.91
	-----	-----	-----	-----	-----	-----
** REVENUES OVER (UNDER) EXPENDITURES **	181,499.00	145,889.55	268,552.08	117.87	(54,627.48)	(32,425.60)
	-----	-----	-----	-----	-----	-----

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	59,970.00	162,709.67	21.58	0.00	591,440.33
406-MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	754,150.00	59,970.00	162,709.67	21.58	0.00	591,440.33
EXPENDITURE SUMMARY						
203-JB WELLS PARK	935,649.00	43,255.78	187,945.76	20.09	(0.01)	747,703.25
*** TOTAL EXPENDITURES ***	935,649.00	43,255.78	187,945.76	20.09	(0.01)	747,703.25
** REVENUES OVER(UNDER) EXPENDITURES **	(181,499.00)	16,714.22	(25,236.09)	13.90	0.01	(156,262.92)

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	861,594.68	3,187,654.52	29.30	0.00	7,692,488.48
750-REVENUE COLLECTION	279,802.00	1,692.42	60,202.78	21.52	0.00	219,599.22
809-HYDRO PLANT CONST.	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	11,159,945.00	863,287.10	3,247,857.30	29.10	0.00	7,912,087.70
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	10,706,897.00	576,425.95	3,337,970.21	36.58	578,683.66	6,790,243.13
750-REVENUE COLLECTIONS	304,792.00	18,685.82	93,627.99	30.72	0.00	211,164.01
809-HYDRO PLANT CONST.	146,000.00	0.00	0.00	0.00	0.00	146,000.00
*** TOTAL EXPENDITURES ***	11,157,689.00	595,111.77	3,431,598.20	35.94	578,683.66	7,147,407.14
** REVENUES OVER(UNDER) EXPENDITURES **	2,256.00	268,175.33	(183,740.90)	795.41-	(578,683.66)	764,680.56

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	218,879.64	877,792.52	28.24	0.00	2,230,657.48
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	3,108,450.00	218,879.64	877,792.52	28.24	0.00	2,230,657.48
	-----	-----	-----	-----	-----	-----
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	2,298,310.00	351,646.53	909,447.98	40.39	18,885.70	1,369,976.32
722-SERIES 2011 DEBT SERV	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	2,298,310.00	351,646.53	909,447.98	40.39	18,885.70	1,369,976.32
	-----	-----	-----	-----	-----	-----
** REVENUES OVER (UNDER) EXPENDITURES **	810,140.00	(132,766.89)	(31,655.46)	6.24-	(18,885.70)	860,681.16
	-----	-----	-----	-----	-----	-----

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	113,359.30	480,546.77	27.07	0.00	1,294,953.23
731-W/W GRANT PROJECTS	0.00	0.00	321,641.56	0.00	0.00	(321,641.56)
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,775,500.00	113,359.30	802,188.33	45.18	0.00	973,311.67
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,663,508.00	76,307.87	629,678.65	38.65	13,338.00	1,020,491.35
731-W/W GRANT PROJECTS	0.00	8,975.85	649,276.19	0.00	0.00	(649,276.19)
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	1,663,508.00	85,283.72	1,278,954.84	77.68	13,338.00	371,215.16
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	111,992.00	28,075.58	(476,766.51)	437.62-	(13,338.00)	602,096.51
	=====	=====	=====	=====	=====	=====

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	69,687.10	275,566.26	33.11	0.00	556,783.74
*** TOTAL REVENUES ***	832,350.00	69,687.10	275,566.26	33.11	0.00	556,783.74
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	832,217.00	67,037.50	281,953.91	36.42	21,135.54	529,127.55
*** TOTAL EXPENDITURES ***	832,217.00	67,037.50	281,953.91	36.42	21,135.54	529,127.55
** REVENUES OVER (UNDER) EXPENDITURES **	133.00	2,649.60	(6,387.65)	694.13-	(21,135.54)	27,656.19

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	190,191.57	23.23	0.00	628,421.43
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	818,613.00	0.00	190,191.57	23.23	0.00	628,421.43
	-----	-----	-----	-----	-----	-----
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	815,613.00	0.00	500.00	0.06	0.00	815,113.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	815,613.00	0.00	500.00	0.06	0.00	815,113.00
	-----	-----	-----	-----	-----	-----
** REVENUES OVER (UNDER) EXPENDITURES **	3,000.00	0.00	189,691.57	323.05	0.00	(186,691.57)
	-----	-----	-----	-----	-----	-----

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	47,295.81	177,980.99	50.22	0.00	176,419.01
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	47,295.81	177,980.99	50.22	0.00	176,419.01
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	23,982.47	82,998.46	15.84	0.00	441,027.54
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	43.83	0.00	0.00	(43.83)
*** TOTAL EXPENDITURES ***	524,026.00	23,982.47	83,042.29	15.85	0.00	440,983.71
** REVENUES OVER (UNDER) EXPENDITURES **	(169,626.00)	23,313.34	94,938.70	55.97-	0.00	(264,564.70)

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	30.44	1,206.19	50.26	0.00	1,193.81
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	2,400.00	30.44	1,206.19	50.26	0.00	1,193.81
	-----	-----	-----	-----	-----	-----
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)	30.44	1,206.19	75.39-	0.00	(2,806.19)
	-----	-----	-----	-----	-----	-----

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	10,822.36	14,312.31	11.19	0.00	(14,202.31)
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	110.00	10,822.36	14,312.31	11.19	0.00	(14,202.31)
	-----	-----	-----	-----	-----	-----
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)	10,822.36	14,312.31	58.53~	(2,377.34)	(32,324.97)
	-----	-----	-----	-----	-----	-----

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	241.74	867.88	50.46	0.00	852.12
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,720.00	241.74	867.88	50.46	0.00	852.12
	-----	-----	-----	-----	-----	-----
EXPENDITURE SUMMARY						
814-MUNICIPAL COURT	14,927.00	47.65	3,973.15	26.62	0.00	10,953.85
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	14,927.00	47.65	3,973.15	26.62	0.00	10,953.85
	-----	-----	-----	-----	-----	-----
** REVENUES OVER (UNDER) EXPENDITURES **	(13,207.00)	194.09	(3,105.27)	23.51	0.00	(10,101.73)
	-----	-----	-----	-----	-----	-----

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	380.00	227.43	918.63	241.74	0.00	(538.63)
*** TOTAL REVENUES ***	380.00	227.43	918.63	241.74	0.00	(538.63)
EXPENDITURE SUMMARY						
815-ROBERT LEE BROTHERS	52,200.00	92.25	14,049.43	41.53	7,626.89	30,523.68
*** TOTAL EXPENDITURES ***	52,200.00	92.25	14,049.43	41.53	7,626.89	30,523.68
** REVENUES OVER (UNDER) EXPENDITURES **	(51,820.00)	135.18	(13,130.80)	40.06	(7,626.89)	(31,062.31)

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2023

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	101,955.09	375,190.97	37.49	0.00	625,604.03
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,000,795.00	101,955.09	375,190.97	37.49	0.00	625,604.03
	-----	-----	-----	-----	-----	-----
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,903,448.00	48,476.50	205,125.61	10.78	0.00	1,698,322.39
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	1,903,448.00	48,476.50	205,125.61	10.78	0.00	1,698,322.39
	-----	-----	-----	-----	-----	-----
** REVENUES OVER (UNDER) EXPENDITURES **	(902,653.00)	53,478.59	170,065.36	18.84-	0.00	(1,072,718.36)
	-----	-----	-----	-----	-----	-----

VGL

CASH & INVESTMENTS BY FUND

AS OF: JANUARY 31ST, 2023

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
100-GENERAL FUND			
=====			
<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	1,178,073.90	
100 1-001.501	CASH-GENERAL FUND RBFCU	62,534.68	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	111,164.48	

	TOTAL CASH	1,351,773.06	
<u>INVESTMENTS</u>			
100 1-103.409	RBFCU-SAVINGS ACCOUNT		0.00
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		226,335.05
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		24,324.43

	TOTAL INVESTMENTS		250,659.48
<u>POOLED INVESTMENTS</u>			
100 1-104.002	TEXPOOL- GENERAL FUND		2,389,647.84
100 1-104.003	TEXPOOL-CLFRF PART II - ARPA		828,302.81

	TOTAL POOLED INVESTMENTS		3,217,950.65

	TOTAL 100-GENERAL FUND	1,351,773.06	3,468,610.13
203-JB WELLS FUND			
=====			
<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	(466,708.96)	

	TOTAL CASH	(466,708.96)	

	TOTAL 203-JB WELLS PARK FUND	(466,708.96)	0.00
210-ELECTRIC FUND			
=====			
<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	206,200.63	
210 1-001.606	CASH CUSTOMER METER DEPOSIT	216,956.80	

	TOTAL CASH	423,157.43	

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>INVESTMENTS</u>			
210 1-103.410	CERT OF DEP - SOUTH STAR BANK		282,857.59
TOTAL INVESTMENTS			282,857.59
<u>POOLED INVESTMENTS</u>			
210 1-104.002	TEXPOOL- ELECTRIC FUND		1,764,115.90
TOTAL POOLED INVESTMENTS			1,764,115.90
TOTAL 210-ELECTRIC FUND		423,157.43	2,046,973.49
<hr/>			
220-WATER FUND			
=====			
<u>CASH</u>			
220 1-001.000	CASH - WATER FUND	635,372.21	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	31,929.00	
TOTAL CASH		667,301.21	
<u>POOLED INVESTMENTS</u>			
220 1-104.002	TEXPOOL- WATER FUND		1,928,617.72
220 1-104.103	TEXPOOL - CO SERIES 2019		0.00
TOTAL POOLED INVESTMENTS			1,928,617.72
TOTAL 220-WATER FUND		667,301.21	1,928,617.72
<hr/>			
230-WASTEWATER FUND			
=====			
<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	(207,759.06)	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	2,414.00	
TOTAL CASH		(205,345.06)	
<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		914,587.36
230 1-104.003	TEXPOOL-CLFRF PART I -ARPA W/W		196,728.95
230 1-104.102	CASH - CO SERIES 2019		0.00
TOTAL POOLED INVESTMENTS			1,111,316.31
TOTAL 230-WASTEWATER FUND		(205,345.06)	1,395,316.28

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<hr/>			
240-SOLID WASTE			
=====			
<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	127,867.99	

	TOTAL CASH	127,867.99	

	TOTAL 240-SOLID WASTE FUND	127,867.99	0.00
<hr/>			
250-DSF PROPRIETARY			
=====			
<u>CASH</u>			
250 1-001.000	CASH-DSF PROPRIETARY	0.00	

	TOTAL CASH	0.00	

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

	TOTAL CASH	0.00	
<hr/>			
<u>POOLED INVESTMENTS</u>			
300 1-104.101	CASH-CO SERIES 2019 CIP STREET		0.00
300 1-104.102	CASH-CO SERIES 2019 CIP W/W		0.00
300 1-104.103	CASH-CO SERIES 2019 CIP WATER		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			
=====			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCT	0.00	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	470,784.19	

	TOTAL CASH	470,784.19	

	TOTAL 400-DSF GOVERNMENT ACTIVITIES	470,784.19	0.00

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
----------------	--------------	------	-------------

500-HOTEL/MOTEL FUND
=====

<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCT	0.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	838,079.09	
500 1-001.503	CASH - MUSEUM FUNDS	0.00	
500 1-001.504	CASH - FORFEITURES	0.00	
500 1-001.505	CASH - MUN CRT CHILD SAFETY	0.00	
500 1-001.506	CASH - MUN CRT SECURITY	0.00	
500 1-001.507	CASH - MUN CRT TECH	0.00	
500 1-001.508	CASH - SPECIAL EXPENSE	0.00	
500 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	0.00	
TOTAL CASH		838,079.09	
TOTAL 500-HOTEL/MOTEL FUND		838,079.09	0.00

501-MEMORIAL MUSEUM FUND
=====

<u>CASH</u>			
501 1-001.000	CASH - CONTROL ACCT.	0.00	
501 1-001.503	CASH - MUSEUM FUNDS	7,963.00	
TOTAL CASH		7,963.00	
TOTAL 501-MEMORIAL MUSEUM FUND		7,963.00	0.00

502-FORFEITURES
=====

<u>CASH</u>			
502 1-001.000	CASH - CONTROL ACCOUNT	0.00	
502 1-001.504	CASH - FORFEITURES FEDERAL	33,537.45	
502 1-001.505	CASH-FORFEITURES -STATE	5,280.33	
TOTAL CASH		38,817.78	
TOTAL 502-FORFEITURE FUND		38,817.78	0.00

503-MUNICIPAL COURT
=====

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>CASH</u>			
503 1-001.000	CASH - CONTROL ACCOUNT	0.00	
503 1-001.505	CASH - MUN CRT CHILD SAFETY	5,178.24	
503 1-001.506	CASH - MUN CRT SECURITY	21,601.50	
503 1-001.507	CASH - MUN CRT TECH	934.51	
503 1-001.508	CASH - SPECIAL EXPENSE	3,167.53	

TOTAL CASH		30,881.78	

TOTAL 503-MUNICIPAL COURT		30,881.78	0.00

504-ROBERT L. BROTHERS

<u>CASH</u>			
504 1-001.000	CASH - CONTROL ACCOUNT	0.00	
504 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	57,068.34	

TOTAL CASH		57,068.34	

TOTAL 504-ROBERT LEE BROTHERS FUND		57,068.34	0.00

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

700-COMPONENT UNIT

<u>CASH</u>			
700 1-001.000	CASH -CONTROL ACCOUNT	(8.61)	
700 1-001.101	CASH - ECONOMIC DEV CORP	2,831,997.95	

TOTAL CASH		2,831,989.34	

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>INVESTMENTS</u>			
700 1-103.413	CERT OF DEPOSIT -FNB GONZALES		1,000,000.00

TOTAL INVESTMENTS			1,000,000.00

TOTAL 700-GONZALES ECONOMIC DEV		2,831,989.34	1,000,000.00

FUND TOTAL OTHER INVESTMENTS			1,817,517.04
FUND TOTAL POOLED INVESTMENTS			8,022,000.58

TOTAL CASH AND INVESTMENTS		6,173,629.19	9,839,517.62
			=====

*** END OF REPORT ***

CITY OF GONZALES PORTFOLIO
QUARTERLY REPORT FOR THE PERIOD ENDING
12/31/2022

90

Description	Yield Rate	Purchase / Renewal Date	Maturity Date	Book Value 09/30/22	Market Value 09/30/22	Accrued Interest 09/30/22	Book Value 12/31/22	Market Value 12/31/22	Accrued Interest 12/31/22
Investment Pools									
Texpool - General Fund	N/A	N/A	N/A	2,666,012.43	2,666,012.43	-	2,689,647.84	2,689,647.84	-
Texpool - Electric Fund	N/A	N/A	N/A	1,996,416.67	1,996,416.67	-	2,014,115.90	2,014,115.90	-
Texpool - Water Fund	N/A	N/A	N/A	1,911,669.83	1,911,669.83	-	1,928,617.72	1,928,617.72	-
Texpool - Wastewater Fund	N/A	N/A	N/A	1,204,704.43	1,204,704.43	-	914,587.36	914,587.36	-
Texpool - Coronavirus Local Fiscal Recovery	N/A	N/A	N/A	1,284,359.04	1,284,359.04	-	1,032,431.76	1,032,431.76	-
Texpool - Cert. of Obligation 2019	N/A	N/A	N/A	153,418.41	153,418.41	-	0.00	0.00	-
RBF CU - Savings Account	N/A	N/A	N/A	62,487.42	62,487.42	-	62,534.68	62,534.68	-
Certificates of Deposit									
General Fund - (RBF CU) 100-1-103.410	0.750%	3/19/2022	3/18/2024	225,907.72	225,907.72	426.52	226,335.05	226,335.05	427.33
Electric Fund - (SSB) 210-1-103.410	0.600%	12/11/2021	12/11/2023	282,435.10	282,435.10	426.49	282,857.59	282,857.59	422.49
Wastewater Fund - (SSB) 230-1-103.411	1.500%	10/13/2022	10/13/2024	283,214.73	283,214.73	774.58	283,999.97	283,999.97	785.24
TOTAL PORTFOLIO				10,070,625.78	10,070,625.78	1,627.59	9,435,127.87	9,435,127.87	1,635.06

CITY OF GONZALES PORTFOLIO SUMMARY
Activity for Quarter Ending
December 31, 2022

	Book Value	Market Value	Ratio
Total Investments at beginning of Quarter	10,070,625.78	10,070,625.78	100.00%
Investment Pool Interest Reinvested	79,027.04	79,027.04	
Investment Pool Increases	0.00	0.00	
Investment Pool Withdrawals	716,160.01	716,160.01	
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	1,635.06	1,635.06	
Investments at End of Quarter	9,435,127.87	9,435,127.87	100.00%

As of 12/31/2022 all investments are in compliance with the Investment Policy of the City of Gonzales.

 Laura Zalla, Finance Director



CITY OF GONZALES PORTFOLIO
 QUARTERLY REPORT FOR THE PERIOD ENDING
 12/31/2022

<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						
RBFCU - General Fund	0.750%	3/18/2024	8,641,935.26	0.915932	1	0.92
Lone Star Bank - Electric	0.600%	12/11/2023	226,335.05	0.023989	443	10.63
Lone Star Bank - Wastewater	1.500%	10/13/2024	282,857.59	0.029979	345	10.34
			283,999.97	0.030100	652	19.63
TOTAL PORTFOLIO			9,435,127.87	100%	1,441	41.51