

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

PUBLIC HEARING

Conduct a Public Hearing to take Public Comment on the closeout of Grant #20-065-075-C203 from the General Land Office (GLO) in the amount of \$852,300 for the infrastructure improvements to wastewater lines damaged as a result of Hurricane Harvey

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-Amended and February 9, 2023 Regular Meeting
- 1.2 Certification of Unopposed Candidate and Order of Cancellation:
Council District 4-Ronda Miller

- 1.3 Discuss, Consider & Possible Action on **Resolution #2023-33** 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 #2023-34** Authorizing the use of the Parking Lot at the 400 Block of St. Paul Street, and designated street closures for the Gonzales Main Street City-Wide Yard Sale on April 15, 2023
- 1.5 Discuss, Consider & Possible Action on **Resolution #2023-35** Authorizing Gonzales Main Street's Use of Texas Heroes Square including the Parking Lot, Designated Street Closures, and Sale and Consumption of Alcoholic Beverages for the Cinco de Mayo & Trade Days Event on May 6, 2023
- 1.6 Discuss, Consider & Possible Action on **Resolution #2023-36** Authorizing Gonzales Main Street's Use of Independence Square including the Parking Lot and Designated Street Closures and Consumption of Alcoholic Beverages for the Juneteenth Celebration Event on June 17, 2023
- 1.7 Discuss, Consider & Possible Action on **Resolution #2023-37** Authorizing Gonzales Main Street's Use of the Brickyard Area of Independence Park, Independence Square including the Parking Lot, Designated Street Closures, and Sale and Consumption of Alcoholic Beverages for the Star-Spangled Spectacular Event on July 4, 2023
- 1.8 Discuss, Consider & Possible Action on **Resolution #2023-38** Authorizing Gonzales Main Street's Use of Independence Square including the Parking Lot, Designated Street Closures, and Consumption of Alcoholic Beverages for the Back to School Bash Event on August 5, 2023
- 1.9 Discuss, Consider & Possible Action on **Resolution #2023-39** Joining with the State Of Texas and Political Subdivisions of the State as a Party in the Texas Opioid Settlement Agreements Secured by the Office of the Attorney General; Authorizing the City Manager to Execute Settlement Participation Forms
- 1.10 Discuss, Consider & Possible Action on **Resolution #2023-40** Accepting and Approving the Change Order to the 2021 Utility Projects with Qro Mex Construction in amount of \$73,633.78 for the replacement of the Waterline in the 400 Block of St. Andrew Street

RESOLUTIONS

- 2.1 Discuss, Consider & Possible Action on **Resolution #2023-41** Suspending the April 10, 2023 Effective Date of the proposal by Texas Gas Service Company, A Division of One Gas, Inc. – Central-Gulf Service Area, to implement Interim Grip Rate Adjustments for Gas Utility Investment In 2022
- 2.2 Discuss, Consider & Possible Action on **Resolution #2023-42** Authorizing the Appointments to the Gonzales Convention & Visitors Bureau and Main Street Advisory Board

- 2.3 Discuss, Consider & Possible Action on **Resolution #2023-43** Rejecting the Proposals received for the 2022 Street Improvement Projects
- 2.4 Discuss, Consider & Possible Action on **Resolution #2023-44** Approving the Amendments and updates to the Bylaws of the Gonzales Volunteer Fire Department
- 2.5 Discuss, Consider & Possible Action on **Resolution #2023-45** Authorizing the City Manager to negotiate and enter into a Memorandum of Understanding with the Edwards Association for the placement of a monument at Independence Square commemorating the post-Civil-War rise and progress of the African-American people in Gonzales County
- 2.6 Discussion, Consideration and Possible Action on **Resolution #2023-46** Appointing the Municipal Court Judge for Judicial Services for the City of Gonzales
- 2.7 Discuss, Consider and Possible Action on **Resolution #2023-47** Approving an Amended and Restated Performance Agreement by and Between the Gonzales Economic Development Corporation and Main Street, Inc.

ORDINANCE

- 3.1 Discuss, Consider & Possible Action on **Ordinance #2023-5** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2022 and Ending September 30, 2023
- 3.2 Discuss, Consider & Possible Action on **Ordinance #2023-6** Amending Chapter 12 Traffic and Vehicles of the City of Gonzales Code of Ordinances Adding Article 12.2000 Utility Vehicles; All-Terrain Vehicles of Golf Carts on Public Street, Parking Area and/or Traffic Way
- 3.3 Discuss, Consider & Possible Action on **Ordinance #2023-7** Adding Section 9.309 Beautification Committee and amending Articles 9.400 Rules of Procedure Decorum and Ethics and 9.500 Code of Ethics and Conduct for City Officials and Employees of the City of Gonzales Code of Ordinances

STAFF/BOARD REPORTS

- 4.1 Finance Director will provide feedback on any questions regarding:
 - Financial Reports for funds as of February 28, 2023

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) Discussions regarding Articles 9.400 Rules of Procedure Decorum and Ethics and 9.500 Code of Ethics and Conduct for City Officials and Employees of the City of Gonzales Code of Ordinances

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 March 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 March, 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.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Conduct a Public Hearing on the Closeout of the General Land Office (GLO) Community Development Block Grant Disaster Response (CDBG-DR) grant, in the amount of \$852,300, awarded to the City of Gonzales for Wastewater Infrastructure Improvements Needed as a Result of Hurricane Harvey

DATE: March 9, 2023

TYPE AGENDA ITEM:

Public Hearing

BACKGROUND:

In August of 2017, the City of Gonzales suffered damage to wastewater lines as a result of Hurricane Harvey. The State of Texas Government Land Office (GLO) through the Golden Crescent Council of Governments allocated \$852,300.00 in CDBG – DR (Disaster Recovery Funding) to the City of Gonzales for infrastructure improvements as a result of disaster declaration DR-4332-2017. The project is complete and all grant milestones have been met.

POLICY CONSIDERATIONS:

A final Public Hearing on the closeout of the grant activities is a requirement of the grant and the City of Gonzales Citizen Participation Plan.

FISCAL IMPACT:

N/A



TXGLO

CITY OF GONZALES GRANT CLOSEOUT

TEXAS GENERAL
LAND OFFICE

community development & revitalization



CITY OF GONZALES, TEXAS

Grant # 20-065-075-C203

- On 2/10/2020, the City of Gonzales was awarded \$852,300 in grants funds from the General Land Office (GLO) to replace wastewater infrastructure damaged by Hurricane Harvey in 2017
- The City of Gonzales added an additional \$199,203 to the project
- Total project cost was \$1,051,503

Project Timeline

- Grant funds were awarded to the City of Gonzales on 2/19/2020
- The Engineering for the project was completed on 10/30/2020
- The Environmental Review for the project was completed on May 25, 2021 and the City received the Authority to Use Grant Funds (AUGF) on August 18, 2021
- The construction contract was awarded on December 9, 2021 and construction on the project was complete November 4, 2022

Project Location

The proposed project is located within the city limits of Gonzales, Gonzales County, Texas. The project consisted of three street segments.

Segment 1 began at the intersection of Cuero Street and North College Street and terminated at Cuero Street and Church Street.

Segment 2 began at Church Street and terminated at the intersection of Church Street and Fisher Street.

Segment 3 began at the intersection of Church Street and Fisher Street and ended approximately 800 feet to the east of the intersection.

In total, 2,303 linear feet of wastewater infrastructure was replaced.

Area Benefit

Gender:

Male 1674

Female 1926

Race and Ethnicity of Project Beneficiaries:

White /Hispanic: 716

White/Non-Hispanic:1252

Black/African American: 391

American Indian/Alaska

Native: 10

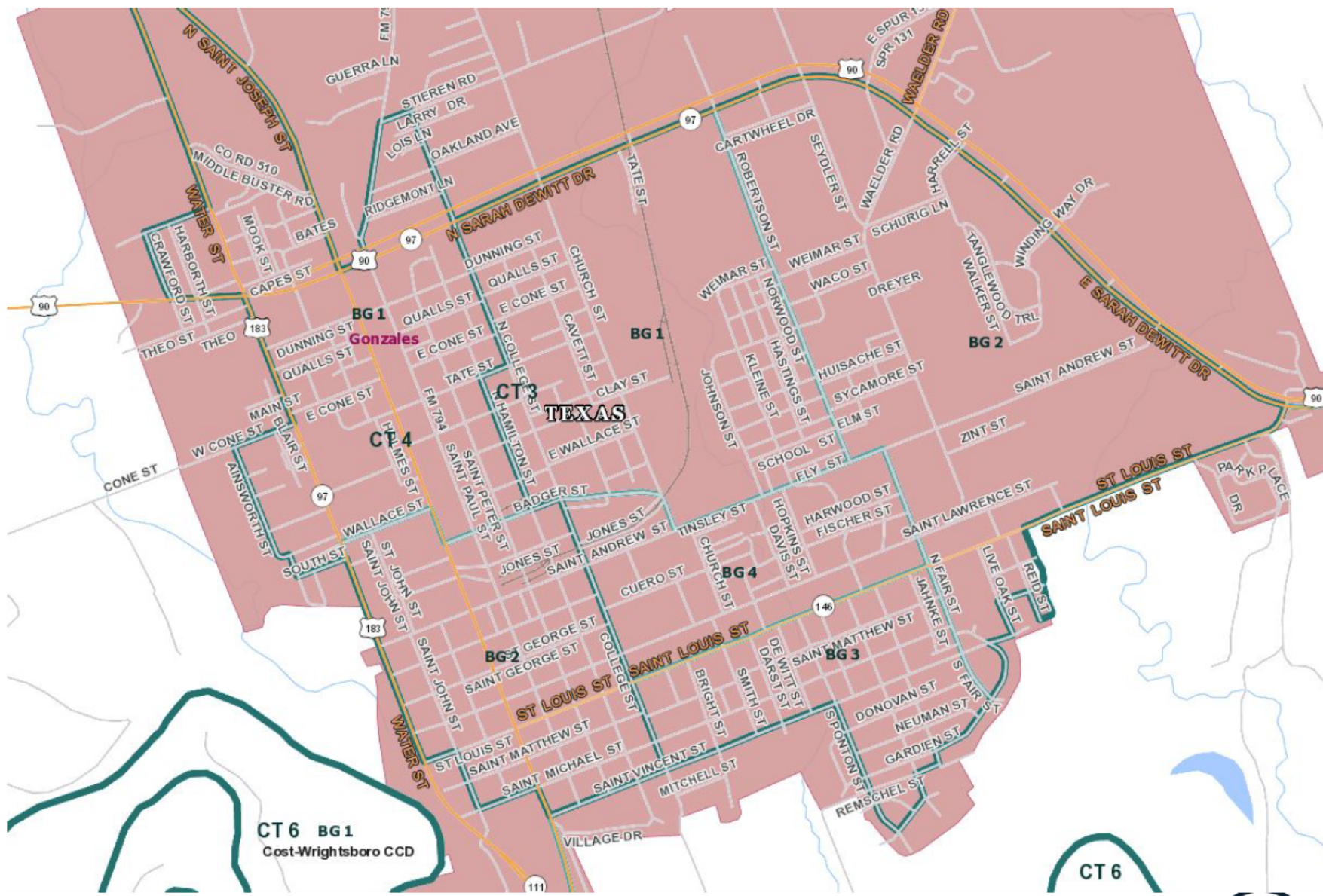
Some Other Race: 1173

White and American Indian/

Alaska Native: 13

Other multi racial: 45

Total: 3600 residents benefited



COMMUNITY DEVELOPMENT AND REVITALIZATION



QUESTIONS?

1-844-893-8937

cdr@recovery.texas.gov



Texas General Land Office



@glotx



@txglo



RESOLUTION NO. 2019-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT FROM THE GOVERNMENT LAND OFFICE (GLO) IN THE AMOUNT OF \$852,300 FOR THE INFRASTRUCTURE IMPROVEMENTS TO WASTEWATER LINES DAMAGED AS A RESULT OF HURRICANE HARVEY AND APPROVING THE CITIZEN PARTICIPATION PLAN, INCLUDING GRIEVANCE PROCEDURES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City supports the acceptance of application for and acceptance of CDBG-DR grant funds from the Government Land Office (GLO) for infrastructure improvements to wastewater lines damaged as result of Hurricane Harvey; and,

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

WHEREAS, the City certifies that the CDBG-DR grant funds will principally benefit low to moderate income areas of the City.

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

Section 1. The City Council of the City of Gonzales, Texas hereby authorizes the City Manager to apply for and accept if awarded, CDBG-DR grant funding from the Government Land Office (GLO) for infrastructure improvements to wastewater lines damaged as a result of Hurricane Harvey and Approving the Citizen Participation Plan, Including Grievance Procedures.

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 8th day of August, 2019.



Connie Kacin, Mayor

ATTEST:



Kristina Vega, City Secretary

City of Gonzales Citizen Participation Plan

Executive Summary

The Citizen Participation Plan covers Community Development Block Grant (CDBG) funding from the Department of Housing and Urban Development (HUD), for the City of Gonzales. This document outlines the City of Gonzales plan for soliciting and receiving citizen input during preparation of any Community Development Block Grant (CDBG) related items.

Public Laws 115-56 and 115-123 appropriated CDBG-DR funds to address disaster relief and long-term recovery from major declared disasters that occurred in 2017; for Texas, two Federal Register notices issued by HUD (83 FR 5844 published February 9, 2018, and 83 FR 40314 published August 14, 2018) allocated a total of \$5.676 billion for long-term recovery efforts in response to the impacts of Hurricane Harvey. In paragraph IV.A.3 of HUD's Federal Register notice published August 14, 2018, the agency amends the first portion of its prior language issued in the February 9, 2017, Federal Register notice for the grantee's provision of citizen participation; notably, HUD increased the time period from 14 days to at least 30 days where grantee's must provide a reasonable opportunity for citizen comment and ongoing citizen access to information about the use of grant funds.

Citizen Participation Plan

Before the City of Gonzales submits a CDBG grant, adopts an action plan or any substantial amendment, it will publish the proposed plan or amendment on the City's website: www.gonzales.texas.gov. Subsequent to publication of an action plan or substantial amendment, the City of Gonzales will provide a reasonable opportunity of at least 30 days and have a method(s) for receiving comments. Citizens with disabilities or those who need technical assistance can contact the City of Gonzales for assistance via: TX Relay Service 7-1-1. The City of Gonzales will take comments via USPS mail, fax, email, or in person: City of Gonzales, 820 St. Joseph Street, P.O. Box 547, Gonzales, Texas, 78629 Fax: 830-672-2813 Email: citysecretary@cityofgonzales.org. The City of Gonzales will notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public

service announcements, newsletters, contacts with neighborhood organizations, and/or through social media. The City of Gonzales will ensure that all citizens have equal access to information about the programs, including persons with disabilities and limited English proficiency (LEP). The City of Gonzales will ensure that program information is available in the appropriate languages for the geographic area served by the jurisdiction. In the action plan, the City of Gonzales will specify criteria for determining what changes in the plan or grant application constitute a substantial amendment to the plan. At a minimum, the following modifications will constitute a substantial amendment: (a) a change in program benefit or eligibility criteria; (b) The allocation or reallocation of more than \$5 million; or (c) The addition or deletion of an activity. In the event that the applicant receives funding from the CDBG-DR program: (a) The City of Gonzales will hold a public hearing any time a substantial change in use of CDBG-DR funds from one eligible activity to another is proposed. Upon completion of community development program activities, the City of Gonzales will hold a public hearing to review the recovery program's performance, including the actual use of CDBG-DR funds. The City of Gonzales will retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds. The City of Gonzales will retain all its grant-related documentation for 3 years from the date HUD closes its related disaster grant to the state of Texas. Records will be made available to the public in accordance with Chapter 552, Government Code. The City of Gonzales will submit all notices of any public hearings or requests for public comment that the applicant may have that relates to the administration of Hurricane Harvey CDBG-DR funds provided.

Consideration of public comments: The City of Gonzales will consider all written comments regarding specific action plans or substantial amendments. A summary of the comments and the City's response to each will be located in the appendix section of the relevant action plan or grant including persons with disabilities and limited English proficiency (LEP in accordance with HUD's Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons in the Federal Register notice published January 22, 2007 (72 FR 2732). The City of Gonzales will make the following items available on www.gonzales.texas.gov. (a) The grant application (b) action plan (including all amendments); (b) Each Quarterly Performance Report (QPR) for any CDBG funding; (c) Updated procurement, policies, and procedures; (d) Executed CDBG-DR

contracts. The City of Gonzales will maintain a citizen participation file which includes (1) a copy of the Plan Requirements below, (2) the applicant's complaint procedures, (3) any technical assistance provided by the applicant, and (4) public notices, minutes, and attendance lists for any public hearings.

Outreach Efforts: The City of Gonzales will (a) Provide for and encourage citizen participation, particularly by low- and moderate income persons, and areas in which CDBG-DR funds are proposed to be used; (b) Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to an entity's proposed and actual use of CDBGDR funds; (c) Furnish citizens information, including, but not limited to: i. The amount of CDBG-DR funds expected to be made available; ii. The range of activities that may be undertaken with the CDBG-DR funds; iii. The estimated amount of the CDBG-DR funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate income persons; and iv. If applicable, the proposed CDBG-DR activities likely to result in displacement and the entity's anti-displacement and relocation plan; (d) Provide citizens with reasonable advanced notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted, or substantially changed from the entity's application to the state. "Substantially changed" means changes made in terms of purpose, scope, location, or beneficiaries as defined by criteria established by the state; (e) These outreach efforts may be accomplished through one or more of the following methods: i. Publication of notice in a local newspaper (a published newspaper article may also be used, so long as it provides sufficient information regarding program activities and relevant dates); ii. Notices prominently posted in public buildings and distributed to local public housing authorities and other interested community groups; iii. Posting of notice on the local entity website (if available); iv. Public hearing; or v. Individual notice to eligible cities and other entities as applicable using one or more of the following methods: • Certified mail; • Electronic mail or fax; • First-Class (regular) mail; or • Personal delivery (e.g., at a council of governments meeting). CDBG-DR grant application, the City will submit any notices of public hearings that the City may have that relate to the administration of Hurricane Harvey CDBG-DR funds that are provided to the City.

Technical Assistance: When requested, the City of Gonzales provides technical assistance to

groups representative of persons of low and moderate income in developing proposals for the use of CDBG-DR funds. The level and type of assistance shall be determined by the applicant/recipient based upon the specific needs of the community's residents. (4) Public Hearing Provisions: For each public hearing scheduled and conducted by the City of Gonzales, the following public hearing provisions shall be observed: (a) Furnish citizens information, including but not limited to: i. The amount of CDBG-DR funds available per application for Hurricane Harvey; ii. The range of activities that may be undertaken with Hurricane Harvey funds; iii. The estimated amount of the CDBG-Hurricane Harvey funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons; and iv. The proposed CDBG-DR activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under 24 CFR 570.488. (b) Public notice of any hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice will be published in a local newspaper. Each public notice MUST include the DATE, TIME, LOCATION, and TOPICS to be considered at the public hearing. A published newspaper article may also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local public housing authorities and other interested community groups. (c) Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings, and an applicant must make arrangements for individuals who require auxiliary aids or services if contacted at least 2 days prior to each hearing. (d) When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents. (e) The City of Gonzales may conduct a public hearing via webinar if they adhere to the provisions of this section. If the webinar is used to conduct a public hearing, a physical location with associated reasonable accommodations will be made available, to ensure that those individuals without the necessary technology are able to participate. (5)

Grievance Procedure

This Grievance Procedure is the City of Gonzales complaint process for the CDBG program and meets the standards of the CDBG citizen participation regulations. An aggrieved person need not be a participant in the CDBG program. This grievance procedure will be followed by the

CDBG program staff for all CDBG projects, unless the procedure's scope is clearly limited relative to a new project in which case the City retains the right to expand the procedure.

- ❖ Citizens may submit grievances in writing to the City Manager of the City of Gonzales, 820 St. Joseph Street, Gonzales, Texas, 78629 for review and response. Grievances shall include a description of the matter causing the grievance along with the person(s) contact information including name, phone number and mailing address.
- ❖ A letter acknowledging receipt of the grievance will be provided to the person submitting it at the address provided, including the timeline for City's response as outlined below.
- ❖ Upon receipt of a written grievance by the City Manager, the City Manager, in his or her sole discretion, may designate a staff person (designee) or committee to review the matter. The designee or committee will review the circumstances, conduct an investigation, and prepare a written report for the City Manager within fifteen (15) working days of receipt. The report should include:
 - A summary of the issues/list of relevant facts
 - All documents provided by the aggrieved person
 - Any summary response from the program/project manager (subrecipient)
 - Any documents available supporting relevant facts
 - All other pertinent file documents including
 - Any consultant recommendations or special determinations
 - All applicable Federal regulations, HUD policy and City of Gonzales policy
- ❖ A determination, to include any findings and response, completed by the City Manager will be rendered within thirty (30) working days of receipt of the grievance. A copy of the City Manager's determination shall be provided to the person submitting the grievance at the address provided.
- ❖ If the person(s) filing the grievance are not satisfied with the City Manager's determination, a written appeal may be filed with the City of Gonzales City Council within fifteen (15) days after the date of the mailing of the determination to aggrieved person(s). Appeals will be heard and

discussed by the Gonzales City Council at an open, public meeting as soon as reasonably practicable during which the Council may receive testimony from the public.

- ❖ A written decision will be made within thirty (30) days of the public meeting in which the matter is heard and made a part of the regular minutes of the Council. If the resident who has a comment or complaint is not satisfied with the Gonzales City Council response the resident may file an appeal with the Texas General Land Office Community Development and Revitalization Division (GLO-CDR).

APPEALS

- ❖ To appeal a decision made by the Gonzales City Council, a written appeal must be submitted to the Texas General Land Office Community Development and Revitalization Division (GLO-CDR) within ten (10) days of the decision (documented by the certified mail delivery date). At the end of the ten (10) day period, if an appeal is not received, the local jurisdiction's decision will be upheld.

There are two ways to submit the appeal to GLO-CDR:

- Email GLO-CDR at cdr@recovery.texas.gov;
- Written letter mailed directly to Texas General Land Office ATTN: GLO-CDR- General Land Office PO Box 12873 Austin, TX 78711-2873.
- Person(s) who believe they are victims of discrimination in housing or other services may also contact the U.S. Department of Housing and Urban Development (HUD) to file a complaint, without first filing a grievance under this procedure, by contacting:

Fort Worth Regional Office, 801 Cherry Street, Unit #45

Suite 2500

Fort Worth, TX 76102

Phone: (817) 978-5600 TTY: (800) 877-8339

**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 1.14. 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 with Sydney Allen and Devon Warzecha with the proposal of façade being protected as well as the buyback being after two years with the choice that the City could buy it back as well. 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. Mayor Sucher asked that City Attorney Santee clarify the wording for the motion. Attorney Santee stated the discussion was that there is a façade easement agreement that has been agreed to by the GEDC and the City, as well as a Memorandum of the Right of Repurchase with the caveat that has been introduced to add in a limited assignability provision to allow the city the right to call that repurchase, should GEDC not elect to do so. Based on the authority that has been given that additional provision could be negotiated with the GEDC to ensure that it meets the City’s requisites prior to those two documents being executed in tandem with the real estate contract.

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
- 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

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –FEBRUARY 9, 2023**

The regular meeting of the City Council was held on **February 9, 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, Jennifer Kolbe-Economic Development Director, Laura Zella-Finance Director, Erica Leopold- Administrative Assistant, Marland Mercer-Wastewater Department Director, Amanda Garza-JB Wells Park Arena Manager & Gayle Autry-Interim Police Chief.

Reverend Gary Clack 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

Thomas Enriquez spoke in opposition of the increased rates and fees for the citizens of Gonzales.

CONSENT AGENDA ITEM

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 Item 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 Insytiful, 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 Renschel 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)

ACTION: Items 1.1 through 1.13

APPROVED

Council Member O'Neal moved to approve the consent agenda Item 1.1 through 1.13. Council Member Miller 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 #2023-27** 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

ACTION: Item 2.1

APPROVED

Council Member O'Neal moved to approve **Resolution #2023-27** Authorizing the City Manager to Execute an Agreement for Grant Administration Services with Jet Development, LLC. for the Texas CDBG-MIT Regional Mitigation Program's Method of Distribution Development (CDBG-MIT-MOD) Grant. 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 #2023-28** 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

ACTION: Item 2.2

APPROVED

Council Member O'Neal moved to approve **Resolution #2023-28** Authorizing the City Manager to Negotiate and Enter into an Agreement for Engineering Services with Doucet & Associates, Inc. for the Texas CDBG-MIT Regional Mitigation Program's Method of Distribution Development (CDBG-MIT-MOD) Grant. Council Member Miller 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 #2023-29** 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

ACTION: Item 2.3

APPROVED

Council Member Kridler moved to approve **Resolution #2023-29** Authorizing the City Manager to Execute an Agreement for Grant Administration Services with Jet Development, LLC. for the Texas General Land Office (“GLO”) Community Development Block Grant Disaster Recovery-Mitigation (CDBG-MIT), Resilient Communities Program. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 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

ACTION: Item 2.4

APPROVED

Council Member Koepp moved to approve **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. Council Member O’Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 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

ACTION: Item 2.5

APPROVED

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

- 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

ACTION: Item 2.6

APPROVED

Council Member Miller moved to approve **Resolution #2023-32** Approving Changes to the Building Official and Code Compliance Officer Job Descriptions and Current Position Classifications for Fiscal Year 2022-2023. Council Member O’Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ORDINANCE

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

ACTION: Item 3.1

APPROVED

Council Member Miller moved to approve **Ordinance #2023-4** Amending Article 8.300 Noise of the City of Gonzales Code of Ordinances. Council Member Koepp seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

OTHER BUSINESS

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

Staff and City Council engaged in discussions regarding the creation and possibly functions of a Beautification & Design Board. The Council was in agreement to create the board and requested staff to bring the creation back to the City Council at the March 9, 2023 meeting.

STAFF/BOARD REPORTS

- 5.1 Finance Director Zella provided the Financial Reports for funds as of January 31, 2023, Cash & Investment by Fund as of December 31, 2022 and Quarterly Investment Report Ending December 31, 2022

No questions were asked regarding the report.

- 5.2 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-Sarah Dewitt water line
 - Projects Currently in Process-Texas Heroes Square and St. James Improvements, St. James Wastewater line improvements, Museum Crawlspace should be completed by March 3, 2023.
 - Upcoming Projects

CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

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

No requests or announcements were made.

ADJOURN

On a motion by Council Member O'Neal and second by Council Member Miller, the meeting was adjourned at 7:02 p.m.

Approved this 9th day of March, 2023.

Mayor, S.H. Sucher

Kristina Vega, City Secretary

**CERTIFICATION OF UNOPPOSED CANDIDATES FOR
OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)
CERTIFICACIÓN DE CANDIDATOS ÚNICOS
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

To: Presiding Officer of Governing Body
Al: Presidente de la entidad gobernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 6, 2023

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 6 de mayo de 2023

List offices and names of candidates:
Lista de cargos y nombres de los candidatos:

Office(s) Cargo(s)	Candidate(s) Candidato(s)
Council Member District 4	Ronda Miller

Kristina Vega
Signature (Firma)

Kristina Vega
Printed name (Nombre en letra de molde)

City Secretary
Title (Puesto)

March 9, 2023
Date of signing (Fecha de firma)

(Seal) (sello)

See reverse side for instructions
(Instrucciones en el reverso)

ORDER OF CANCELLATION
ORDEN DE CANCELACIÓN

The City of Gonzales City Council hereby cancels the election scheduled to be held on
(official name of governing body)
May 6, 2023 in accordance with Section 2.053(a) of the Texas
(date on which election was scheduled to be held)
Election Code. The following candidates have been certified as unopposed and are hereby
elected as follows:

El Concejo Municipal de la Ciudad Gonzáles por la presente cancela la elección que, de lo contrario,
(nombre oficial de la entidad gobernante)
se hubiera celebrado el 6 de mayo de 2023 de conformidad, con
(fecha en que se hubiera celebrado la elección)
la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido
certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado
a continuación:

Candidate (Candidato)	Office Sought (Cargo al que presenta candidatura)
Ronda Miller	Council Member District 4 (Concejal Distrito 4)

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

Mayor (Alcalde)

Secretary (Secretario)

(seal) (sello)

March 9, 2023 (9 de marzo de 2023)
Date of adoption (Fecha de adopción)

See reverse side for instructions
Instrucciones en el reverso

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-33 Declaring Certain City Property Surplus and Authorizing the Sale of Said Property in the manner most advantageous to the City of Gonzales

DATE: March 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. 2023-33

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 March, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT "A"

Vehicle

Make	Model	Year	VIN/Serial Number	Property Description
Chevrolet	S10	1994		
Chevrolet	Tahoe	2014		

Other

Property Description	Item Amount
Old voter boxes with lids	16 boxes, 16 lids
HP Printer - Color LaserJet Pro MFP M477fnw (does not work)	
Large Metal Dog Crates	4 crates

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-34 Authorizing the use of the Parking Lot at the 400 Block of St. Paul Street, and designated street closures for the Gonzales Main Street City-Wide Yard Sale on April 15, 2023

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Gonzales Main Street is requesting the use of the 400 block of St Paul Street, including the parking lot for their 4th Annual City-Wide Yard Sale. They intend to block off St Paul Street between St Lawrence Street and St Louis Street on Saturday, April 15, 2023, at 6:30 a.m., and will remove everything by 1:00 p.m. The event will begin at 8:00 a.m. and run until 12:00 p.m. This event has been a huge success in the past. Participants can set up on the 400 Block of St Paul Street or the parking lot and others can sell from their homes. The charge is \$35.00 per space on the street or parking lot and \$20.00 for those selling from their homes to be placed on a map and listed in the Gonzales Inquirer. This resolution will grant Gonzales Main Street the use of the parking lot along the 400 Block of St Paul Street and allow for road closure of St Paul between St Lawrence and St Louis for the purpose of the 4th Annual City-Wide Yard Sale on April 15, 2023 from 6:30 a.m. to 1:00 p.m.

POLICY CONSIDERATIONS:

This is consistent with current procedure for the use of City owned property and permission to close city streets.

FISCAL IMPACT:

The fiscal impact for the City would include the cost for the Street Department staff to move the barricades to the parking lot and barricades for the road closures where the Main Street Advisory Board will be responsible for placing them at the correct locations for the closures (1 hr x \$25.00/hr. x 2 employees=\$50.00). 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. 2023-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE USE OF THE PARKING LOT AT THE 400 BLOCK OF ST PAUL STREET, AND DESIGNATED STREET CLOSURES FOR THE GONZALES MAIN STREET CITY-WIDE YARD SALE ON APRIL 15, 2023; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gonzales Main Street would like permission for the use of the 400 Block of St Paul Street including the parking lot for the City Wide Yard Sale on Saturday, April 15, 2023; and

WHEREAS, barricades will be placed at their respective locations for the street closures for the event at 6:30 a.m., and will be removed at 1:00 p.m.; and

WHEREAS, the event will be held from 8:00 a.m. until 12:00 p.m., and will have an approximate attendance of 150 people; and

WHEREAS, the fiscal impact to the City is an approximate in-kind cost of \$50.00 for the delivery of barricades; 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 use of the Parking Lot at the 400 Block of St Paul Street, and designated street closures for the Gonzales Main Street City-Wide Yard Sale on April 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 March, 2023.

Mayor, Steve Sucher

ATTEST:

Kristina Vega, City Secretary

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	<u>City-Wide Yard Sale</u>	
HOST ORGANIZATION	<u>Gonzales Main Street, Inc.</u>	
CONTACT NAME	<u>Tiffany Hutchinson-Padilla, Main Street Director</u>	
CONTACT CELL PHONE	<u>(830) 203-1705</u>	
EVENT DATE	<u>April 15, 2023</u>	
EVENT START TIME <u>6:30 am</u>	EVENT END TIME <u>1:00pm</u>	
EVENT LOCATION	<u>400 Block of St Paul Street</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> </u>
<u>POLICE/FIRE/EMS DEPARTMENT</u>		
ATTENDANCE ESTIMATE	<u>150-200</u>	
MUSIC	Y <u>X</u> N <u> </u>	LIVE <u> </u> DJ <u>X</u> <u> </u>
FOOD	Y <u>X</u> N <u> </u>	
ALCOHOL	Y <u> </u> N <u>X</u>	RESPONSIBLE PARTY <u> </u>
MOTORIZED VEHICLES	Y <u>X</u> N <u> </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>
<u>ELECTRIC DEPARTMENT</u>		
ADDITIONAL LIGHTING	Y <u> </u> N <u>X</u>	
NUMBER OF OUTLETS NEEDED	<u>1</u>	
AMPS/WATTS NEEDED	<u>50</u>	
TENT Y <u> </u> N <u>X</u>	SET UP DAY/TIME	<u> </u>
TENT SIZE:	TAKE DOWN DAY/TIME	<u> </u>
<u>STREETS DEPARTMENT</u>		
STREETS AFFECTED	Y <u>X</u> N <u> </u>	<u>Close St Paul Street at St Lawrence and St Louis</u>
BARRICADES NEEDED (max 12)	Y <u>X</u> N <u> </u>	<u> </u>
CONES NEEDED (max 48)	Y <u>X</u> N <u> </u>	<u> </u>
STREETS TO BE CLOSED	Y <u>X</u> N <u> </u>	<u>Close St Paul Street at St Lawrence and St Louis</u>
	SET UP TIME	<u>6:30 am Saturday April 15, 2023</u>
	TAKE DOWN TIME	<u>1:00 pm Saturday April 15, 2023</u>
<u>COMMUNITY SERVICES DEPARTMENT</u> (Contingent upon availability)		
NUMBER OF CHAIRS @ \$0.50 each	<u>none</u>	(max 500)
NO. OF ROUND TABLES @ \$2.00 each	<u>none</u>	(max 15)
NO. OF 8 FOOT TABLES @ \$2.00 each	<u>none</u>	(max 50)
NUMBER OF TRASH CANS	<u>none</u>	(max 25)
	SET UP TIME	<u> </u>
	TAKE DOWN TIME	<u> </u>
FOR INFORMATION CONTACT	<i>Kristina Vega, CITY SECRETARY</i>	
(830) 672-2815- City Hall	<u>citysecretary@gonzales.texas.gov</u>	
(830) 672-2813- Fax	<u> </u>	

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)	

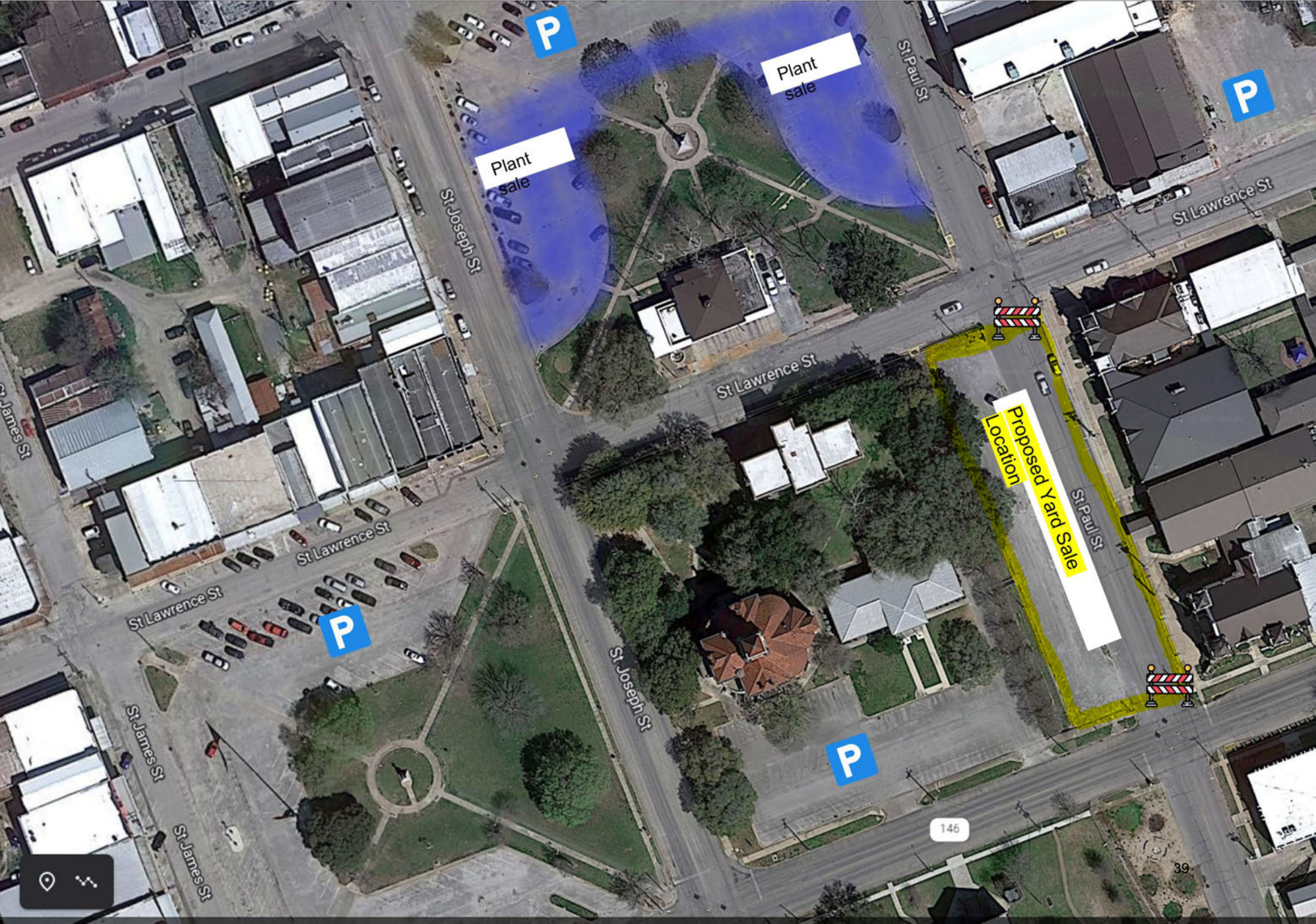
Indemnity

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



P

Plant sale

P

Plant sale

Proposed Yard Sale Location

39

146

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-35 Authorizing Gonzales Main Street's Use of Texas Heroes Square including the Parking Lot, Designated Street Closures, and Sale and Consumption of Alcoholic Beverages for the Cinco de Mayo & Trade Days Event on May 6, 2023

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Gonzales Main Street, Inc. would like to hold their second annual Cinco de Mayo and Trade Day event on Texas Heroes Square on Saturday, May 6, 2023. They are requesting the use of Texas Heroes Square including the closure of the parking lot and street closures of St Lawrence Street from St Joseph Street to St James Street and the closure of St James Street from St Lawrence to St Louis. They would also like permission for the sale and consumption of alcoholic beverages on May 6, 2023. They intend to block off Texas Heroes Square and its parking lot at 6:30 A.M. on May 6, 2023 and will remove barricades by 11 P.M. The event will be from 3 P.M. until 10 P.M. Times are subject to minor change based on the need and as planning continues. If substantial changes are needed an updated event sheet will be presented to City Council for consideration. The board wished for City Council's permission before donations for the event were solicited.

POLICY CONSIDERATIONS:

This is consistent with current procedure for the use of City owned property and permission to close city streets. The approval of these events will permit the sale and consumption of alcohol on public property belonging to the City as authorized by Section 8.602 of the City of Gonzales Code of Ordinances.

FISCAL IMPACT:

The total fiscal impact is unknown at this time, however Gonzales Main Street, Inc. will solicit donations for promotion of the event and to cover costs. The fiscal impact for the City would include the cost for the Street Department staff to move the barricades to the 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 requests the approval of this resolution.

RESOLUTION NO. 2023-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING GONZALES MAIN STREET'S USE OF TEXAS HEROES SQUARE INCLUDING THE PARKING LOT, DESIGNATED STREET CLOSURES, AND SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE CINCO DE MAYO & TRADE DAYS EVENT ON MAY 6, 2023; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gonzales Main Street requests the use of the Texas Heroes Square including the parking lot for the Cinco de Mayo & Trade Day Event on May 6, 2023; and,

WHEREAS, the square will be blocked off at 6:30 a.m.. with the event beginning at 3:00 p.m.; and

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

WHEREAS, St Lawrence Street from St Joseph Street to St James Street and St James Street from St Lawrence to St Louis will be blocked off from 12 p.m. until 11:00 p.m. the day of the event; and

WHEREAS, the fiscal impact to the City is an approximate in-kind cost of \$170.00 for the delivery of barricades and inspection of the electricity on the square prior to the event; and

WHEREAS, a variance is required for the sale and consumption of alcoholic beverages at the event; and

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

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

Section 1. The City Council of the City of Gonzales, Texas hereby Authorizing Gonzales Main Street's Use of Texas Heroes Square including the Parking Lot, Designated Street Closures, and Sale and Consumption of Alcoholic Beverages for the Cinco de Mayo & Trade Days Event on May 6, 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 March, 2023.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

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	<u>Cinco de Mayo Celebration</u>	
HOST ORGANIZATION	<u>Gonzales Main Street, Inc.</u>	
CONTACT NAME	<u>Tiffany Hutchinson-Padilla, Main Street Director</u>	
CONTACT CELL PHONE	<u>(830) 203-1705</u>	
EVENT DATE	<u>May 6, 2023</u>	
EVENT START TIME <u>3:00 pm</u>	EVENT END TIME <u>11:00 pm</u>	
EVENT LOCATION	<u>Texas Hero Square</u>	
HOLIDAY CELEBRATED	Y <u>X</u> N _____	HOLIDAY: <u>Cinco de Mayo</u>
CITY COUNCIL APPROVAL REQUIRED	Y <u>X</u> N _____	MEETING DATE: <u>March 9, 2023</u>
<u>POLICE/FIRE/EMS DEPARTMENT</u>		
ATTENDANCE ESTIMATE	<u>1000</u>	
MUSIC	Y <u>X</u> N _____	LIVE <u>X</u> DJ <u>X</u> _____
FOOD	Y <u>X</u> N _____	
ALCOHOL	Y <u>X</u> N _____	RESPONSIBLE PARTY <u>TBD</u>
MOTORIZED VEHICLES	Y _____ N <u>X</u> _____	PARADE _____ SHOW _____
PUBLIC OR PRIVATE EVENT	<u>Public</u>	
SECURITY	Y <u>2</u> N _____	# OFFICERS NEEDED <u>(Call 672-8686 for costs)</u>
<u>ELECTRIC DEPARTMENT</u>		
ADDITIONAL LIGHTING	Y _____ N _____	
NUMBER OF OUTLETS NEEDED	<u>Ensure all outlets work on the Square</u>	
AMPS/WATTS NEEDED	<u>Please test outlets needed for stage and music</u>	
TENT	Y _____ N <u>X</u> _____	SET UP DAY/TIME _____
TENT SIZE:	TAKE DOWN DAY/TIME _____	
<u>STREETS DEPARTMENT</u>		
STREETS AFFECTED	Y <u>X</u> N _____	<u>St Lawrence from St Joseph to St James, St James from St Lawrence to St Louis.</u>
BARRICADES NEEDED (max 12)	Y <u>X</u> N _____	
CONES NEEDED (max 48)	Y <u>X</u> N _____	<u>Texas Hero Square parking lot.</u>
STREETS TO BE CLOSED	Y <u>X</u> N _____	<u>We will need enough barricades to block off streets and cones for closing square</u>
SET UP TIME	<u>Stage area set up 1-2 days prior to event and removal Monday following event</u>	
TAKE DOWN TIME	<u>Parking to be closed at 7:00am. Roads closed at 2:00pm. Roads open at 11:00pm</u>	
<u>COMMUNITY SERVICES DEPARTMENT</u> (Contingent upon availability)		
NUMBER OF CHAIRS @ \$0.50 each	<u>n/a</u>	(max 500)
NO. OF ROUND TABLES @ \$2.00 each	<u>n/a</u>	(max 15)
NO. OF 8 FOOT TABLES @ \$2.00 each	<u>n/a</u>	(max 50)
NUMBER OF TRASH CANS	<u>All Available</u>	(max 25)
SET UP TIME	_____	
TAKE DOWN TIME	_____	
FOR INFORMATION CONTACT	<i>Kristina Vega, CITY SECRETARY</i>	
(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 #2023-36 Authorizing Gonzales Main Street's Use of Independence Square including the Parking Lot and Designated Street Closures and Consumption of Alcoholic Beverages for the Juneteenth Celebration Event on June 17, 2023

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Gonzales Main Street, Inc. would like to hold their second annual Juneteenth Celebration event on Independence Square on Saturday, June 17, 2023. They are requesting the use of Independence Square including the closure of the parking lot and street closures of St George Street from St Paul to St Joseph Street and the closure of St Paul Street from St George to St Lawrence Street and consumption of alcoholic beverages on June 17, 2023. They intend to block off Independence Square and its parking lot at 6:30 A.M. on June 17, 2023 and will remove barricades by 11 P.M. The event will be from 3 P.M. until 10 P.M. Times are subject to minor change based on the need and as planning continues. If substantial changes are needed an updated event sheet will be presented to City Council for consideration. The board wished for City Council's permission before donations for the event were solicited.

POLICY CONSIDERATIONS:

This is consistent with current procedure for the use of City owned property and permission to close city streets. The approval of these events will permit the consumption of alcohol on public property belonging to the City as authorized by Section 8.602 of the City of Gonzales Code of Ordinances.

FISCAL IMPACT:

The total fiscal impact is unknown at this time, however Gonzales Main Street, Inc. will solicit donations for promotion of the event and to cover costs. The fiscal impact for the City would include the cost for the Street Department staff to move the barricades to the 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), the cost for the Parks Department staff to move and set up stage (1hr @ \$25.00/hr x 2 employees=\$50.00). and the cost for the Electric Department to check the electricity to ensure that the vendors have electricity for their vendor booths (2hrs at \$35.00/hr.= \$70.00). The approximate in-kind costs to the City would be \$220.00 total.

STAFF RECOMMENDATION:

Staff respectfully requests the approval of this resolution.

RESOLUTION NO. 2023-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING GONZALES MAIN STREET'S USE OF INDEPENDENCE SQUARE INCLUDING THE PARKING LOT AND DESIGNATED STREET CLOSURES AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE JUNETEENTH CELEBRATION EVENT ON JUNE 17, 2023; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gonzales Main Street requests the use of the Independence Square including the parking lot for the Juneteenth Celebration Event on June 17, 2023; and,

WHEREAS, the square will be blocked off at 6:30 a.m. with the event beginning at 3:00 p.m.; and

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

WHEREAS, St George Street from St Paul to St Joseph Street and St Paul Street from St George to St Lawrence will be blocked off from 12 p.m. to 11:00 p.m. on the day of the event; and

WHEREAS, the fiscal impact to the City is an approximate in-kind cost of \$220.00 for the delivery of barricades, stage set up and inspection of electricity on the square prior to the event; and

WHEREAS, a variance is required for the consumption of alcoholic beverages at the event; and

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

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

Section 1. The City Council of the City of Gonzales, Texas hereby Authorizing Gonzales Main Street's Use of Independence Square including the Parking Lot and Designated Street Closures and Consumption of Alcoholic Beverages for the Juneteenth Celebration Event on June 17, 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 March, 2023.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

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	<u>Juneteenth Celebration</u>				
HOST ORGANIZATION	<u>Gonzales Main Street, Inc.</u>				
CONTACT NAME	<u>Tiffany Hutchinson-Padilla, Main Street Director</u>				
CONTACT CELL PHONE	<u>(830) 203-1705</u>				
EVENT DATE	<u>June 17, 2023</u>				
EVENT START TIME <u>12:00 pm</u>	EVENT END TIME <u>11:00 pm</u>				
EVENT LOCATION	<u>Independence Square</u>				
HOLIDAY CELEBRATED	<u>Y</u> <u>X</u> <u>N</u>	HOLIDAY: <u>Juneteenth</u>			
CITY COUNCIL APPROVAL REQUIRED	<u>Y</u> <u>X</u> <u>N</u>	MEETING DATE: <u>March 9, 2023</u>			
<u>POLICE/FIRE/EMS DEPARTMENT</u>					
ATTENDANCE ESTIMATE	<u>1000</u>				
MUSIC	<u>Y</u> <u>X</u> <u>N</u>	LIVE <u>X</u> <u>DJ</u> <u>X</u>			
FOOD	<u>Y</u> <u>X</u> <u>N</u>				
ALCOHOL	<u>Y</u> <u>X</u> <u>N</u>	RESPONSIBLE PARTY <u>TBD</u>			
MOTORIZED VEHICLES	<u>Y</u> <u>N</u> <u>X</u>	PARADE <u>SHOW</u>			
PUBLIC OR PRIVATE EVENT	<u>Public</u>				
SECURITY	<u>Y</u> <u>2</u> <u>N</u>	# OFFICERS NEEDED <u>(Call 672-8686 for costs)</u>			
<u>ELECTRIC DEPARTMENT</u>					
ADDITIONAL LIGHTING	<u>Y</u> <u>N</u>				
NUMBER OF OUTLETS NEEDED	<u>Ensure all outlets work on the Square</u>				
AMPS/WATTS NEEDED	<u>Please test outlets needed for stage and music</u>				
TENT <u>Y</u> <u>N</u> <u>X</u>	SET UP DAY/TIME				
TENT SIZE:	TAKE DOWN DAY/TIME				
<u>STREETS DEPARTMENT</u>					
STREETS AFFECTED	<u>Y</u> <u>X</u> <u>N</u>	<u>St George from St Paul to St Joseph, St Paul from St George to St Lawrence</u>			
BARRICADES NEEDED (max 12)	<u>Y</u> <u>X</u> <u>N</u>				
CONES NEEDED (max 48)	<u>Y</u> <u>X</u> <u>N</u>	<u>Independence Square parking lot.</u>			
STREETS TO BE CLOSED	<u>Y</u> <u>X</u> <u>N</u>	<u>We will need enough barricades to block off streets and cones for closing square</u>			
SET UP TIME	<u>Stage area set up 1-2 days prior to event and removal Monday following event</u>				
TAKE DOWN TIME	<u>Parking to be closed at 7:00am. Roads closed at 12:00pm. Roads open at 11:00pm</u>				
<u>COMMUNITY SERVICES DEPARTMENT</u> (Contingent upon availability)					
NUMBER OF CHAIRS @ \$0.50 each	<u>n/a</u>	<u>(max 500)</u>			
NO. OF ROUND TABLES @ \$2.00 each	<u>n/a</u>	<u>(max 15)</u>			
NO. OF 8 FOOT TABLES @ \$2.00 each	<u>n/a</u>	<u>(max 50)</u>			
NUMBER OF TRASH CANS	<u>All Available</u>	<u>(max 25)</u>			
SET UP TIME					
TAKE DOWN TIME					
<u>FOR INFORMATION CONTACT</u>					
(830) 672-2815- City Hall	<u>Kristina Vega, CITY SECRETARY</u> <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 #2023-37 Authorizing Gonzales Main Street's Use of the Brickyard Area of Independence Park, Independence Square including the Parking Lot, Designated Street Closures, and Sale and Consumption of Alcoholic Beverages for the Star-Spangled Spectacular Event on July 4, 2023

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Gonzales Main Street, Inc. would like to hold their annual 4th of July Star Spangled Spectacular event on Independence Square on Tuesday, July 4, 2023. They are requesting the use of the Brickyard area at Independence Park for the staging of the Firework Show beginning at 7:00 A.M. They are also requesting the use of Independence Square including the closure of the parking lot and street closures of St Paul Street from St George Street to St Lawrence Street, St George Street from St Paul Street to St Joseph Street and St Joseph (Business 183) from St Louis to St George. They would also like permission for the sale and consumption of alcoholic beverages on July 4, 2023. They intend to block off Independence Square and its parking lot at 7:00 A.M. on July 4, 2023 and will remove barricades by 11 P.M. The event will be from 3 P.M. until 10 P.M. Times are subject to minor change based on the need and as planning continues. If substantial changes are needed an updated event sheet will be presented to City Council for consideration. The board wished for City Council's permission before donations for the event were solicited.

POLICY CONSIDERATIONS:

This is consistent with current procedure for the use of City owned property and permission to close city streets. The approval of these events will permit the sale and consumption of alcohol on public property belonging to the City as authorized by Section 8.602 of the City of Gonzales Code of Ordinances.

FISCAL IMPACT:

The total fiscal impact is unknown at this time, however Gonzales Main Street, Inc. will solicit donations for promotion of the event and to cover costs. The fiscal impact for the City would include the cost for the Parks Department Staff to move and set up the stage (1hr x \$25.00/hr x 2 employees=\$50.00), 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 \$220.00 total.

STAFF RECOMMENDATION:

Staff respectfully requests the approval of this resolution.

RESOLUTION NO. 2023-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING GONZALES MAIN STREET'S USE OF THE INDEPENDENCE SQUARE INCLUDING THE PARKING LOT, DESIGNATED STREET CLOSURES, CLOSURE OF BRICKYARD AREA AT INDEPENDENCE PARK AND SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THEIR ANNUAL STAR-SPANGLED SPECTACULAR ON JULY 4, 2023; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the annual Main Street Star-Spangled Spectacular is listed within the service agreement between the City of Gonzales and Gonzales Main Street, Inc.; and

WHEREAS, Gonzales Main Street requests the use of the Independence Square including the parking lot for the Annual Star-Spangled Spectacular on July 4, 2023; and,

WHEREAS, the square will be blocked off at 6:30 a.m. with the event beginning at 3:00 p.m.; and

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

WHEREAS, St. George Street from St. Joseph Street to St. Paul Street, St. Paul Street from St. George Street to St. Lawrence Street and St Joseph Street (Business 183) from St George Street to St Louis will be blocked off from 12 P.M. to 11:00 PM Saturday of the event; and

WHEREAS, the Brickyard area at Independence Park will be closed beginning at 7:00 a.m. on July 4, 2023 for staging of a firework show and public safety; and

WHEREAS, the fiscal impact to the City is an approximate in-kind cost of \$220.00 for the delivery of barricades, stage set up and inspection of electricity on the square prior to the event; and; and

WHEREAS, a variance is required for the sale and consumption of alcoholic beverages at the event; and

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

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

Section 1. The City Council of the City of Gonzales, Texas hereby Authorizing Gonzales Main Street's Use of Independence Square including the Parking Lot; designated street closures; closure of Brickyard area at Independence Park; and Sale and Consumption of Alcoholic

Beverages for the 4th of July Star-Spangled Spectacular Event on July 4, 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 March, 2023.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

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	<u>Star Spangled Spectacular</u>	
HOST ORGANIZATION	<u>Gonzales Main Street, Inc.</u>	
CONTACT NAME	<u>Tiffany Hutchinson-Padilla, Main Street Director</u>	
CONTACT CELL PHONE	<u>(830) 203-1705</u>	
EVENT DATE	<u>July 4, 2023</u>	
EVENT START TIME <u>12:00 pm</u>	EVENT END TIME <u>11:00 pm</u>	
EVENT LOCATION	<u>Independence Square</u>	
HOLIDAY CELEBRATED	<u>Y X</u> <u>N</u>	HOLIDAY: <u>Independence Day</u>
CITY COUNCIL APPROVAL REQUIRED	<u>Y X</u> <u>N</u>	MEETING DATE: <u>March 9, 2023</u>
<u>POLICE/FIRE/EMS DEPARTMENT</u>		
ATTENDANCE ESTIMATE	<u>1500</u>	
MUSIC	<u>Y X</u> <u>N</u>	LIVE <u>X</u> DJ <u>X</u>
FOOD	<u>Y X</u> <u>N</u>	
ALCOHOL	<u>Y X</u> <u>N</u>	RESPONSIBLE PARTY <u>TBD</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 2</u> <u>N</u>	# OFFICERS NEEDED <u>(Call 672-8686 for costs)</u>
<u>ELECTRIC DEPARTMENT</u>		
ADDITIONAL LIGHTING	<u>Y</u> <u>N</u>	
NUMBER OF OUTLETS NEEDED	<u>Ensure all outlets work on the Square</u>	
AMPS/WATTS NEEDED	<u>Please test outlets needed for stage and music</u>	
TENT <u>Y X</u> <u>N</u>	SET UP DAY/TIME	<u>Monday 7/3/23</u>
TENT SIZE: <u>30 x 30 tent with weighted barrels</u>	TAKE DOWN DAY/TIME	<u>Wednesday 7/5/23</u>
<u>STREETS DEPARTMENT</u>		
STREETS AFFECTED	<u>Y X</u> <u>N</u>	<u>St George from St Paul to St Joseph, St Paul from St George to St Lawrence</u>
BARRICADES NEEDED (max 12)	<u>Y X</u> <u>N</u>	
CONES NEEDED (max 48)	<u>Y X</u> <u>N</u>	<u>Independence Square parking lot.</u>
STREETS TO BE CLOSED	<u>Y X</u> <u>N</u>	<u>We will need enough barricades to block off streets and cones for closing square</u>
	SET UP TIME	<u>Stage area set up 1-2 days prior to event and removal Monday following event</u>
	TAKE DOWN TIME	<u>Parking to be closed at 7:00am. Roads closed at 12:00pm. Roads open at 11:00pm</u>
<u>COMMUNITY SERVICES DEPARTMENT (Contingent upon availability)</u>		
NUMBER OF CHAIRS @ \$0.50 each	<u>n/a</u>	(max 500)
NO. OF ROUND TABLES @ \$2.00 each	<u>n/a</u>	(max 15)
NO. OF 8 FOOT TABLES @ \$2.00 each	<u>n/a</u>	(max 50)
NUMBER OF TRASH CANS	<u>All Available</u>	(max 25)
	SET UP TIME	
	TAKE DOWN TIME	
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 #2023-38 Authorizing Gonzales Main Street's Use of Independence Square including the Parking Lot, Designated Street Closures, and Consumption of Alcoholic Beverages for the Back to School Bash Event on August 5, 2023

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Gonzales Main Street, Inc. would like permission to hold the second annual Back to School Bash event on the Independence Square. They would like to hold this event on Saturday, August 5, 2023. They are requesting the use of Independence Square including the parking lot on St Joseph, St Paul, and St George Streets, closure of St George Street from St Joseph Street to St Paul Street and consumption of alcoholic beverages on August 5, 2023. They intend to block off the Independence Square at 6:30 A.M. on August 5, 2023 and will remove barricades by 6:00 P.M. The event will be from 2:00 P.M. until 5:00 P.M. Times are subject to minor change based on the need and as planning continues. If substantial changes are needed an updated event sheet will be presented to City Council for consideration. The board wished for City Council's permission before donations for the event were solicited.

POLICY CONSIDERATIONS:

This is consistent with current procedure for the use of City owned property and permission to close city streets. The approval of these events will permit the consumption of alcohol on public property belonging to the City as authorized by Section 8.602 of the City of Gonzales Code of Ordinances.

FISCAL IMPACT:

The total fiscal impact is unknown at this time, however Gonzales Main Street, Inc. will solicit donations for promotion of the event and to cover costs. The fiscal impact for the City would include the cost for the Parks Department Staff to move and set up the stage (1hr x \$25.00/hr x 2 employees=\$50.00), 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 \$220.00 total.

STAFF RECOMMENDATION:

Staff respectfully requests the approval of this resolution.

RESOLUTION NO. 2023-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING GONZALES MAIN STREET'S USE OF INDEPENDENCE SQUARE INCLUDING THE PARKING LOT, DESIGNATED STREET CLOSURES, AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE BACK TO SCHOOL BASH EVENT ON AUGUST 5, 2023; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gonzales Main Street requests the use of the Independence Square including the parking lot for the Back to School Bash Event on August 5, 2023; and,

WHEREAS, the square will be blocked off at 6:30 a.m. with the event beginning at 2:00 p.m.; and

WHEREAS, the event will end at 5:00 p.m. on Saturday with take down to be completed by 6:00 p.m.; and

WHEREAS, St. George Street from St. Joseph Street to St. Paul Street will be blocked off from 1:00 p.m. to 5:00 p.m. on the day of the event; and

WHEREAS, the fiscal impact to the City is an approximate in-kind cost of \$220.00 for the delivery of barricades, stage set up and inspection of electricity on the square prior to the event; and; and

WHEREAS, a variance is required for the consumption of alcoholic beverages at the event; and

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

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

Section 1. The City Council of the City of Gonzales, Texas hereby Authorizing Gonzales Main Street's Use of Independence Square including the Parking Lot, Designated Street Closures, and Consumption of Alcoholic Beverages for the Back to School Bash Event on August 5, 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 March, 2023.

Mayor, S.H. Steve Sucher

ATTEST:

Tiffany Hutchinson-Padilla, Main Street Director

GONZALES EVENT INFORMATION SHEET

  COME AND TAKE IT	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
EVENT NAME	<u>Back to School Bash</u>	
HOST ORGANIZATION	<u>Gonzales Main Street, Inc.</u>	
CONTACT NAME	<u>Tiffany Hutchinson-Padilla, Main Street Director</u>	
CONTACT CELL PHONE	<u>(830) 203-1705</u>	
EVENT DATE	<u>August 5, 2023</u>	
EVENT START TIME <u>2:00 pm</u>	EVENT END TIME <u>11:00 pm</u>	
EVENT LOCATION	<u>Independence Square</u>	
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: <u>March 9, 2023</u>
<u>POLICE/FIRE/EMS DEPARTMENT</u>		
ATTENDANCE ESTIMATE	<u>2000</u>	
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 checked="" type="checkbox"/> N <input type="checkbox"/>	RESPONSIBLE PARTY <u>no alcohol for sale/cunsumption only</u>
MOTORIZED VEHICLES	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	PARADE _____ SHOW _____
PUBLIC OR PRIVATE EVENT	<u>Public</u>	
SECURITY	Y <u>2</u> N <input type="checkbox"/>	# OFFICERS NEEDED <u>(Call 672-8686 for costs)</u>
<u>ELECTRIC DEPARTMENT</u>		
ADDITIONAL LIGHTING	Y <input type="checkbox"/> N <input type="checkbox"/>	
NUMBER OF OUTLETS NEEDED	<u>Ensure all outlets work on the Square</u>	
AMPS/WATTS NEEDED	<u>Please test outlets needed for stage and music</u>	
TENT	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	SET UP DAY/TIME _____
TENT SIZE:		TAKE DOWN DAY/TIME _____
<u>STREETS DEPARTMENT</u>		
STREETS AFFECTED	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	<u>St George from St Paul to St Joseph, St Paul from St George to St Lawrence</u>
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"/>	<u>Independence Square parking lot.</u>
STREETS TO BE CLOSED	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	<u>We will need enough barricades to block off streets and cones for closing square</u>
SET UP TIME	<u>Stage area set up 1-2 days prior to event and removal Monday following event</u>	
TAKE DOWN TIME	<u>Parking to be closed at 7:00am. Roads closed at 2:00pm. Roads open at 11:00pm</u>	
<u>COMMUNITY SERVICES DEPARTMENT (Contingent upon availability)</u>		
NUMBER OF CHAIRS @ \$0.50 each	<u>n/a</u>	(max 500)
NO. OF ROUND TABLES @ \$2.00 each	<u>n/a</u>	(max 15)
NO. OF 8 FOOT TABLES @ \$2.00 each	<u>n/a</u>	(max 50)
NUMBER OF TRASH CANS	<u>All Available</u>	(max 25)
SET UP TIME	_____	
TAKE DOWN TIME	_____	
FOR INFORMATION CONTACT	<u>Kristina Vega, CITY SECRETARY</u>	
<u>(830) 672-2815- City Hall</u>	<u>citysecretary@gonzales.texas.gov</u>	
<u>(830) 672-2813- Fax</u>		

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 #2023-39 Joining with the State of Texas and Political Subdivisions of the State as a Party in the Texas Opioid Settlement Agreements Secured by the Office of the Attorney General; Authorizing the City Manager to Execute Settlement Participation Forms

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

In September 2021 the City of Gonzales authorized the City Manager to execute Opioid Settlement Participation forms to engage in a settlement due to the national and statewide epidemic caused by the sale, use and distribution of opioids within the state of Texas.

The City was recently contacted a second time regarding additional settlements that they could participate in with pharmaceutical manufacturers Allergan, and with pharmacies CVS, Walgreens and Walmart.

POLICY CONSIDERATIONS:

This is consistent with what has been done in the past. Participation in this settlement would require the Council to take action to allow the City Manager to execute all necessary documents.

FISCAL IMPACT:

There is no fiscal impact to the City at this time to participate in the settlements.

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS (“CITY”) JOINING WITH THE STATE OF TEXAS AND POLITICAL SUBDIVISIONS OF THE STATE AS A PARTY IN THE TEXAS OPIOID SETTLEMENT AGREEMENTS SECURED BY THE OFFICE OF THE ATTORNEY GENERAL; AUTHORIZING THE CITY MANAGER TO EXECUTE SETTLEMENT PARTICIPATION FORMS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gonzales, Texas is a Home-Rule municipal corporation formed and organized pursuant to the constitution and laws of the State of Texas; and

WHEREAS, the people of the State of Texas and its communities, including Gonzales, have been harmed through the national and statewide epidemic caused by the sale, use and distribution of opioids within the State of Texas; and

WHEREAS, the City has been provided information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, “Defendants”) have engaged in fraudulent and reckless marketing as well as fraudulent distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, these actions, conduct and misconduct have resulted in the death of many Texans and has resulted in the devastation of families and communities across the State; and

WHEREAS, local governments have been on the front lines of the opioid crisis, which has resulted in significant financial costs to them related to the expenditures and continuing costs for healthcare services, social services, law enforcement and the criminal justice systems; and

WHEREAS, the State of Texas, through the Office of the Attorney General, entered settlements with pharmaceutical manufacturer Allergan and with pharmacies CVS, Walgreens, and Walmart; and

WHEREAS, participating in the settlements increases the State of Texas’ opportunity to maximize its share of opioid settlement funds and will provide a method to ensure that needed resources reach communities once all negotiations are finalized; and

WHEREAS, the City Council finds and determines that it is in the best interest of the health, safety, and welfare of the City to participate in the settlements through the Office of the Attorney General for the State of Texas.

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

Section 1. The City Council hereby authorizes the City Manager to execute the Subdivision Participation Forms, attached hereto as Exhibit “A”, and incorporated herein for all purposes and further authorizes the City Manager to take any additional actions necessary to implement the

intent of 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 part of the judgment and finding 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 March, 2023.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT A

SUBDIVISION PARTICIPATION FORMS

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-40 Accepting and Approving the Change Order to the 2021 Utility Projects with Qro Mex Construction in amount of \$73,633.78 for the replacement of the Waterline in the 400 Block of St Andrew Street

DATE: March 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 \$1,591,042.00. Recently there have been multiple breaks and repairs done to the waterline in the 400 Block of St Andrew Street. Since we have 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 is 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 combined with the previous change order of \$164,870.76 is approximately 15% 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 \$73,633.78 based on unit prices in the current contract with Qro Mex Construction and field measurements for quantities. The funds for this project will come from this year's budget for water replacement projects. This project will be done in lieu of the project planned for the replacement of a waterline in St Peter Street. The St Peter Street line replacement was determined to not be as critical as the St and the St Andrew waterline replacement due to the recent line breaks in St Andrew Street 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 Andrew waterline in the amount of \$73,633.78 be approved.

RESOLUTION NO. 2023-40

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 \$73,633.78 FOR THE REPLACEMENT OF THE WATERLINE IN THE 400 BLOCK OF ST ANDREW 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 \$1,591,042.00 and the proposed Change Order amount is \$73,633.78, and when combined with the previous change order of \$164,870.76 the sum of total change orders is less than 25 percent of the original amount; and,

WHEREAS, the City Engineer evaluated the condition of the existing waterline 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 Qro Mex Construction Co., Inc. in the amount of \$73,633.78; 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 Qro 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 March, 2023.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

CHANGE ORDER FORM

Change Order Number: 3

Project: 2021 Utility Improvement Projects

Subject: Change Order to Add St. Andrew Street waterline replacement to contract

Author: Keith Schauer, P.E.

Initiation Date: 2/14/2023

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: There have been multiple breaks over a short period of time on the portion of waterline along along St. Andrew Street between St. Joseph and St. Paul Streets. Staff has determined it would be more beneficial to the city to replace this block of waterline rather than the one block planned for St. Peter Street and postpone the St. Peter Street replacement until next budget year.

Description of Change:

Add	330 Linear Feet of 8-inch PVC C900 DR-14 Waterline including all appurtenances, backfill and pavement repair.	\$73,633.78
Total		\$73,633.78

Schedule Impact:

☐ Critical

☒ Not Critical

Change in Schedule: 30 Days

Cost Impact:

Estimate: \$ 73,633.78

Change Order Amount: \$ 73,633.78 Dollars

Agreement:

Engineer:

Date: 02/14/23

Project Manager:

Date:

City Manager:

Date:

Contractor:

Date:

			Install 8" Water Line St. Andrew St.		
Line No.	Qty	Unit	Description	Unit Price	Total Price
1	1	LS	MOBILIZATION- MOBILIZATION	\$ 5,000.00	\$ 5,000.00
2	1	LS	BOND AND INSURANCE- PROVIDE ALL BONDS AND INSURANCE AS REQUIRED BY THE CONTRACT DOCUMENTS.	\$ 1,443.78	\$ 1,443.78
3	1	LS	CONSTRUCTION SURVEYING- PROVIDE ALL CONSTRUCTION SURVEYING AND LAYOUT FOR THE PROJECT	\$ 1,500.00	\$ 1,500.00
5	1	LS	TRAFFIC CONTROLS- PROVIDE AND INSTALL, MAINTAIN, AND REMOVE TRAFFIC CONTROLS, AS NECESSARY PER PLANS, DETAILS, AND SPECIFICATIONS.	\$ 2,500.00	\$ 2,500.00
6	330	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	\$ 7,590.00
8	330	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	\$ 2,640.00
10	20	LF	CURB & GUTTER- PROVIDE AND INSTALL REINFORCED CONCRETE CURB & GUTTER PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 35.00	\$ 700.00
11	120	SF	CONCRETE DRIVEWAY- REMOVE AND REPLACE CONCRETE DRIVEWAYS PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 15.00	\$ 1,800.00
13	330	LF	8-INCH PVC C-900 DR-14 WATERLINE- PROVIDE AND INSTALL WATERLINE INCLUDING BENDS, FITTINGS, THRUST BLOCKING, TRENCHING, TRENCH SAFETY, BACKFILL AND COMPACTION, TO ALIGNMENT AND GRADES AS SHOWN PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 62.00	\$ 20,460.00
15	2	EA	TIE TO EXISTING WATERMAINS AND LATERALS- TIE PROPOSED WATERMAINS AND LATERALS TO EXISTING MAINS AND LATERALS AS INDICATED ON DRAWINGS OR AS NECESSARY TO MAINTAIN WATER SYSTEM FUNCTION PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 5,500.00	\$ 11,000.00
16	1	EA	8-INCH GATE VALVE- PROVIDE AND INSTALL PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 2,400.00	\$ 2,400.00
18	7	EA	3/4 -INCH WATER SERVICE TAP WITH ONE 3/4 -INCH SERVICE- PROVIDE AND INSTALL ALL METER BOXES PER PLANS, DETAILS AND SPECIFICATIONS. INCLUDES TRENCH SAFETY, SODDING OF DISTURBED AREAS AS PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 1,500.00	\$ 10,500.00
20	4	EA	8" WATERLINE BEND- PROVIDE AND INSTALL WATERLINE BEND FITTING AS INDICATED IN DRAWINGS PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 550.00	\$ 2,200.00
22	1	EA	8"X6" TEE- PROVIDE AND INSTALL TEE AS INDICATED IN DRAWINGS PER PLANS, DETAILS AND SPECIFICATIONS.	\$ 900.00	\$ 900.00

26	1	LS	HYDROSTATIC TESTING- PROVIDE HYDROSTATIC TESTING OF ALL NEW WATERLINES INSTALLED AS PART OF THIS CONTRACT.	\$ 1,500.00	\$ 1,500.00
27	1	LS	DISINFECTION & BIOLOGICAL TESTING OF WATERLINE- PROVIDE DISINFECTION AND TESTING OF WATERLINE INSTALLATIONS PER TCEQ 290 REQUIREMENTS & AWWA REQUIREMENTS.	\$ 1,500.00	\$ 1,500.00
St. Andrews Proposal					\$ 73,633.78

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-41 Suspending the Proposed Gas Reliability Infrastructure Program Interim Rate Adjustment of Texas Gas Service Company, a Division of One Gas, Inc.

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Section 104.301 of the Gas Utility Regulatory Act establishes the state's Gas Reliability Infrastructure Program and is commonly referred to as the GRIP statute. Its purposes are to encourage the timely investment in needed system improvements and to reduce the frequency of traditional rate cases by providing streamlined process for utilities to recover the cost of those investments on an interim basis between rate cases.

On February 9, 2023 Texas Gas Service Company made Interim Rate Adjustment or "GRIP" filings with the cities in its Central-Gulf Service Area. The Company is seeking recovery of \$104,175,258 in invested capital. The current filing will increase rates to residential customers by \$2.49 per month. This will increase the current residential customer charge from \$20.36 to \$22.85 per month. The increase is currently scheduled to go into effect on April 10, 2023.

Under the GRIP statute, cities may not challenge the Company's request. The only action you may take is to suspend the effective date of the rate increase by 45 days. The City Council has until April 10 to adopt a resolution suspending the date the rate increase would otherwise go into effect.

POLICY CONSIDERATIONS:

There are no significant policy considerations with this item. This resolution is consistent with the previous actions of this Council.

FISCAL IMPACT:

There is no fiscal impact to the City to suspend the GRIP rate increase.

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-41

A RESOLUTION OF THE CITY OF GONZALES, TEXAS SUSPENDING THE APRIL 10, 2023 EFFECTIVE DATE OF THE PROPOSAL BY TEXAS GAS SERVICE COMPANY, A DIVISION OF ONE GAS, INC. – CENTRAL-GULF SERVICE AREA, TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2022 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Gonzales, Texas (“City”) is a gas utility customer of Texas Gas Service Company, a Division of ONE Gas, Inc. – Central-Gulf Service Area, (“TGS” or “the Company”) and a regulatory authority with an interest in the rates and charges of TGS; and

WHEREAS, TGS made filings with the City and the Railroad Commission of Texas (“Railroad Commission”) on February 9, 2023, proposing to implement interim rate adjustments (“GRIP Rate Increases”) pursuant to Texas Utilities Code § 104.301 on all customers served by TGS, effective April 10, 2023; and

WHEREAS, it is incumbent upon the City, as a regulatory authority, to examine the GRIP Rate Increases to determine its compliance with the Texas Utilities Code.

WHEREAS, the City Council has determined that it is in the best interest of its citizens and ratepayers to suspend the proposed rate adjustment.

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

Section 1. The April 10, 2023 effective date of the GRIP Rate Increases proposed by TGS is hereby suspended for the maximum period allowed by Texas Utilities Code § 104.301(a) to permit adequate time to review the proposed increases, analyze all necessary information, and take appropriate action related to the proposed increases.

Section 2. A copy of this Resolution shall be sent to TGS, care of Stephanie G. Houle at 1301 S. Mopac, Suite 400, Austin, Texas 78746, and to Thomas Brocato, legal counsel to the City, at Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as part of the judgment and finding of the City Council.

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

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

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

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

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

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

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-42 Authorizing the Appointments to the Gonzales Convention & Visitors Bureau and Main Street Advisory Board

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

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

During the October 13, 2022 City Council meeting the City Council appointed individuals to all of the boards and commissions. However, since that meeting there has been a resignation from the CVB and the Main Street Advisory Board, leaving one vacancy for each board. An application was received from Monica Helkey to serve on the CVB; and applications were received from Debbie Marshall and DeDe DeStefano to serve on the Main Street Advisory Board.

POLICY CONSIDERATIONS:

The appointment of members to the Boards and Commissions by City Council is consistent with current city policies and Code of Ordinances.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff respectfully requests City Council action deemed appropriate

RESOLUTION NO. 2023-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE APPOINTMENTS TO THE GONZALES CONVENTION & VISITORS BUREAU AND MAIN STREET ADVISORY BOARD; ESTABLISHING AN EFFECTIVE DATE.

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

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

WHEREAS, the uniform appointment month is September of each year, however several vacancies exist on multiple boards and commissions; and

WHEREAS, the City Council hereby appoints the members to the Gonzales Convention & Visitors Bureau and Main Street Advisory Board as attached hereto as Exhibit A.

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

Section 1. The City Council of the City of Gonzales, Texas hereby appoints the Board and Commission members for the terms to the boards set out 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 March, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT “A”

A. Gonzales Convention & Visitors Bureau

The following member is appointed to the Gonzales Convention & Visitors Bureau for the remainder of a two-year term ending September 30, 2024:

- 1.

B. Main Street Advisory Board

The following member is appointed to the Main Street Advisory Board for the remainder of a two-year term ending September 30, 2024:

- 1.



COME AND TAKE IT

CITY OF GONZALES

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

As an applicant for a City board, committee, or commission, the information on this form may be available in accordance with the guidelines of the Texas Public Information Act. You have the right to request the exclusion of certain information from public access.

Certain boards may have additional qualification requirements. View information about each board on the City website or contact the City Secretary's Office.

Name: Monica Helkey

Mailing Address: 222 Saint Peter St

City, State & Zip: Gonzales

Phone Number: _____ (Other)

Email: [REDACTED]

Employer: Belle Oaks Inn

Occupation: Innkeeper/manager

Business Address: 222 Saint Peter St

Are you a resident of Gonzales? ☒ Y ☐ N If yes, how long? 7 mo

Qualified voter of the City of Gonzales? ☒ Y ☐ N Voted in the most recent City election? ☐ Y ☒ N

All individuals appointed to a board, commission or committee of the City must sign a statement affirming they have read and understand the City of Gonzales Code of Ethics and Conduct (Article 9.800 of the Code of Ordinances). If appointed, are you willing to sign the required statement? ☒ Y ☐ N

Do you currently serve on a City of Gonzales board or commission? ☐ Y ☒ N

If yes, which one(s)? _____

How long? _____

Do you have any relatives who work for the City of Gonzales? ☐ Y ☒ N

If so, who?

Do you receive any direct compensation or gain from the City of Gonzales? ☐ Y ☒ N

If so, what type?

Do you receive any direct compensation or gain from any governmental body?

If so, what type? _____

Please give brief background information about yourself, including education, past employment, and any special qualifications you have for serving on this board/commission. You are welcome to provide additional resume, letters, certifications, etc. that further describe your achievements.

With a degree in hospitality management and marketing as well as a culinary certificate from Le Cordon Bleu St. Louis, I owned and operated a catering business for 15 years in the St. Louis area. Serving mostly business events and the military and smaller family gatherings and weddings. I obtained multi-industry experience developing and managing several different types of businesses. I owned and managed a marketing company that served the automotive industry nationwide. I created and designed all marketing campaigns and graphic design. I have extensive experience with startup companies.

Please state why you wish to serve as a member of a City board, commission or committee.

My experience in business and the adventures I've taken on to include running the largest dive center in the world from office management to dealing with the Coast Guard inspections for the 8 large boats we had, has given me a balance and a plethora of insight that allows me to think outside the box. I feel this would bring a positive energy and new ideas to this wonderful town. I have always wanted to be involved in helping a community grow and be the shining star it is meant to be. I also served on the downtown revitalization committee for my hometown for a short period.

Provide names, addresses, and phone numbers for three references:

Linda Leubrecht former manager and friend	[REDACTED]	Bowling Green, MO
Scott Overlander former coworker and friend	[REDACTED]	Wentzville, MO
Clint Hille, current partner at Belle Oaks Inn	[REDACTED]	

If selected, on which boards/committees/commissions would you be willing to serve? Please indicate your preference by number, 1, 2, 3, etc. (number overall, not section by section). This application will remain on file for ninety (90) days.

ADVISORY BOARDS, COMMITTEES, OR COMMISSIONS

☐ Library Board
 ☐ Museum Advisory Board
☐ JB Wells Park Advisory Board
 ☐ Independent Golf Course Advisory Board
☐ Airport Advisory Board
 ☒ Convention & Visitor Bureau

DECISION MAKING/QUASIJUDICIAL BOARDS, COMMITTEES, OR COMMISSIONS

_____ Planning and Zoning Commission _____ Board of Adjustment/Sign Control Board

SEPARATE LEGAL ENTITIES/NON-PROFIT CORPORATIONS

_____ Gonzales Economic Development Corp. _____ Main Street Advisory Board

X AD HOC OR OTHER OPPORTUNITIES AS AVAILABLE – Items may arise from time to time such as, redistricting, or charter review committees, or appointments to regional committees, etc.

I, the undersigned, hereby request consideration for the appointment to a board, committee or commission of the City of Gonzales, Texas. I affirm that all information contained in this application is true and complete and that any misrepresentation, falsification, or omission shall be cause for relinquishing my role as a volunteer for the City of Gonzales.

SIGNATURE: Monica Helkey Digitally signed by Monica Helkey
Date: 2023.01.28 09:19:28 -06'00'

DATE: 01/28/2023

For Office Use Only:	
Received by:	
Date:	
Notes on Qualifications:	



COME AND TAKE IT

CITY OF GONZALES BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

As an applicant for a City board, committee, or commission, the information on this form may be available in accordance with the guidelines of the Texas Public Information Act. You have the right to request the exclusion of certain information from public access.

Certain boards may have additional qualification requirements. View information about each board on the City website or contact the City Secretary's Office.

Name: _____

Mailing Address: _____

City, State & Zip: _____

Phone Number: _____ (Primary) _____ (Other)

Email: _____

Employer: _____

Occupation: _____

Business Address: _____

Are you a resident of Gonzales? Y N If yes, how long? _____

Qualified voter of the City of Gonzales? Y N Voted in the most recent City election? Y N

All individuals appointed to a board, commission or committee of the City must sign a statement affirming they have read and understand the City of Gonzales Code of Ethics and Conduct (Article 9.800 of the Code of Ordinances). If appointed, are you willing to sign the required statement? Y N

Do you currently serve on a City of Gonzales board or commission? Y N

If yes, which one(s)? _____

How long? _____

Do you have any relatives who work for the City of Gonzales? Y N

If so, who? _____

Do you receive any direct compensation or gain from the City of Gonzales? Y N

If so, what type? _____

Do you receive any direct compensation or gain from any governmental body?

Y N

If so, what type? _____

Please give brief background information about yourself, including education, past employment, and any special qualifications you have for serving on this board/commission. You are welcome to provide additional resume, letters, certifications, etc. that further describe your achievements.

Please state why you wish to serve as a member of a City board, commission or committee.

Provide names, addresses, and phone numbers for three references:

If selected, on which boards/committees/commissions would you be willing to serve? Please indicate your preference by number, 1, 2, 3, etc. (number overall, not section by section). This application will remain on file for ninety (90) days.

ADVISORY BOARDS, COMMITTEES, OR COMMISSIONS

<input type="checkbox"/> Library Board	<input type="checkbox"/> Museum Advisory Board
<input type="checkbox"/> JB Wells Park Advisory Board	<input type="checkbox"/> Independent Golf Course Advisory Board
<input type="checkbox"/> Airport Advisory Board	<input type="checkbox"/> Convention & Visitor Bureau

DECISION MAKING/QUASIJUDICIAL BOARDS, COMMITTEES, OR COMMISSIONS

<input type="checkbox"/> Planning and Zoning Commission	<input type="checkbox"/> Board of Adjustment/Sign Control Board
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SEPARATE LEGAL ENTITIES/NON-PROFIT CORPORATIONS

<input type="checkbox"/> Gonzales Economic Development Corp.	<input type="checkbox"/> Main Street Advisory Board
--	---

☐ AD HOC OR OTHER OPPORTUNITIES AS AVAILABLE – Items may arise from time to time such as, redistricting, or charter review committees, or appointments to regional committees, etc.

I, the undersigned, am interested in serving on the boards, committees, or commissions indicated above. I hereby attest that I do not own or control any entity, nor am I engaged in any business transaction, nor employed, nor belong to any public office, nor am I a member of any board or commission where such activity or membership would present a conflict of interest to my serving on the board, committee, or commission to which I am appointed. For such purposes, I am also aware that I may be required to file a conflict of interest affidavit or other document if determined by law, as applicable (such as Chapters 171 and 176 of the Texas Local Government Code), when and if circumstances require.

I, the undersigned, hereby request consideration for the appointment to a board, committee or commission of the City of Gonzales, Texas. I affirm that all information contained in this application is true and complete and that any misrepresentation, falsification, or omission shall be cause for relinquishing my role as a volunteer for the City of Gonzales.

SIGNATURE: _____

DATE: _____

For Office Use Only:	
Received by:	
Date:	
Notes on Qualifications:	



COME AND TAKE IT

CITY OF GONZALES

BOARDS, COMMITTEES, AND COMMISSIONS
APPLICATION

Submit Form by Email

Print

As an applicant for a City board, committee, or commission, the information on this form may be available in accordance with the guidelines of the Texas Public Information Act. You have the right to request the exclusion of certain information from public access.

Certain boards may have additional qualification requirements. View information about each board on the City website or contact the City Secretary's Office.

Name: DeDe DeStefano

Mailing Address: 97 Maner Street

City, State & Zip: Gonzales, TX 78629

Phone Number: [REDACTED] (Primary) same (Other)

Email: [REDACTED]

Employer: DeStefano Consulting

Occupation: Marketing, Communications, Fundraising

Business Address: 97 Maner St., Gonzales, TX 78629

Are you a resident of Gonzales? ☒ Y ☐ N If yes, how long? 4 years + 18 previous years

Qualified voter of the City of Gonzales? ☒ Y ☐ N Voted in the most recent City election? ☒ Y ☐ N

All individuals appointed to a board, commission or committee of the City must sign a statement affirming they have read and understand the City of Gonzales Code of Ethics and Conduct (Article 9.800 of the Code of Ordinances). If appointed, are you willing to sign the required statement? ☒ Y ☐ N

Do you currently serve on a City of Gonzales board or commission? ☐ Y ☒ N

If yes, which one(s)? _____

How long? _____

Do you have any relatives who work for the City of Gonzales? ☐ Y ☒ N

If so, who? _____

Do you receive any direct compensation or gain from the City of Gonzales? ☐ Y ☒ N

If so, what type? _____

City of Gonzales – 820 St. Joseph, Gonzales, TX 78629 – (830) 672-2815

Submitted applications will be forwarded to the City Council for consideration and are also available to the public under the guidelines of the Texas Public Information Act.

Please contact the City Secretary (CitySecretary@gonzales.texas.gov) if you have questions about this process. Revised 7/20

Do you receive any direct compensation or gain from any governmental body?

☐ Y ☒ N

If so, what type? _____

Please give brief background information about yourself, including education, past employment, and any special qualifications you have for serving on this board/commission. You are welcome to provide additional resume, letters, certifications, etc. that further describe your achievements.

During my 20+ year career, my roles have been focused almost solely in the nonprofit executive leadership space. I led the Communications Department at UT MD Anderson Cancer Center and created and led a new department focused on corporate fundraising. I led a professional team of 17, while raising three sons, serving on the City of West University Place's Zoning and Planning Commission and volunteering at church and in the community. I am currently a board member for the Ottine VFD and am a member of Friends of Palmetto St. Park. I would love to bring my passion and experience to a Gonzales board/commission.

Please state why you wish to serve as a member of a City board, commission or committee.

I grew up in Gonzales and, although I spent a couple of decades in Houston, I never stopped educating others on how amazing my hometown was and is. It killed me when people only knew where Gonzales was because it's the exit you take for Buc-ee's. My family has grown weary of hearing me tell about the Immortal 32 and the Runaway Scrape, but I'll still do it, given any chance! I love my hometown and would be honored to bring the skills I've accumulated over the past few decades to help improve life for our beloved community in any way possible.

Provide names, addresses, and phone numbers for three references:

Debbie & John Everett, Ottine VFD (Treasurer and former Fire Chief, now CFO), [REDACTED]
Adi Espat, Assoc. Vice President, MD Anderson Development (former direct report/colleague) [REDACTED]
Katie Evans, Chief Experience Officer, Alzheimer's Association (former boss) [REDACTED]

If selected, on which boards/committees/commissions would you be willing to serve? Please indicate your preference by number, 1, 2, 3, etc. (number overall, not section by section). This application will remain on file for ninety (90) days.

ADVISORY BOARDS, COMMITTEES, OR COMMISSIONS

<input checked="" type="checkbox"/> Library Board	<input checked="" type="checkbox"/> Museum Advisory Board
<input checked="" type="checkbox"/> JB Wells Park Advisory Board	<input checked="" type="checkbox"/> Independent Golf Course Advisory Board
<input checked="" type="checkbox"/> Airport Advisory Board	<input checked="" type="checkbox"/> Convention & Visitor Bureau

DECISION MAKING/QUASIJUDICIAL BOARDS, COMMITTEES, OR COMMISSIONS

<input checked="" type="checkbox"/> Planning and Zoning Commission	<input checked="" type="checkbox"/> Board of Adjustment/Sign Control Board
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SEPARATE LEGAL ENTITIES/NON-PROFIT CORPORATIONS

<input checked="" type="checkbox"/> Gonzales Economic Development Corp.	<input checked="" type="checkbox"/> Main Street Advisory Board
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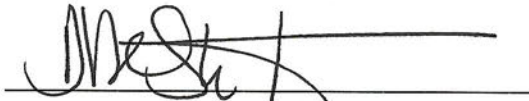
☒ AD HOC OR OTHER OPPORTUNITIES AS AVAILABLE – Items may arise from time to time such as, redistricting, or charter review committees, or appointments to regional committees, etc.

City of Gonzales – 820 St. Joseph, Gonzales, TX 78629 – (830) 672-2815
Submitted applications will be forwarded to the City Council for consideration and are also
available to the public under the guidelines of the Texas Public Information Act.
Please contact the City Secretary (CitySecretary@gonzales.texas.gov) if you have questions about this process. Revised 7/20

I, the undersigned, am interested in serving on the boards, committees, or commissions indicated above. I hereby attest that I do not own or control any entity, nor am I engaged in any business transaction, nor employed, nor belong to any public office, nor am I a member of any board or commission where such activity or membership would present a conflict of interest to my serving on the board, committee, or commission to which I am appointed. For such purposes, I am also aware that I may be required to file a conflict of interest affidavit or other document if determined by law, as applicable (such as Chapters 171 and 176 of the Texas Local Government Code), when and if circumstances require.

I, the undersigned, hereby request consideration for the appointment to a board, committee or commission of the City of Gonzales, Texas. I affirm that all information contained in this application is true and complete and that any misrepresentation, falsification, or omission shall be cause for relinquishing my role as a volunteer for the City of Gonzales.

SIGNATURE:



DATE:

2.17.23

For Office Use Only:	
Received by:	
Date:	
Notes on Qualifications:	

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-43 Rejecting the Proposals received for the 2022 Street Improvement Projects

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The City has received a bid for the 2022 Street Improvement Projects. These plans include the reconstruction of Saint Lawrence Street from St. James Street to College Street, and from Tinsley Creek to Hopkins Street, including replacement of curb & gutter and edge milling and repaving with a 2-inch HMAC overlay. These plans also include an edge mill and overlay of Church Street from Fischer Street to Cuero Street. The project also includes drainage improvements within the 400 and 500 Blocks of St. Lawrence Street near the intersection with St. Paul Street.

This agenda Item will expend up to \$1,480,648.00 as the base contract amount depending on council decision on scope of project. Funding for this project will come from ARPA funds in the amount of \$775,000.00 and will be used to decrease the amount coming from the General Fund. The bidding documents included two deductive alternates to remove the drainage improvements near and at the intersection of St. Paul Street. Alternate Deduct #1 is in the amount of \$85,050.00 and Alternate Deduct #2 is in the amount of \$57,200.00. If Council chooses to eliminate part or all of the drainage improvements from the contract, the contract amount may be reduced by these amounts.

POLICY CONSIDERATIONS:

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

FISCAL IMPACT:

This agenda item has no fiscal impact.

ATTACHMENTS:

Bid tab

STAFF RECOMMENDATION:

Staff respectfully recommends rejecting all bids received March 2, 2023 and rebidding the project.

RESOLUTION NO. 2023-43

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS
REJECTING THE PROPOSALS RECEIVED FOR THE 2022 STREET
IMPROVEMENT PROJECTS; AND ESTABLISHING AN EFFECTIVE DATE.**

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

WHEREAS, the advertisements for the Request for Bids were published in the newspaper for three consecutive weeks beginning February 9, 2023; and,

WHEREAS, the proposals were due to be received by the City of Gonzales on March 2, 2023 at 2:00 p.m.; and,

WHEREAS, one proposal was received from, CK Newberry, LLC., by the due date published; and,

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

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

WHEREAS, the bid received was substantially over budget and staff recommends rejecting the bid, and,

WHEREAS, the City Council finds that rejecting the proposals received on March 2, 2023, for the 2022 Street Improvement Project in the best interest of the City.

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

Section 1. The City Council of the City of Gonzales hereby rejects all bids received on March 2, 2023 for the 2022 Street Improvement Projects.

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 March, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

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

PROJECT NAME: **2022 STREET IMPROVEMENT PLANS**

PROJECT MANAGER: **TODD REMSCHEL**

PRE-BID CONFERENCE DATE &
TIME: NA

BID DATE & TIME:
2:00 PM - March 2, 2023

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

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

	BIDDER / FIRM NAME	Base Bid	Bid Alternate 1	Bid Alternate 2	Bid Bond
1	CK Newberry, LLC	1,480,649	-25,050	-57,220	
2					
3					
4					
5					
6					
7					
8					
9					
10					

Recommendation:

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-44 Approving the amendments and updates to the Bylaws of the Gonzales Volunteer Fire Department

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The Gonzales Volunteer Fire Department has existing Bylaws that determine the guidelines to which the organization conducts business. The bylaws were reviewed and accepted by the Gonzales Volunteer Fire Department at a called meeting on February 15, 2023, but will need to be approved by City Council.

The amendments to the bylaws were based on the changes needed for the department. It has also been brought to our attention that we do not have a current set of bylaws on file with the city. The amendment is almost a complete rewrite from the previously approved bylaws.

POLICY CONSIDERATIONS:

The approval of the amendments to the bylaws by the governing body of a municipality is consistent with current policy of the City.

FISCAL IMPACT:

There is no fiscal impact to the City of Gonzales in adopting the attached Bylaws.

ATTACHMENTS:

Amended Bylaws

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS APPROVING THE AMENDMENTS AND UPDATES TO THE BYLAWS OF THE GONZALES VOLUNTEER FIRE DEPARTMENT AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gonzales Volunteer Fire Department adopted the original bylaws many years ago and minor amendments were adopted over the years; and,

WHEREAS, after thorough review of the existing bylaws there were several amendments that needed to be completed; and,

WHEREAS, Gonzales Volunteer Fire Department voted unanimously to approve the amendments to the existing bylaws at their meeting held on February 15, 2023; and,

WHEREAS, the City Council of the City of Gonzales hereby finds that the amendments to the Gonzales Volunteer Fire Department bylaws is in the best interest of its citizens and will further promote and preserve the historical significance of the City of Gonzales.

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

Section 1. The City Council of the City of Gonzales, Texas hereby approves the amendments and updates to the bylaws of the Gonzales Volunteer Fire Department, as 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 March, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



DATE: March 9, 2023

AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-45 Authorizing the City Manager to negotiate and enter into a Memorandum of Understanding with the Edwards Association for the placement of a monument at Independence Square commemorating the post-Civil-War rise and progress of the African American people in Gonzales County

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

During the July 9, 2020 City Council meeting a presentation was given regarding the installation of interpretive panels on the "Confederate Square". During the presentation, David Tucy spoke regarding the possible renaming of the square to Independence Square and the desire to designate a prominent space to erect interpretive panels and a monument on the square. The projects were mentioned again during the August 13, 2020 and September 10, 2020 meetings, with the interpretive panels being approved for placement at the November 16, 2020 meeting. No action was taken since then regarding the monument. During the January 19, 2023 meeting Mr. Tucy and Mr. Johnson once again requested to move forward with a monument to be placed in the same proximity as the panels on Independence Square. At the request of the Mayor this item is being presented to the City Council for consideration.

City of Gonzales wishes to authorize the City Manager to negotiate and execute a Memorandum of Understanding with the Edwards Association to clearly describe the agreed upon roles and responsibilities of each organization to ensure the projects success. The roles and responsibilities should align with project goals, objectives, and target outputs. The MOU will describe how the collaboration will benefit the project and the resources each partner would contribute to the project; whether this is staff time, making in-kind contributions, delivering services.

POLICY CONSIDERATIONS:

It is consistent with current policy for both entities to outline their responsibilities in a Memorandum of Understanding to clearly describe the responsibilities of both parties.

FISCAL IMPACT:

The fiscal impact to the City is unknown at this time.

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE EDWARDS ASSOCIATION FOR THE PLACEMENT OF A MONUMENT AT INDEPENDENCE SQUARE COMMEMORATING THE POST-CIVIL-WAR RISE AND PROGRESS OF THE AFRICAN AMERICAN PEOPLE IN GONZALES COUNTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the ability for the City Manager to negotiate and enter into a Memorandum of Understanding is being presented for consideration; and

WHEREAS, the City of Gonzales seeks to work in coordination with the Edwards Association to engage with the community to work on inclusion and a resolution to commemorate the post-Civil-War rise and progress of the African American people in Gonzales County; and,

WHEREAS, the roles and responsibilities will describe how the collaboration will benefit the project and resources each partner would contribute to the project; and

WHEREAS, both parties desire to enter into an agreement to work together to accomplish the agreed upon goals and objectives; and

WHEREAS, the City Council finds that entering into a Memorandum of Understanding with the Edwards Association serves a public purpose and is in the best interest of the citizens of the City of Gonzales.

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

Section 1. The City Council of the City of Gonzales, Texas hereby authorizes the City Manager to negotiate and enter into a Memorandum of Understanding with the Edwards Association for the placement of a monument at Independence Square commemorating the post-Civil-War rise and progress of the African American people in Gonzales County.

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 March, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider and Possible Action on Resolution #2023-46 Appointing the Municipal Court Judge for Judicial Services for the City of Gonzales

DATE: March 9, 2023

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Judge Deidra Voigt, the current judge, was originally appointed on May 24, 2011 to fill an unexpired term for the previous judge that ended on December 8, 2012. Judge Voigt was last reappointed at the January 14, 2021 City Council meeting with a term expiration of December 8, 2022.

Government Code Section 29.005 states that the term of office of a judge of a municipal court is two years unless the municipality provides for a longer term pursuant to the Constitution. A municipal court judge who is not reappointed by the 91st day following the expiration of a term of office shall, absent action by the appointing authority, continue to serve for another term of office beginning on the date the previous term of office expired.

As per the City of Gonzales Charter Section 4.04 (b) the judge of the municipal court shall be a qualified voter of the city and shall be appointed by the city council, shall hold his/her office at the pleasure of the city council and shall receive such salary as may be fixed by ordinance of the city council.

POLICY CONSIDERATIONS:

In 2020, City Council advertised a request for qualifications for the Municipal Judge position, and reappointed Judge Deidra Voigt for another two year term.

FISCAL IMPACT:

The Municipal Court Judge is currently compensated \$1,950 per month. There was no proposed increase included in the Fiscal Year 2022-2023 budget.

STAFF RECOMMENDATION:

Staff is seeking Council direction on this item.

RESOLUTION NO. 2023-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE APPOINTMENT OF THE MUNICIPAL COURT JUDGE FOR JUDICIAL SERVICES FOR THE CITY OF GONZALES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, as per Section 4.04 (b) of the City of Gonzales Charter the municipal court judge shall be a qualified voter of the city and shall be appointed by and serve at the pleasure of the City Council; and,

WHEREAS, Government Code Section 29.005 states that the term of office of a municipal court judge serves for a term of office of two years unless the municipality provides for a longer term pursuant to the Constitution; and

WHEREAS, the municipal court judge must be reappointed by the 91st day following the expiration of a term of office shall, absent action by the appointing authority, continue to serve for another office beginning on the date the previous term of office expired; and

WHEREAS, the current sitting municipal judge's term ended on December 8, 2022; and

WHEREAS, the City Council finds that appointing Deidra Voigt as the Municipal Court Judge to perform municipal judge services would be in the best interest of the City of Gonzales.

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

Section 1. The City Council of the City of Gonzales, Texas hereby appoints Deidra Voigt to serve as the Municipal Court Judge for a two year term ending December 8, 2024.

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 March, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2023-47 Regarding an Amended and Restated Performance Agreement by and Between the Gonzales Economic Development Corporation and Main Street, Inc.

DATE: March 9, 2023

Type Agenda Item

Resolution

BACKGROUND:

At its February 27, 2023, meeting the GEDC board voted unanimously to approve the Amended and Restated Performance Agreement by and between the Gonzales Economic Development Corporation and Main Street, Inc. to allow for additional funding in the amount of \$104,000 for the 2022-23 FY.

The GEDC has previously committed and provided Main Street projects in an amount not to exceed \$156,000. This was to allow for a total of three (3) \$52,000 Main Street Improvement Grants. Main Street and GEDC are working well together to fund impactful projects in the Main Street area. We are focused on buildings brick and mortar and infrastructure improvements that preserve and enhance the Main Street district. These investments will retain jobs, create sales tax, and increase the value of the properties. The City of Gonzales and all taxing entities should see an increase in revenue based on the new investment.

At its February 16, 2023, meeting, the Main Street Board voted unanimously to make two changes to the original Performance Agreement by and between the GEDC and Main Street. These two changes were to update the wording in Section 3, item (b) to include “Restated Performance Agreement” and in Section 5, item (a) amend the funding request to provide additional funding in the amount of \$104,000.

POLICY CONSIDERATIONS:

Section 501.103 of the Texas Local Government Code, in pertinent part, defines the term “project” to mean “expenditures that are found by the board of directors to be required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, limited to: (1) streets and roads, rail spurs, water and sewer utilities, electric utilities, or gas utilities, drainage, site improvements, and related improvements; (2) telecommunications and Internet improvements...”; and Section 505.158 of the Texas Local Government Code provides that “[f]or a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, “project” also includes the land, building, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation’s board of directors to promote new or expanded business development;” and Section 501.073(a) of the Texas Local Government Code requires the City Council of the City of Gonzales, Texas, to approve all programs and expenditures of GEDC.

FISCAL IMPACT:

The GEDC will budget an additional \$104,000 for the 2022-23 FY Budget for Main Street Improvement Grants from the fund balance.

ATTACHMENTS:

Amended and Restated Performance Agreement

STAFF RECOMMENDATIONS:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2023-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING AN AMENDED AND RESTATED PERFORMANCE AGREEMENT BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION AND GONZALES MAIN STREET, INC. A TEXAS NON-PROFIT CORPORATION; 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, Section 501.073 (a) of the Texas Local Government Code requires the City Council of the City of Gonzales, Texas, to approve all programs and expenditures of the Gonzales Economic Development Corporation; and

WHEREAS, Section 501.103 of the Texas Local Government Code, in pertinent part, defines the term “project” to mean “expenditures that are found by the board of directors to be required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, limited to (1) streets and roads, rail spurs, water and sewer utilities, electric utilities, or gas utilities, drainage, site improvements, and related improvements; (2) telecommunications and Internet improvements”; and

WHEREAS, Section 505.158 of the Texas Local Government Code provides that “[f]or a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, “project” also includes the land, building, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation’s board of directors to promote new or expanded business development.”; and

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

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

Section 1. The City Council of the City of Gonzales, Texas, does hereby approve the Amended and Restated Performance Agreement 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 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 March, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

Exhibit A

[Amended and Restated Agreement]

AMENDED AND RESTATED PERFORMANCE AGREEMENT

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

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

WHEREAS, Chapters 501 to 505 of the Texas Local Government Code contains the authority for the use of Type B sales tax revenue for permissible “projects” as that term is defined in Chapters 501 to 505 of the Texas Local Government Code; and

WHEREAS, Section 501.103 of the Texas Local Government Code, in pertinent part, defines the term “project” to mean “expenditures that are found by the board of directors to be required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, limited to: (1) streets and roads, rail spurs, water and sewer utilities, electric utilities, or gas utilities, drainage, site improvements, and related improvements; (2) telecommunications and Internet improvements . . .”; and

WHEREAS, Section 505.158 of the Texas Local Government Code provides that “[f]or 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;” and

WHEREAS, pursuant to this Agreement, Main Street agrees to undertake the distribution, intake, and approval of applications for the funding of projects consistent with Chapters 501 to 505 of the Texas Local Government Code, and in particular Sections 501.103 and 505.158 of the Texas Local Government Code; and

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

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

SECTION 1. FINDINGS INCORPORATED.

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

SECTION 2. TERM.

This Agreement shall be effective as of the Effective Date, and shall continue thereafter until **September 30, 2024**, unless terminated sooner under the provisions hereof.

SECTION 3. DEFINITIONS.

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

- (a) **Act.** The word “Act” means Chapters 501 to 505 of the Texas Local Government Code, as amended.
- (b) **Agreement.** The word “Agreement” means this Amended and Restated Performance Agreement, together with all exhibits and schedules attached to this Amended and Restated Performance Agreement from time to time, if any.
- (c) **City.** The word “City” means the City of Gonzales, Texas, a Texas home-rule municipality, whose address for the purposes of this Agreement is 820 N. St. Joseph Street, Gonzales, Texas 78629.
- (d) **Effective Date.** The words “Effective Date” mean the date of the latter to execute this Agreement by and between Main Street and GEDC.
- (e) **Event of Default.** The words “Event of Default” mean and include any of the Events of Default set forth below in the section entitled “Events of Default.”
- (f) **GEDC.** The term “GEDC” means the Gonzales Economic Development Corporation, a Texas non-profit corporation, its successors and assigns, whose corporate address for the purposes of this Agreement is 820 N. St. Joseph Street, Gonzales, Texas 78629.
- (g) **Main Street.** The words “Main Street” mean the Gonzales Main Street, Inc., a Texas non-profit corporation, its successors and assigns, whose address for the purposes of this Agreement is 820 N. St. Joseph Street, Gonzales, Texas 78629.
- (h) **Main Street District.** The words “Main Street District” mean the area of the City of Gonzales, Texas, as depicted in *Exhibit A* of this Agreement which is attached hereto and is incorporated herein for all purposes.
- (i) **Qualified Expenditures.** The words “Qualified Expenditures” mean those expenditures consisting of removal of slipcovers, false fronts or non-historical added facades, repainting of replaced mortar joints and brick, removing paint and restoring it to its natural condition, reconstruction or remodeling that achieves a historic look, restoring transom windows,

replacing/restoring awnings or canopies to their historic state. In addition, landscaping (if irrigated and maintained and warranted for one year) parking lot resurfacing, striping, fencing driveway improvement, lighting, electrical, plumbing, fencing, installation of sprinkler systems and compliance with ADA requirements, and infrastructure, and those expenses which otherwise meet the definition of “project” as that term is defined by Sections 501.103 and 5051.58 of the Act, and the definition of “cost” as that term is defined by Section 501.152 of the Act. All “Qualified Expenditures” must be made within the Main Street District, as depicted in *Exhibit A* of this Agreement which is attached hereto and is incorporated herein for all purposes.

- (j) **Related Documents.** The words “Related Documents” mean and include without limitation all other instruments and documents, whether now or hereafter existing, executed in connection with this Agreement.
- (k) **Term.** The word “Term” means the term of this Agreement as specified in Section 2 of this Agreement.

SECTION 4. AFFIRMATIVE COVENANTS OF MAIN STREET.

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

- (a) **Economic Development Projects.** Main Street covenants and agrees to provide to applicants requesting funding for properties within the Main Street District, the following:
 - (1) the form of the application attached hereto as *Exhibit B*; and
 - (2) the checklist in a form attached hereto as *Exhibit C*.

Main Street through its Board of Directors covenants and agrees to approve applications consistent with the Act. Upon, approval by the Board of Directors of Main Street, the applications will require approval by the GEDC Board of Directors. Main Street covenants and agrees all properties approved for funding pursuant to this Agreement shall be within the Main Street District. Further, Main Street covenants and agrees no approved applicant shall receive more than **Fifty-Two Thousand and No/100 Dollars (\$52,000.00)** in funding. In addition, Main Street covenants and agrees that approved applicants shall execute a performance agreement in a form substantially similar to the form attached hereto as *Exhibit D*, prior to the receipt of any funding.

- (b) **Quarterly Reports.** Main Street covenants and agrees on a quarterly basis during the Term of this Agreement to provide to the GEDC written quarterly reports on economic development activities related to this Agreement. In addition, Main Street covenants and agrees to provide quarterly reports in person at the regularly scheduled meetings of the GEDC during the Term of this Agreement.
- (c) **Performance.** Main Street covenants and agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and

agreements by and between Main Street and GEDC.

SECTION 5. AFFIRMATIVE OBLIGATIONS OF GEDC.

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

- (a) **Financial Assistance by GEDC.** GEDC has previously committed and provided the Main Street projects in an amount not to exceed **One Hundred Fifty-Six Thousand and No/100 Dollars (\$156,000.00)**. In addition, upon the Effective Date of this Agreement, GEDC covenants and agrees to provide additional funding in the amount of **One Hundred and Four Thousand and No/100 Dollars (\$104,000.00)**. GEDC covenants and agreement to provide funding consistent with the application for funding for the Main Street projects, and as approved by Main Street and GEDC within thirty (30) days of said applicant providing the GEDC paid invoices, paid receipts, or other paid documentation acceptable to the GEDC. Further, GEDC covenants and agrees to undertake any and all procedural requirements under the Act including the publication of notice, and conduct a public hearing concerning this Agreement and related project.
- (b) **Performance.** GEDC covenants and agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between GEDC and Main Street.

SECTION 6. CESSATION OF ADVANCES.

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

SECTION 7. EVENTS OF DEFAULT.

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

- (a) **Affirmative Obligations of Main Street.** The failure of Main Street to comply with any of the affirmative obligations contained within Section 4 of this Agreement is an Event of Default.
- (b) **Affirmative Obligations of GEDC.** The failure of GEDC to comply with any of the affirmative obligations contained within Section 5 of this Agreement is an Event of Default.
- (c) **False Statements.** Any warranty, representation, or statement made or furnished to GEDC by or on behalf of Main Street under this Agreement or the Related Documents that is false or misleading in any material respect, either now or at the time made or furnished is an Event of Default.
- (d) **Insolvency.** Main Street's insolvency, appointment of receiver for any part of Main

Street's property, any assignment for the benefit of creditors of Main Street, any type of creditor workout for Main Street or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Main Street is an Event of Default.

- (e) **Other Defaults.** Failure of Main Street to comply with or to perform any other term, obligation, covenant or condition contained in this Agreement or in any of the Related Documents, or failure of Main Street to comply with or to perform any other term, obligation, covenant or condition contained in any other agreement by and between GEDC and Main Street is an Event of Default.

SECTION 8. EFFECT OF AN EVENT OF DEFAULT.

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

SECTION 9. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are a part of this Agreement:

- (a) **Amendments.** This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- (b) **Applicable Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Gonzales County, Texas. Venue for any action arising under this Agreement shall lie in the state district courts of Gonzales County, Texas.
- (c) **Assignment.** This Agreement may not be assigned without the express written consent of the other party.
- (d) **Binding Obligation.** This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. Main Street warrants and represents that the individual or individuals executing this Agreement on behalf of Main Street has full authority to execute this Agreement and bind Main Street to the same. GEDC warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind it to the same.
- (e) **Caption Headings.** Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.

(f) **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

(g) **Notices.** Any notice or other communication required or permitted by this Agreement (hereinafter referred to as the “Notice”) is effective when in writing and (i) personally delivered either by facsimile (with electronic information and a mailed copy to follow) or by hand or (ii) three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified with return receipt requested, and addressed as follows:

if to Main Street: Gonzales Main Street, Inc.
820 N. St. Joseph Street
Gonzales, Texas 78629
Attn: _____
Telephone: _____

if to GEDC: Gonzales Economic Development Corporation
820 N. St. Joseph Street
Gonzales, Texas 78629
Attn: Jennifer Kolbe,
Economic Development Director
Telephone: (830) 672-2815, Ext. 1600

(h) **Severability.** If a court of competent jurisdiction finds any provision of this Agreement to be invalid or unenforceable as to any person or circumstance, such finding shall not render that provision invalid or unenforceable as to any other persons or circumstances. If feasible, any such offending provision shall be deemed to be modified to be within the limits of enforceability or validity; however, if the offending provision cannot be so modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.

(i) **Time is of the Essence.** Time is of the essence in the performance of this Agreement.

(j) **Termination without Default.** Either party may terminate this Agreement at any time with 60 days advance written notice to the other party. Within thirty (30) days of termination of the Agreement, Main Street shall return to GEDC any unexpended funds provided pursuant to this Agreement.

[The Remainder of this Page Intentionally Left Blank]

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

MAIN STREET:

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

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

CITY:

CITY OF GONZALES, TEXAS,
a Texas home-rule municipality,

By: _____
Timothy L. Crow, City Manager
Date Signed: _____

GEDC:

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

By: _____
Ken Morrow, President
Date Signed: _____

Exhibit A

[Depiction of the Main Street District]

Gonzales Main Street District



Tiffany Hutchinson-Padilla
Main Street Director
P.O. Box 547

Office: 830-672-2815

Cell: 830-203-1705

Fax: 830-672-2813

Email: tpadilla@gonzales.texas.gov

www.gonzales.texas.gov/p/departments/main-street

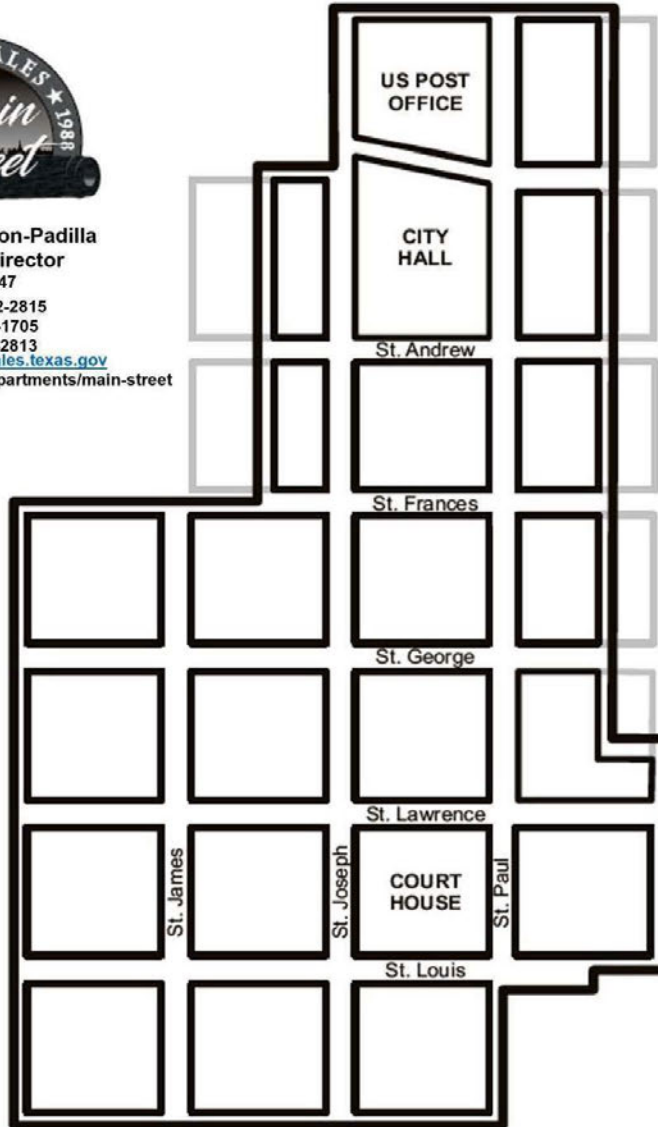


Exhibit B

[Form of GEDC Application]



Gonzales Economic Development Corporation Small Business Incentive Grant Application

1. The Business Incentive Grant Guidelines have been reviewed. ☐ Yes ☐ No
2. One original application and one copy is attached. ☐ Yes ☐ No
3. All parties having an ownership in the business, property or facility have signed this application. ☐ Yes ☐ No
4. This application contains three (3) cost estimates from qualified contractors and/or suppliers. ☐ Yes ☐ No
5. Type of grant being requested:
 - ☐ **Property Improvement** - Storefronts, including, but not limited to, items such as painting, reconstruction, remodeling, landscaping (if irrigated and maintained or warranted for one year), parking lot resurfacing, striping, driveway improvement, lighting, electrical, plumbing, fencing and other infrastructure.
 - ☐ **Sign Improvement Grant** - New signs, and renovation or removal of existing signs.
 - ☐ **Vacant, Underutilized & Occupancy** - Available a business that rents or purchases a vacant or underutilized building and operate a business. GEDC will reimburse business owners up to 50% of their rent or mortgage payments, not to exceed \$6,000.00. The reimbursement requires that the business signs a two (2) year lease and remains open and operating for a minimum of six (6) months before any reimbursement payment will be made.
 - ☐ **Mega Grant** - Gonzales EDC will provide a matching grant of up to 50% of improvement costs to new or existing commercial or business property owners who make a minimum investment of at least \$65,000.00 to purchase and/or renovate the building. Improvements may include but not limited to the installation of sprinkler systems, compliance with ADA, demolition and framing and infrastructure.
 - ☐ **Main Street District** – Businesses must be located within the Gonzales Main Street District. Eligible improvements included, but not limited to, are removal of slipcovers, false fronts or non-historical added facades, repainting of replaced mortar joints and brick, removing paint and restoring it to its natural condition, reconstruction or remodeling that achieves a historic look, restoring transom windows, replacing/restoring awnings or canopies to their historic state. In addition, landscaping (if irrigated and maintained and warranted for one year) parking lot resurfacing, striping, fencing driveway improvement, lighting, electrical, plumbing, fencing, installation of sprinkler systems and compliance with ADA requirements, and infrastructure.
6. The business is a for-profit enterprise. ☐ Yes ☐ No
7. Is the business located in the Main Street District? ☐ Yes ☐ No

Business Incentive Grant Application

1. Applicants name(s) _____
2. Business name _____
3. Applicants business phone _____ cell phone _____
e-mail address _____ business website _____
4. Mailing address _____
5. Physical address of property for which grant is requested: _____
6. Estimated project start date _____
7. Estimated project completion date _____
8. Do you own any or all interest in the property or building? ☐ Yes ☐ No
9. Owner's business phone _____ Owner's cell phone _____
Owner's E-mail address _____
Owners mailing address _____
10. This business is a ☐ sole proprietorship ☐ Partnership ☐ S Corp ☐ Corporation
☐ Other _____
Describe the business activity. Attach additional sheets if necessary. Example: professional office – law firm, manufacturing – auto parts, retail – women's clothing, wholesale distribution – food products, restaurant – sit down for fast food.

11. This business is a ☐ new business or start up or ☐ established
12. Year established _____
13. Has the applicant received a grant from the GEDC in the past? ☐ Yes ☐ No
Amount awarded _____ Date _____
Use of grant _____
14. Number of jobs retained _____
15. Number of employees projected over the next five (5) years _____
16. Average annual wage paid to employees _____
17. Provide a detailed description of the proposed project. Attach project drawings, specifications, and information about the project. Example: replacing roof, finishing out space for retail, add 2 offices, remodel 2 restrooms, upgrade electrical and plumbing to meet current city code.

18. Total estimated cost of the capital investment in the project _____
19. Cost of land and or site acquisition _____
20. Cost of site improvements _____
21. Sales tax information for the past five (5) years is attached. ☐ Yes ☐ No

22. Sales tax projections for the next five (5) years are attached. ☐ Yes ☐ No
23. Estimated inventory located at property for the next 5 years _____
24. Estimated cost of new furniture, fixtures and equipment added. _____
25. Property tax information for real and personal property paid for the past 5 years is attached. ☐ Yes ☐ No
26. Proof of financing is attached ☐ Yes ☐ No
27. The project is being self-funded. ☐ Yes ☐ No

Certifications and acknowledgements

I (we) the undersigned do hereby acknowledge and/or certify the following

- a. Prior to the submission of this application, a copy of the “Guidelines and Criteria” for the Business Improvement Grant program have been obtained, reviewed, and are clearly understood.
____ Initials of Applicant
____ Initials of Property Owner
- b. The submission of the Application does not create any property, contract or other legal rights in any person or entity to have the Grantor provide grant funding.
____ Initials of Applicant
____ Initials of Property Owner
- c. If the grant funds are approved, full compliance will be maintained with all of the provisions of the Grant Guidelines and/or special provisions attached as part of the grant. Failure to so may be grounds for ineligibility to receive previously approved grant funding.
____ Initials of Applicant
____ Initials of Property Owner
- d. If grant funding is approved, a designee of the GEDC or Main Street Director shall have the right to inspect the work in progress, as well as all completed improvements.
____ Initials of Applicant
____ Initials of Property Owner
- e. All grant funding is contingent upon the continued availability of grant funds. The GEDC reserves the right to decrease funding or cancel the grant program at its sole discretion.
____ Initials of Applicant
____ Initials of Property Owner
- f. The GEDC reserves unto itself its absolute right of discretion in deciding whether or not to approve a grant relative to this application. The Applicant accepts that all decisions relating to the award of grant funds involve subjective judgements, on

the part of the decision-making entity, related to the aesthetics of the of the proposed project and the granting of awarded funds for said project. The GEDC reserves the right to waive or add any of the requirements of a grant application as it deems necessary.

_____Initials of Applicant

_____Initials of Property Owner

- g. The GEDC, its employees and its agents and the Main Street Director shall be held harmless for any damages, both personal and property, which may result directly or indirectly from any incident associated with subject project of this Application both during and after construction, and that the GEDC, its employees, and its agents shall not be liable for any debts incurred in association with the execution and completion of the subject property of this Application, and further that I (we) the Applicant/Applicants assume all responsibility for any all the aforementioned liabilities.

_____Initials of Applicant

_____Initials of Property Owner

- h. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of the “Guidelines and Criteria,” and this Application, and that if any provision or provisions of these should be held invalid or unenforceable, the validity and enforceability of the remaining provisions shall not be affected in thereby.

_____Initials of Applicant

_____Initials of Property Owner

- i. The information provided in the Application has been provided voluntarily, and may be relied upon as being true and correct , and that the GEDC may rely on the signatures affixed hereto as if the same had been signed by Applicant(s) before a Notary Public or other authorized officer to administer oaths and take acknowledgements.

_____Initials of Applicant

_____Initials of Property Owner

- j. State law requires that, by signing and submitting this application, you certify that the company, its branches, divisions, and departments do and will not knowingly employ and undocumented worker. An agreement with the company will require the company to repay the total amount of the public benefit received with interest at the rate and according to the terms of the agreement if the company is convicted of a violation under 8 U.S.C. Section 1324a(f). Repayment will be due not later than the 120th day after the date the City notifies the company of the violation as provided in the agreement.

An undocumented worker is an individual who, at the time of employment, is not:
1. Lawfully admitted for permanent residence to the United States; or ii. authorized under law to be employed in that manner in the United States.

____Initials of Applicant
____Initials of Property Owner

Signed this ____ day of _____, 20____, _____
Applicant Name Printed

Applicants Signature

Signed this ____ day of _____, 20____, _____
Facility Owner Name Printed

Facility Owners Signature

Exhibit C

[Documentation Checklist]



Business Improvement Grant Program DOCUMENTATION CHECKLIST

Documentation to be provided by the applicant:

- _____ Establishment of business entity name (copy of Articles of Incorporation, dba, etc.)
- _____ Sales Tax information for the past year
- _____ Sales Tax information for the past five (5) years
- _____ Copy of lease agreement (if facility is leased)
- _____ Legal description of subject property (Deed of Ownership)
- _____ History of the building: Original Photos, Newspaper Articles in a timeline.
- _____ Appraisal Information for: Property, Business, etc.
- _____ Vicinity map of subject property: Recent Survey, topical/street view
- _____ Estimates of proposed improvements
- _____ Pictures of building's exterior, roof, and foundation.
- _____ Scale drawing by Texas Main Street Architect or registered design professional.
- _____ Documentation of approved financing
- _____ State sales tax reporting form for most current (three month, 1 year , 5 year if applicable)
- _____ Consultation with City of Gonzales Building Official
- _____ Consultation with City of Fire Official
- _____ Copy of permits for project

Exhibit D

[Form of Performance Agreement]

MAIN STREET DISTRICT PERFORMANCE AGREEMENT

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

WHEREAS, Main Street is a Texas non-profit corporation who has contracted with the Gonzales Economic Development Corporation, a Type B economic development corporation operating pursuant to Chapter 505 of the Texas Local Government Code, to oversee projects undertaken within the Main Street District, an area located within the City of Gonzales, Texas, as depicted in *Exhibit A* of this Agreement, which is attached hereto and is incorporated herein for all purposes; and

WHEREAS, Section 501.103 of the Texas Local Government Code, in pertinent part, defines the term “project” to mean “expenditures that are found by the board of directors to be required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, limited to: (1) streets and roads, rail spurs, water and sewer utilities, electric utilities, or gas utilities, drainage, site improvements, and related improvements; (2) telecommunications and Internet improvements . . .”; and

WHEREAS, Section 505.158 of the Texas Local Government Code provides that “[f]or 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;” and

WHEREAS, Section 501.158 of the Texas Local Government Code prohibits the provision of a direct incentive unless Main Street enters into an agreement with Developer providing at a minimum a schedule of additional payroll or jobs to be created or retained by Main Street’s investment; a schedule of capital investments to be made as consideration for any direct incentives provided by Main Street to Developer; and a provision specifying the terms and conditions upon which repayment must be made should Developer fail to meet the agreed to performance requirements specified in this Agreement; and

WHEREAS, Developer has applied to Main Street for financial assistance necessary for the renovation and improvements to be made to the Property, as defined herein, which is located within the Main Street District; and

WHEREAS, Main Street’s Board of Directors have determined the financial assistance provided to Developer through this Agreement is consistent with and meets the definition of “project” as that term is defined in Sections 501.103 and 505.158 of the Texas Local Government Code, and the definition of “cost” as that term is defined by Section 501.152 of the Texas Local Government Code.

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 Main Street and the Developer agree as follows:

SECTION 1. FINDINGS INCORPORATED.

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

SECTION 2. TERM.

This Agreement shall be effective as of the Effective Date of this Agreement, and shall continue thereafter for one year from the Effective Date of this Agreement, unless terminated sooner under the provisions hereof.

SECTION 3. DEFINITIONS.

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

- (a) **Act.** The word “Act” means Chapters 501 to 505 of the Texas Local Government Code, as amended.
- (b) **Agreement.** The word “Agreement” means this Main Street District Performance Agreement, together with all exhibits and schedules attached to this Main Street District Performance Agreement from time to time, if any.
- (c) **City.** The word “City” means the City of Gonzales, Texas, a Texas municipality, whose address for the purposes of this Agreement is 820 N. St. Joseph Street, Gonzales, Texas 78629.
- (d) **Developer.** The word “Developer” means _____, whose address for the purposes of this Agreement is _____ Street, Gonzales, Texas 78629.
- (e) **Effective Date.** The words “Effective Date” mean the date of the latter to execute this Agreement by and between the Developer and Main Street.
- (f) **Event of Default.** The words “Event of Default” mean and include any of the Events of Default set forth below in the section entitled “Events of Default.”
- (g) **Full-Time Equivalent Employment Positions.** The words “Full-Time Equivalent Employment Position” or “Full-Time Equivalent Employment Positions” mean and include a job requiring a minimum of One Thousand Eight Hundred Twenty (1,820) hours of work averaged over a twelve (12) month period.
- (h) **Main Street.** The words “Main Street” mean the Gonzales Main Street, Inc., a Texas non-profit corporation, its successors and assigns, whose corporate address for the purposes of

this Agreement is 820 N. St. Joseph Street, Gonzales, Texas 78629.

- (i) **Main Street District.** The words “Main Street District” mean the area of the City of Gonzales, Texas, as depicted in ***Exhibit A*** of this Agreement which is attached hereto and is incorporated herein for all purposes.
- (j) **Property.** The word “Property” means the property generally located at _____, City of Gonzales, Gonzales County, Texas, which is located within the Main Street District.
- (k) **Qualified Expenditures.** The words “Qualified Expenditures” mean those expenditures consisting of removal of slipcovers, false fronts or non-historical added facades, repainting of replaced mortar joints and brick, removing paint and restoring it to its natural condition, reconstruction or remodeling that achieves a historic look, restoring transom windows, replacing/restoring awnings or canopies to their historic state. In addition, landscaping (if irrigated and maintained and warranted for one year) parking lot resurfacing, striping, fencing driveway improvement, lighting, electrical, plumbing, fencing, installation of sprinkler systems and compliance with ADA requirements, and infrastructure, and those expenses which otherwise meet the definition of “project” as that term is defined by Sections 501.103 and 5051.58 of the Act, and the definition of “cost” as that term is defined by Section 501.152 of the Act. All “Qualified Expenditures” must be made within the Main Street District, as depicted in ***Exhibit A*** of this Agreement which is attached hereto and is incorporated herein for all purposes.
- (l) **Term.** The word “Term” means the term of this Agreement as specified in Section 2 of this Agreement.

SECTION 4. AFFIRMATIVE OBLIGATIONS OF DEVELOPER.

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

- (a) **Qualified Expenditures.** Developer covenants and agrees to submit to Main Street invoices, receipts, or other documentation in a form acceptable to Main Street for the Qualified Expenditures made to the Property in a minimum amount of _____ **Thousand and No/100 Dollars (\$xx,xxx.00)** within three (3) months of the Effective Date of this Agreement.
- (b) **Operate Business Located on Property.** Developer covenants and agrees during the Term of this Agreement to keep open to the general public the business located on the Property.
- (c) **Job Creation and Retention.** Developer covenants and agrees during the Term of this Agreement, the Developer shall employ or cause to be employed a minimum of _____ (_____) Full-Time Equivalent Employment Positions working at the Property.
- (d) **Performance Conditions.** Developer agrees to make, execute and deliver to Main Street

such other instruments, documents and other agreements as Main Street or its attorneys may reasonably request to evidence this Agreement.

- (e) **Performance.** Developer agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between the Developer and Main Street.

SECTION 5. AFFIRMATIVE OBLIGATIONS OF MAIN STREET.

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

- (a) **Reimbursement for Qualified Expenditures.** Main Street covenants and agrees to submit reimbursement to Developer for Qualified Expenditures made by the Developer to the Property pursuant to Section 4(a) of this Agreement in the amount not to exceed _____ **Thousand and No/100 Dollars (\$XX,000.00)** within thirty (30) days of receipt of said documentation required by Section 4(a) of this Agreement.
- (b) **Performance.** Main Street agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between the Developer and Main Street.

SECTION 6. CESSATION OF FINANCIAL ASSISTANCE.

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

SECTION 7. EVENTS OF DEFAULT.

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

- (a) **General Event of Default.** Failure of Developer or Main Street to comply with or to perform any other term, obligation, covenant or condition contained in this Agreement, or failure of Developer or Main Street to comply with or to perform any other term, obligation, covenant or condition contained in any other agreement by and between Developer and Main Street is an Event of Default.
- (b) **False Statements.** Any warranty, representation, or statement made or furnished to Main Street by or on behalf of Developer under this Agreement that is false or misleading in any material respect, either now or at the time made or furnished is an Event of Default.
- (c) **Insolvency.** Developer's insolvency, appointment of receiver for any part of Developer's property, any assignment for the benefit of creditors of Developer, any type of creditor

workout for Developer, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Developer is an Event of Default.

- (d) **Ad Valorem Taxes.** Developer allows its ad valorem taxes owed to the City to become delinquent and fails to timely and properly follow the legal procedures for protest and/or contest of such taxes and to cure such failure within thirty (30) days after written notice thereof from Main Street and/or Gonzales County Central Appraisal District is an Event of Default.

SECTION 8. EFFECT OF AN EVENT OF DEFAULT.

In the event of default under Section 7 of this Agreement, the non-defaulting party shall give written notice to the other party of any default, and the defaulting party shall have thirty (30) days to cure said default. Should said default remain uncured as of the last day of the applicable cure period, and the non-defaulting party is not otherwise in default, the non-defaulting party shall have the right to immediately terminate this Agreement, enforce specific performance as appropriate, or maintain a cause of action for damages caused by the event(s) of default. In the event, Developer defaults and is unable or unwilling to cure said default within the prescribed time period, the amounts provided by Main Street to Developer pursuant to Section 5(a) of this Agreement shall become immediately due and payable by Developer to Main Street.

SECTION 9. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are a part of this Agreement:

- (a) **Amendments.** This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- (b) **Applicable Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Gonzales County, Texas. Venue for any action arising under this Agreement shall lie in the state district courts of Gonzales County, Texas.
- (c) **Assignment.** This Agreement may not be assigned without the express written consent of the other party.
- (d) **Binding Obligation.** This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. Developer warrants and represents that the individual or individuals executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. Main Street warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind it to the same.
- (e) **Caption Headings.** Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.

- (f) **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.
- (g) **Filed in Deed Records.** This Agreement shall be filed in the deed records of Gonzales County, Texas. The provisions of this Agreement shall be deemed to run with the land and shall be binding on heirs, successors and assigns of the Developer.
- (h) **Notices.** Any notice or other communication required or permitted by this Agreement (hereinafter referred to as the "Notice") is effective when in writing and (i) personally delivered either by facsimile (with electronic information and a mailed copy to follow) or by hand or (ii) three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified with return receipt requested, and addressed as follows:

if to Developer:

Gonzales, Texas 78629
Attn: _____
Telephone: _____

if to Main Street:

Gonzales Main Street, Inc.
820 N. St. Joseph Street
Gonzales, Texas 78629
Attn: _____, President
Telephone: _____

- (i) **Severability.** If a court of competent jurisdiction finds any provision of this Agreement to be invalid or unenforceable as to any person or circumstance, such finding shall not render that provision invalid or unenforceable as to any other persons or circumstances. If feasible, any such offending provision shall be deemed to be modified to be within the limits of enforceability or validity; however, if the offending provision cannot be so modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.
- (j) **Time is of the Essence.** Time is of the essence in the performance of this Agreement.
- (k) **Undocumented Workers.** Developer certifies that the Developer does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, Developer is convicted of a violation under 8 U.S.C. § 1324a(f), Developer shall repay the amount of the public subsidy provided under this Agreement plus interest, at the rate of six percent (6%), not later than the 120th day after the date Main Street notifies Developer of the violation.

[The Remainder of this Page Intentionally Left Blank]

THE PARTIES ACKNOWLEDGE HAVING READ ALL THE PROVISIONS OF THIS AGREEMENT, AND THE PARTIES AGREE TO ITS TERMS. THIS AGREEMENT IS EFFECTIVE AS OF THE EFFECTIVE DATE AS DEFINED HEREIN.

MAIN STREET:

GONZALES MAIN STREET, INC,

a Texas non-profit corporation

By: _____

, President

Date Signed: _____

ATTEST:

, Secretary

STATE OF TEXAS

§

§

COUNTY OF GONZALES

§

This instrument was acknowledged before me on the ____ day of _____, 2022, by _____, President of the Gonzales Main Street, Inc., a Texas non-profit corporation, on behalf of said corporation.

Notary Public, State of Texas

DEVELOPER:

a Texas _____,

By: _____

Name

President

Date Signed: _____

STATE OF TEXAS

§

§

COUNTY OF GONZALES

§

This instrument was acknowledged before me on the ____ day of _____
_____, 2022, by _____, _____ of the _____
_____, a Texas _____, on behalf of said _____.

Notary Public, State of Texas

Exhibit A

[Depiction of the Main Street District]

Gonzales Main Street District



Tiffany Hutchinson-Padilla
Main Street Director
P.O. Box 547

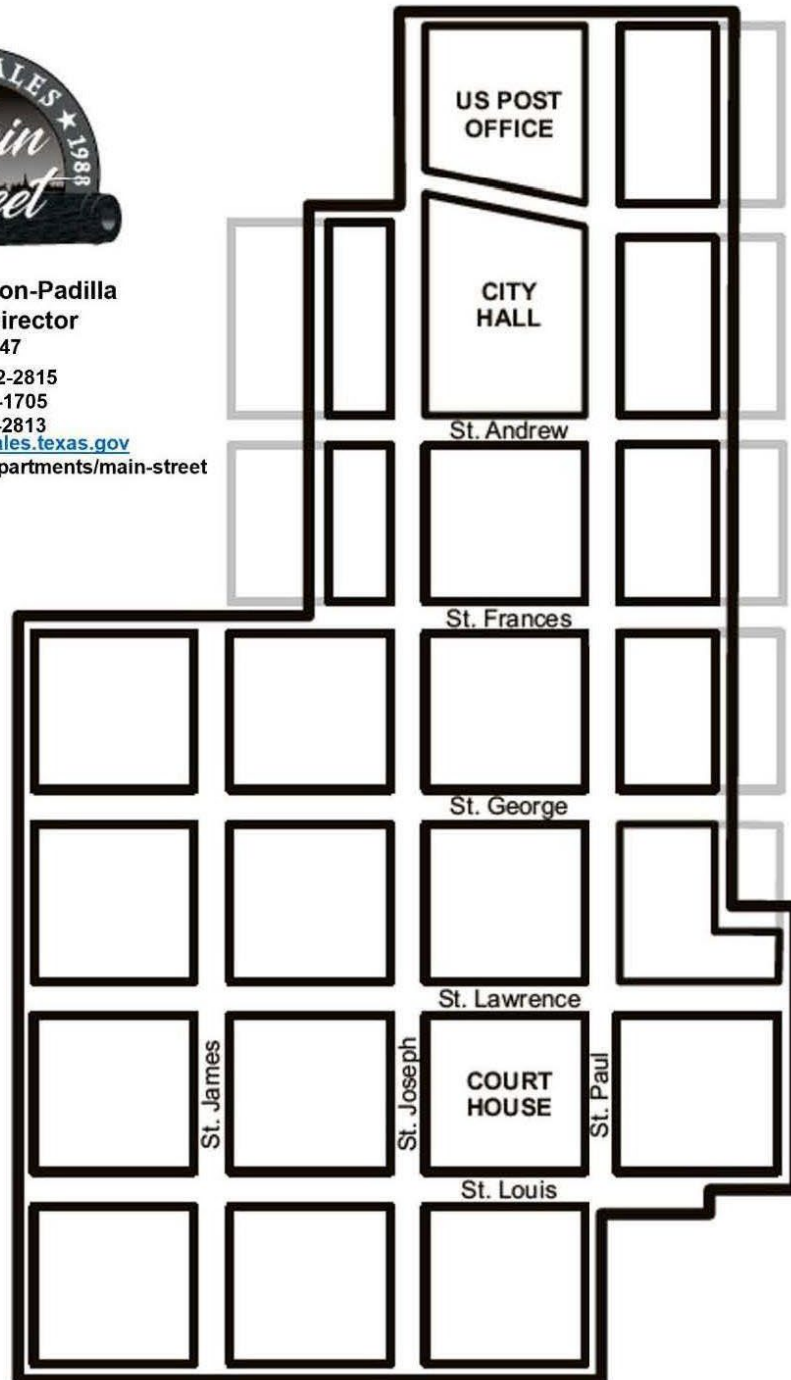
Office: 830-672-2815

Cell: 830-203-1705

Fax: 830-672-2813

Email: tpadilla@gonzales.texas.gov

www.gonzales.texas.gov/p/departments/main-street



COUNCIL AGENDA ITEM BRIEFING DATA



DATE: March 9, 2023

AGENDA ITEM

Discuss, Consider and Possible Action on Ordinance #2023-5 Approving Budget Amendments to the Operating Budget for the Fiscal Year October 1, 2022 and Ending September 30, 2023; General Fund: \$1,149,582.53 in expenses and \$880,286.90 in revenue; Water Fund: \$35,661 in expenses; Economic Development Fund: \$180,040 in expenses

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

On September 8, 2022, the City Council of the City of Gonzales Approved the Operating Budget for the Fiscal Year Beginning October 1, 2022 and ending September 30, 2023.

The estimated fund balance of the General Fund with JB Wells is \$2,343,887.02. Staff is still working with the auditors for the annual audit and all final adjustments. Once those final adjustments are completed, staff will know the amount from the budget ending 9/30/2022 that will change the fund balance. The budget amendments listed below will affect that fund balance by a decrease of \$269,295.63 to the General Fund, a decrease of \$35,661.00 to the Water Fund and a decrease of \$180,040 to the Economic Development Fund.

BUDGET AMENDMENT #1

The previous City Manager's was paid out for his vacation at the end of his employment which was an unexpected expense. Staff is requesting a budget amendment for the following accounts which will come from the fund balance of the General Fund.

Salaries – City Manager	100-7-102.101	\$ 9,431.00
FICA	100-7-102.110	\$ 721.00
Retirement TMRS	100-7-102.112	\$ 932.00
Workers Compensation	100-7-102.113	\$ 21.00

BUDGET AMENDMENT #2

The City Council of the City of Gonzales hired Public Safety Solutions to handle the hiring process for the City Manager. The consultant charged a total of \$7,880.92 which included \$6,500.00 as a flat fee for the hiring process and \$1,380.92 for meals, mileage and hotel accommodations. In addition that, the City of Gonzales reimbursed one of the City Manager finalists for his expenses in the amount of \$261.87. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Special Contracts	100-7-104.411	\$7,880.92
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BUDGET AMENDMENT #3

The City Council of the City of Gonzales hired the new City Manager at \$136,000.00 per year. There was \$122,475.00 that was budgeted for that GL account. Staff is requesting a budget amendment for the following accounts which will come from the fund balance of the General Fund.

Salaries – City Manager	100-7-102.101	\$12,525.00
FICA	100-7-102.110	\$ 958.00
Retirement TMRS	100-7-102.112	\$ 1,237.00
Workers Compensation	100-7-102.113	\$ 28.00

BUDGET AMENDMENT #4

The City Council of the City of Gonzales approved Resolution #2023-32 on February 9, 2023. This resolution had changes to the Code Compliance Officer job description where the position would be moved from the Community Development Department to the Police Department. Staff is requesting budget amendments for the following accounts. The funds are being transferred from the Community Development Department to the Police Department which means no funds are coming from the fund balance.

Salaries	100-7-103.106	-\$28,220.00
FICA	100-7-103.110	-\$ 2,159.00
Retirement TMRS	100-7-103.112	-\$ 2,788.00
Workers Compensation	100-7-103.113	-\$ 134.00
Office Supplies	100-7-103.201	-\$ 500.00
Postage	100-7-103.202	-\$ 800.00
Copies/Printing	100-7-103.203	-\$ 250.00
Fuel	100-7-103.208	-\$ 1,500.00
Maintenance to Vehicles	100-7-103.315	-\$ 500.00
Cell Phones	100-7-103.404	-\$ 294.00
Membership Dues	100-7-103.408	-\$ 500.00
Vehicle/Equipment Lease	100-7-103.413	-\$ 7,205.00
Travel/Training	100-7-103.430	-\$ 1,000.00
Mowing and Filing Fees	100-7-103.556	-\$ 7,318.00

Salaries	100-7-501.106	\$ 28,220.00
FICA	100-7-501.110	\$ 2,159.00
Retirement TMRS	100-7-501.112	\$ 2,788.00
Workers Compensation	100-7-501.113	\$ 134.00
Office Supplies	100-7-501.201	\$ 500.00
Postage	100-7-501.202	\$ 800.00
Copies/Printing	100-7-501.203	\$ 250.00
Fuel	100-7-501.208	\$ 1,500.00
Maintenance to Vehicles	100-7-501.315	\$ 500.00

Cell Phones	100-7-501.404	\$ 294.00
Membership Dues	100-7-501.408	\$ 500.00
Vehicle/Equipment Lease	100-7-501.413	\$ 7,205.00
Travel/Training	100-7-501.430	\$ 1,000.00
Mowing and Filing Fees	100-7-501.556	\$ 7,318.00

BUDGET AMENDMENT #5

The City Council of the City of Gonzales previously awarded the Environmental Contract to Terracon Consultants in amount of \$10,000.00, the Grant Administration Agreement to Jet Development, LLC in the amount of \$30,000.00, the Engineering Contract to Doucet & Associates in the amount of \$70,000.00 (Grant Match of \$50,000.00 to be paid by GEDC) and the Construction Contract to Diamond X Contracting, Inc. for \$699,633.40 for the Sidewalk project. In addition, staff requested a 5% contingency of \$34,981.67 for unforeseen issues during construction for a total fiscal impact of \$844,615.07. Funding for this project will come from GEDC \$50,000, TXCDBG \$500,000.00, Water Fund \$35,661.00 and the General Fund up to \$258,954.07. Some of those expenses were spent in the 2021-2022 budget. Staff is requesting a budget amendment to reflect the remaining expenses that will be incurred in the 2022-2023 budget. In addition, the \$500,000.00 grant reimbursement will be received in the 2022-2023 budget. Due to some of the expenses falling in the previous year, only \$221,304.07 will be pulled from the fund balance of the General Fund and \$35,661 will be pulled from the funds balance of the Water Fund.

Grants	100-4-409.912	\$500,000.00
Grant Writer Fees	100-7-104.403	\$ 22,350.00
Capital Improvements	100-7-603.640	\$698,954.07
Capital Improvements	220-7-720.640	\$ 35,661.00

BUDGET AMENDMENT #6

The City Council of the City of Gonzales previously awarded the Environmental Contract to SWCA in amount of \$16,325.00, the Grant Administration Agreement to Jet Development, LLC in the amount of \$30,000.00 and the Engineering Contract to Doucet & Associates in the amount of \$485,017.00 for the Tinsley Creek project. These expenses are to be reimbursed by the Grant that the City of Gonzales was awarded in the amount of \$3,778,467.00. Some of those expenses were spent in the 2021-2022 budget. Staff is requesting a budget amendment to reflect the remaining expenses that will be incurred in the 2022-2023 budget. In addition, the grant reimbursement will be received in the 2022-2023 budget. The budget amendment will only reflect the grant funds that will be received for the expenses that have been approved. An additional budget amendment will be done when the construction contract is awarded.

Grants	100-4-409.912	\$380,286.90
Grant Writer Fees	100-7-104.403	\$ 24,450.00
Engineering	100-7-104.423	\$339,511.90
Special Contracts	100-7-603.411	\$ 16,325.00

BUDGET AMENDMENT #7

On January 19, 2023 the City Council of the City of Gonzales approved Resolution 2023-14 Authorizing the City Manager to Execute an amendment to the previously approved Agreement with Gonazles Dog Adoptions, increasing the dollar amount of funding from \$27,600.00 to \$41,857.64. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Special Contracts	100-7-504.411	\$ 14,257.64
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BUDGET AMENDMENT #8

The GEDC committed to \$156,000.00 for the Main Street Grant Program for Fiscal Year 2022-2023. There were two Main Street Grants that were approved in the 2021-22 FY that totaled \$76,040.00 that were not completed or paid out prior to September 30, 2022, so the funds went back to the fund balance. Staff is asking for a budget amendment in the amount of \$76,040.00 to reflect the cost of those two projects in to the 2022-23 FY Budget to come from the fund balance of Economic Development Fund.

Business Incentive Grant Program	700-7-700.718	\$ 76,040.00
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BUDGET AMENDMENT #9

On February 27, 2023, the GEDC unanimously approved an Amended and Restated Agreement by and between the GEDC and Main Street to allow for an additional \$104,000.00 for Main Street projects to allow for an additional two (2) \$52,000.00 Main Street grants for the 2022-23 FY. Staff is asking for a budget amendment to reflect the \$104,000.00 to be added to the Business Incentive Grant Program for the 2022-23 FY Budget to come from the fund balance of Economic Development Fund.

Business Incentive Grant Program	700-7-700.718	\$104,000.00
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POLICY CONSIDERATIONS:

Approval of these budget amendments is consistent with current policy.

FISCAL IMPACT:

This Ordinance will amend the budget.

ATTACHMENTS:

Exhibit "A"

STAFF RECOMMENDATION:

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

ORDINANCE NO. 2023-5

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, APPROVING BUDGET AMENDMENTS TO THE OPERATING BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; GENERAL FUND: \$1,149,582.53 IN EXPENSES AND \$880,286.90 IN REVENUE WITH AN ENDING GENERAL FUND BALANCE DECREASE OF \$269,295.63; WATER FUND: \$35,661 IN EXPENSES WITH AN ENDING WATER FUND BALANCE DECREASE OF \$35,661; ECONOMIC DEVELOPMENT FUND: \$180,040 IN EXPENSES WITH AN ENDING FUND BALANCE DECREASE OF \$180,040; ESTABLISHING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an annual operating budget for the fiscal year October 1, 2022 through September 30, 2023, was approved and adopted by the City Council on September 8, 2022; and,

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

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

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

Section 1. The City Council of the City of Gonzales, Texas hereby amends the budget for the 2022-23 fiscal year as set forth in the Attached "Exhibit A", which is fully incorporated herein by reference.

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

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

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

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

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

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

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

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

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

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT “A”

On September 8, 2022, the City Council of the City of Gonzales Approved the Operating Budget for the Fiscal Year Beginning October 1, 2022 and ending September 30, 2023.

The estimated fund balance of the General Fund with JB Wells is \$2,343,887.02. Staff is still working with the auditors for the annual audit and all final adjustments. Once those final adjustments are completed, staff will know the amount from the budget ending 9/30/2022 that will change the fund balance. The budget amendments listed below will affect that fund balance by a decrease of \$269,295.63 to the General Fund, a decrease of \$35,661.00 to the Water Fund and a decrease of \$180,040 to the Economic Development Fund.

BUDGET AMENDMENT #1

The previous City Manager’s was paid out for his vacation at the end of his employment which was an unexpected expense. Staff is requesting a budget amendment for the following accounts which will come from the fund balance of the General Fund.

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Travel/Training	100-7-103.430	-\$ 1,000.00
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project. In addition, staff requested a 5% contingency of \$34,981.67 for unforeseen issues during construction for a total fiscal impact of \$844,615.07. Funding for this project will come from GEDC \$50,000, TXCDBG \$500,000.00, Water Fund \$35,661.00 and the General Fund up to \$258,954.07. Some of those expenses were spent in the 2021-2022 budget. Staff is requesting a budget amendment to reflect the remaining expenses that will be incurred in the 2022-2023 budget. In addition, the \$500,000.00 grant reimbursement will be received in the 2022-2023 budget. Due to some of the expenses falling in the previous year, only \$221,304.07 will be pulled from the fund balance of the General Fund and \$35,661 will be pulled from the funds balance of the Water Fund.

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Grant Writer Fees	100-7-104.403	\$ 22,350.00
Capital Improvements	100-7-603.640	\$698,954.07
Capital Improvements	220-7-720.640	\$ 35,661.00

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The City Council of the City of Gonzales previously awarded the Environmental Contract to SWCA in amount of \$16,325.00, the Grant Administration Agreement to Jet Development, LLC in the amount of \$30,000.00 and the Engineering Contract to Doucet & Associates in the amount of \$485,017.00 for the Tinsley Creek project. These expenses are to be reimbursed by the Grant that the City of Gonzales was awarded in the amount of \$3,778,467.00. Some of those expenses were spent in the 2021-2022 budget. Staff is requesting a budget amendment to reflect the remaining expenses that will be incurred in the 2022-2023 budget. In addition, the grant reimbursement will be received in the 2022-2023 budget. The budget amendment will only reflect the grant funds that will be received for the expenses that have been approved. An additional budget amendment will be done when the construction contract is awarded.

Grants	100-4-409.912	\$380,286.90
Grant Writer Fees	100-7-104.403	\$ 24,450.00
Engineering	100-7-104.423	\$339,511.90
Special Contracts	100-7-603.411	\$ 16,325.00

BUDGET AMENDMENT #7

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BUDGET AMENDMENT #8

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\$76,040.00 that were not completed or paid out prior to September 30, 2022, so the funds went back to the fund balance. Staff is asking for a budget amendment in the amount of \$76,040.00 to reflect the cost of those two projects in to the 2022-23 FY Budget to come from the fund balance of Economic Development Fund.

Business Incentive		
Grant Program	700-7-700.718	\$ 76,040.00

BUDGET AMENDMENT #9

On February 27, 2023, the GEDC unanimously approved an Amended and Restated Agreement by and between the GEDC and Main Street to allow for an additional \$104,000.00 for Main Street projects to allow for an additional two (2) \$52,000.00 Main Street grants for the 2022-23 FY. Staff is asking for a budget amendment to reflect the \$104,000.00 to be added to the Business Incentive Grant Program for the 2022-23 FY Budget to come from the fund balance of Economic Development Fund.

Business Incentive		
Grant Program	700-7-700.718	\$104,000.00

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving Ordinance #2023-6 Amending
Chapter 12 Traffic and Vehicles of the City of
Gonzales Code of Ordinances adding Article
12.2000 Utility Vehicles, all-terrain vehicles
or golf carts on public street, parking area
and/or traffic way

DATE: March 9, 2023

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

Due to the increase in the use of utility vehicles, all-terrain vehicles or golf carts on public streets, parking areas and/or traffic ways, City staff believe it to be necessary to establish guidelines regarding such. This will provide clarification and provisions that all drivers of such vehicles adhere to traffic laws to ensure the safety of those operating the vehicles as well as others within the community while the vehicles are being driven.

POLICY CONSIDERATIONS:

This will clarify the ordinance in the best interest of the citizens.

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

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

ORDINANCE NO. 2023-6

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, AMENDING CHAPTER 12 TRAFFIC AND VEHICLES OF THE CITY OF GONZALES CODE OF ORDINANCES ADDING ARTICLE 12.2000 UTILITY VEHICLES, ALL-TERRAIN VEHICLES OR GOLF CARTS ON PUBLIC STREET, PARKING AREA AND/OR TRAFFIC WAY; 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 has observed a substantial increase in the use of utility vehicles, all-terrain vehicles or golf carts on public right-of-way within the corporate limits of the City of Gonzales; and

WHEREAS, the City Council may from time to time choose to amend, supplement, change or modify the City's regulations regarding traffic and vehicles to regulate and enforce standards of operation for these particular situations; and

WHEREAS, utility vehicles, all-terrain vehicles or golf carts are not normally equipped with many of the traditional safety features that are customarily required or found on more commonly-used motor vehicles; and

WHEREAS, City staff believes it prudent to implement regulations regarding the use of such vehicles within the city in order to ensure safety of the community; and

WHEREAS, the City Council finds that proposed amendments of the City's regulations to regulate the operation of utility vehicles, all-terrain vehicles or golf carts on public street, parking area and/or traffic way is 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 Chapter 12 Traffic and Vehicles of the City of Gonzales Code of Ordinances adding Article 12.2000 Utility Vehicles, all-terrain vehicles or golf carts on public street, parking area and/or traffic way 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 March, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT “A”

ARTICLE 12.2000. GOLF CARTS, NEIGHBORHOOD ELECTRIC VEHICLES AND OTHER TYPES OF RECREATIONAL OFF-HIGHWAY VEHICLES.

12.2001 Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

All-terrain vehicle means a motor vehicle that is

- A) Equipped with a seat or seats for the use of:
 - i) the rider; and
 - ii) a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger;
- B) designed to propel itself with three or more tires in contact with the ground;
- C) designed by the manufacture for off-highway use;
- D) not designed by the manufacturer primarily for farming or lawn care and
- E) not more than 50 inches wide

Driver's license means an authorization issued by a state for the operation of a motor vehicle.

The term includes:

- (A) A temporary license or instruction permit; and
- (b) An occupational license.

Golf cart shall have the meaning as a motor vehicle designed by the manufacturer primarily for use on a golf course.

Off-highway vehicle means a recreational off-highway vehicle or a utility vehicle.

Parking area means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

Public cart path means an improved path designed for the sole movement of a Utility Vehicle, All-Terrain Vehicle or Golf Cart which is available for use by the general public.

Sidewalk means the portion of a street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.

Slow-moving-vehicle-emblem means a triangular emblem that conforms to standards and specifications adopted by the director under Texas Transportation Code § 547.104 and displayed in accordance with Texas Transportation Code § 547.703.

Public Street, for the purposes of this Article, means the public roadways of the City of Gonzales by whatever name, e.g. road, alley, avenue, highway, route, boulevard, etc. that:

- (a) Has a posted speed limit of 35 miles per hour or less; or

- (b) Provides for no more than two lanes of vehicular traffic per direction; or
- (c) Is not designated as part of either the state or federal highway system.

Trafficway means any land way open to the public as a matter of right or custom for moving persons or property from one place to another. The trafficway includes all property, both improved and unimproved, between the property lines of a roadway system.

12.2002 Applicability

The provisions of this article shall apply to all Utility Vehicle, All-Terrain Vehicle or Golf Carts operated upon a public street or public cart path within the City of Gonzales except:

(a) Under the following circumstances the operation of Utility Vehicle, All-Terrain Vehicle or Golf Carts is not subject to the provisions of this article:

- (1) on golf courses when following the policies and rules of the golf course;
- (2) private clubs or on private property, with the consent of the owner;
- (3) operation of Utility Vehicle, All-Terrain Vehicle or Golf Carts within gated or limited access communities unless the streets of the community are dedicated for public use and maintained by the City;
- (4) the use of a Utility Vehicle, All-Terrain Vehicle or Golf Cart in connection with a parade, a festival or other special event provided the consent of the sponsor is obtained and provided such vehicle is only used during such event; or
- (5) The use of Utility Vehicle, All-Terrain Vehicle or Golf Carts by the City of Gonzales on official police business or the use of Utility Vehicle, All-Terrain Vehicle or Golf Carts by City of Gonzales personnel for official business on City owned property and City leased property.

12.2003. Required Equipment for Utility Vehicles, All-Terrain Vehicles or Golf Carts Operated on Public Street, Parking Area and/or Traffic Way

(a) Every Utility Vehicles, All-Terrain Vehicles or Golf Carts Operated on Public Street, Parking Area and/or Traffic Way under this Article must be equipped with the following:

- (1) Operational headlamps (two required);
- (2) Operational tail lamps (two required);
- (3) Reflectors (two front: amber in color, and two rear: red in color);
- (d) Operational parking brake; and
- (4) Rearview mirror(s) (capable of a clear unobstructed view of at least 200 feet to the rear);
- (5) Slow-moving-vehicle emblem;

- (6) Horn (must be audible for a distance of 200 feet in compliance with the Texas Transportation Code § 547.501).

- (b) All required equipment shall meet Texas and Federal Motor Vehicle Safety Standards.

12.2004. Regulations Governing the Operation of Utility Vehicles, All-Terrain Vehicles or Golf Carts Operated on Public Street, Parking Area and/or Traffic Way Utility Vehicle, All-Terrain Vehicle or Golf Carts:

- (a) All drivers of Utility Vehicles, All-Terrain Vehicles or Golf Carts shall hold a valid driver's license and shall abide by all traffic regulations applicable to vehicular traffic when using the authorized streets and parking areas of the City.
- (b) Utility Vehicles, All-Terrain Vehicles or Golf Carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic except for official police business or by City of Gonzales personnel conducting a required job function directly related to their assigned duties.
- (c) No person may operate a Utility Vehicle, All-Terrain Vehicle or Golf Cart upon any portion of a street or trafficway having a posted speed greater than 35 m.p.h. due to safety concerns.
- (d) All Utility Vehicles, All-Terrain Vehicles or Golf Carts are entitled to a full use of a lane on the authorized streets and parking areas of the City and no motor vehicle shall be driven in such a manner as to deprive any Utility Vehicle, All-Terrain Vehicle or Golf Cart of the full use of a lane.
- (e) The driver of a Utility Vehicle, All-Terrain Vehicle or Golf Cart shall not overtake and pass another vehicle in the same lane occupied by the vehicle being overtaken.
- (f) No driver shall operate a Utility Vehicle, All-Terrain Vehicle or Golf Cart between lanes of traffic or between adjacent lines or rows of vehicles.
- (g) The driver of a Utility Vehicle, All-Terrain Vehicle or Golf Cart with a current and valid Texas driver's license operating the cart on a street (as defined herein) may cross a multi-lane or a federal, county or state route only at an intersection controlled by an official traffic control device which stops traffic from all directions.
- (h) The number of occupants in a Utility Vehicle, All-Terrain Vehicle or Golf Cart shall be limited to the number of persons for whom factory seating is installed and provided on the Utility Vehicle, All-Terrain Vehicle or Golf Cart. The operator and all occupants shall be seated upon the seat of the Utility Vehicle, All-Terrain Vehicle or Golf Cart and no part of the body of the operator or occupant shall extend outside the perimeter of the Utility Vehicle, All-Terrain Vehicle or Golf Cart while the Utility Vehicle, All-Terrain Vehicle or Golf Cart is being operated. The operator shall not permit any occupant of the Utility Vehicle, All-Terrain Vehicle or Golf Cart to ride in the lap of any occupant while the Utility Vehicle, All-Terrain Vehicle or Golf Cart is in motion.
- (i) Children must be properly seated while a Utility Vehicle, All-Terrain Vehicle or Golf Cart is in motion and may not be transported in a reckless or negligent manner. No person younger than

five years of age may be transported in a Utility Vehicle, All-Terrain Vehicle or Golf Cart unless restrained by a safety belt restraint.

(j) Utility Vehicles, All-Terrain Vehicles or Golf Carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing, or parking of Utility Vehicle, All-Terrain Vehicle or Golf Carts in areas where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited. Utility Vehicle, All-Terrain Vehicle or Golf Cart shall not park within any space designated for disabled persons unless a current disabled parking placard is displayed and the person to whom the placard was issued is operating or being transported by the Utility Vehicle, All-Terrain Vehicle or Golf Cart.

(k) Utility Vehicle, All-Terrain Vehicle or Golf Carts will not be used for the purpose of towing another cart, trailer or vehicle of any kind including a person on roller skates, skateboard, or bicycle.

(l) Utility Vehicles, All-Terrain Vehicles or Golf Carts shall not be operated during inclement weather or when visibility is impaired by weather, smoke, fog, or other condition, or at any time when there is insufficient light to clearly see persons or vehicles on the roadway at a distance of 500 feet.

(m) Utility Vehicles, All-Terrain Vehicles or Golf Carts shall not be left unattended, even briefly, with a key, or other starting device, remaining on or in the vehicle.

(n) Open container of alcohol, meaning a bottle, can, or other receptacle that contains any amount of alcoholic beverage and that is open, that has been opened, that has a broken seal, or the contents of which are partially removed is prohibited when operated on authorized streets.

12.2005. Liability

(a) Nothing in this section shall be construed as an assumption of liability by the City of Gonzales for any injuries to persons, pets or property which may result from the operation of a Utility Vehicle, All-Terrain Vehicle or Golf Cart by an authorized driver.

(b) Owners are fully liable and accountable for the actions of any individual that they provide permission to operate, and drive said Utility Vehicle, All-Terrain Vehicle or Golf Cart, both on personal or City and public properties. This described liability responsibility especially applies to personal injuries or property damage resulting from Utility Vehicle, All-Terrain Vehicle or Golf Cart drivers who are minors under the age of 21 with or without a current and valid Texas driver's license.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Ordinance 2023-7 Adding Section 9.309 Beautification Committee and amending Articles 9.400 Rules of Procedure Decorum and Ethics and 9.500 Code of Ethics and Conduct for City Officials and Employees of the City of Gonzales Code of Ordinances

DATE: March 9, 2023

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

During the February 9, 2023 City Council meeting, the City Council discussed the creation of a Beautification & Design Committee. In order for the board to be created, an ordinance must be adopted to do so. The creation of any board or commission of the City typically consists of a purpose of the board, powers and duties, membership, term and quorum requirements for the transaction of business. All of which is outlined in the exhibit to the ordinance. Changes to the draft ordinance are possible at the time of the meeting if the Council wishes to do so.

As per Section 9.461 Review of the City Council Procedures of the Code of Ordinances; the city council will review and revise the city council rules of order and procedure as needed, and at a minimum, every two (2) years. There are no proposed changes to the ordinance from staff at this time. This is being presented for council's oversight and review as stated in the code.

POLICY CONSIDERATIONS:

This discussion will focus on the City's current policy and potential procedural improvements.

FISCAL IMPACT:

There are no fiscal impacts at this time.

ATTACHMENTS:

Amendments to Article 9.300 creating the Beautification Committee and Articles 9.400 and 9.500 for Council's review.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of the creation of the Beautification Committee and that the council take the action they deem necessary regarding any amendments to the existing Articles 9.400 and 9.500.

ORDINANCE NO. 2023- 7

AN ORDINANCE ADDING SECTION 9.309 BEAUTIFICATION COMMITTEE AND AMENDING ARTICLES 9.400 RULES OF PROCEDURE DECORUM AND ETHICS AND 9.500 CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS AND EMPLOYEES; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, as stated in the February 9, 2023 City Council meeting, the City Council desires to create a Beautification & Design Committee to oversee the beautification of the City's public spaces; and

WHEREAS, the City Council originally adopted the Code of Ethics for all city officials and employees in September 2019 to provide for fair, ethical and accountable local government to earn the public's full confidence for integrity; and

WHEREAS, as per Section 9.461 Review of the City Council Procedures of the Code of Ordinances; the city council will review and revise the city council rules of order and procedure as needed, and at a minimum, every two (2) years; and

WHEREAS, the Gonzales City Council does hereby find that the proposed amendments to Articles 9.300 Boards, Commissions and Committees, Articles 9.400 Rules of Procedure Decorum and Ethics and 9.500 Code of Ethics and Conduct for City Officials and Employees does assure public confidence in the integrity of local government and effective and fair operation of the City of Gonzales.

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 adds Article 9.309 Beautification Committee and amends Articles 9.400 Rules of Procedure Decorum and Ethics and 9.500 Code of Ethics and Conduct for City Officials and Employees of the City of Gonzales Code of Ordinances 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 March, 2023.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

ARTICLE 9.300

BOARDS, COMMISSIONS AND COMMITTEES

§ 9.301 Gonzales Economic Development Corporation.

- (a) Purpose. The Gonzales Economic Development Corporation (GEDC) is a non-profit corporation and is governed in accordance with its Articles of Incorporation, Bylaws, and chapters 501–505 of the Texas Local Government Code.
- (b) Powers and Duties. The property and affairs of the corporation shall be managed and controlled by a board of directors and, subject to the restrictions imposed by chapters 501–505 of the Texas Local Government Code, by the Certificate of Formation, and by the bylaws, the board shall exercise all of the powers of the Corporation.
- (c) Membership. The board consists of seven (7) directors. Each member of the board of directors shall be a resident of the City of Gonzales or Gonzales County. Each member of the board of directors shall be entitled to one vote upon the business of the corporation.
- (d) Term. Each member of the board of directors shall serve at the pleasure of the city council for a term of two years. No member of the board shall serve more than three (3) consecutive full terms.
- (e) Quorum. Four (4) members of the board of directors shall constitute a quorum for the transaction of business.

§ 9.302 Gonzales Main Street Advisory Board.

- (a) Purpose. The corporation shall assist in the maintenance and preservation of public buildings, historical buildings, the Confederate square (a public city square), the city museum and amphitheater, the monuments, in the designated Main Street Area in downtown Gonzales, the historical five bell tower and other areas in the city.
- (b) Duties. To engage in activities to preserve and to educate the public with respect to the historical occurrences; which took place in the city.
- (c) Membership. The affairs of the corporation shall be managed by its board of directors. The board of directors shall initially consist of nine (9) members appointed by the city council.
- (d) Term. Board of directors of the corporation shall serve a term of office of two (2) years or until the successor is elected or appointed and qualified to enter into the office of a member of the board of directors.
- (e) Quorum. A majority of the board of directors shall constitute a quorum for the transaction of business.

§ 9.303 Gonzales Convention and Visitor Bureau.

- (a) Purpose. The Gonzales Convention and Visitor Bureau was developed to assist the city by encouraging and fostering tourism within our community. The CVB advises and gives

recommendations to the city regarding tourism programs that shall be funded by the revenues received from the hotel-motel tax.

- (b) Duties. Duties shall consist of advising and providing recommendations to the mayor and city council with regard to tourism matters, shall develop for recommendation to the city council, and then annually review and propose needed or desired changes to a tourism plan.
- (c) Membership. The membership of the Gonzales Convention and Visitor Bureau shall consist of seven (7) members, appointed by the city council.
- (d) Term. All members of the committee shall be appointed to a position for a term of two (2) year staggering terms (or for fulfillment of an unexpired term).
- (e) Quorum. A majority of the advisory board shall constitute a quorum for the transaction of business.

§ 9.304 Library Board.

- (a) Purpose. The library board exists for the purpose of providing to the city council and the library director with the advice of a panel of citizens who are both well informed as a group about the library and who also as individuals represent diverse areas of experience and concern, providing a spectrum of insight by which community needs and deserves as they relate to library resources and services can be interpreted.
- (b) Duties. As advisors on matters of the public interest in relation to the resources and services the city's library system the library advisory board shall advise the department and the council on; developing library policy, advise the department on long range library service and development needs, stimulate and coordinate citizen interest in and support for the library, assist the library director and the city council with the development of library facilities.
- (c) Membership. The library board consists of (8) eight members appointed by the city council.
- (d) Term. All members of the library board are appointed for two (2) year staggering terms.
- (e) Quorum. A majority of the board shall constitute a quorum for the transaction of business.

§ 9.305 Independent Golf Course Advisory Board.

- (a) Purpose. The golf course advisory board acts in an advisory capacity to the city council to review promote and expedite development and use of the Gonzales Independent Golf Course facilities.
- (b) Duties. The board may study any problem or condition relating to the construction, operation, maintenance or improvement of, or addition to the golf course or related facilities. They may meet and confer with any individual, partnership, association, corporation, or local, state or federal agent or governmental organizations and may present its findings and related recommendations to the city council. The board may make recommendations to the city council about scheduling of activities at the Gonzales Independent Gold Course and act in other respects as coordinator for public recreation at the golf course.

- (c) Membership. The membership of the golf course advisory board consists of seven (7) members elected by the city council.
- (d) Term. All members of the board are appointed for two (2) year staggering terms.
- (e) Quorum. A majority of the board shall constitute a quorum for the transaction of business.

(Ordinance 2019-23 adopted 12/12/19)

§ 9.306 Museum Advisory Board.

- (a) Purpose. To advise council and museum director on operation of the Gonzales Memorial Museum while preserving the historical significance of the museum as well as the exhibits and artifacts that are being displayed inside the museum.
- (b) Duties. The Gonzales Museum Advisory Board shall provide a forum for citizen input, advise the city council and staff in matters pertaining to the development and maintenance of the Gonzales Memorial Museum. Additional duties include making recommendations on the construction of the museum and future improvements, study funding sources as well as exhibits, artifacts and displays for the museum.
- (c) Membership. The membership of the Gonzales Memorial Museum Board will consist of seven (7) members selected by the city council and must be dedicated to the preservation of Gonzales history.
- (d) Term. All members of the museum board are appointed for two (2) year staggering terms commencing in October of the specified year.
- (e) Quorum. A majority of the board shall constitute a quorum for the transaction of business.

§ 9.307 JB Wells Park Advisory Board.

- (a) Purpose. The JB Wells Park Advisory Board provides the citizen perspective to the city council and professional staff in all matters relating to the operation and maintenance of JB Wells. The members of the board are actively involved in the process of developing park amenities including those amenities that have been planned since the development of the park but have yet to be installed.
- (b) Duties. The duties of the advisory board is to work as a community partner on behalf of the JB Wells Park, as well as provide counsel and guidance to staff on how programs, operations, amenities, and facilities can best meet the needs of the Gonzales community and those who utilize the JB Wells facilities. They will be a resource to expand fundraising and special events efforts, and will be a source for community feedback and evaluation of programs and park related services to the staff that are directly connected to produce the services provided.
- (c) Membership. The membership of the JB Wells Park Advisory Board consists of seven (7) members appointed by the city council.
- (d) Term. All members of the board are appointed for two (2) year staggering terms.

- (e) Quorum. A majority of the board shall constitute a quorum for the transaction of business.

§ 9.308 **Roger M. Dreyer Memorial Airport Advisory Board.**

- (a) Purpose. Roger M. Dreyer Memorial Airport Advisory Board provides recommendations to city council on matters concerning long-range planning, land use, and improvements for the Roger M. Dreyer Memorial Airport.
- (b) Duties. The duties of the advisory board are to review and recommend a long-range master plan and financing plan for the Roger M. Dreyer Memorial Airport. Review and recommend actions concerning the airport rules, promote development and utilization of the airport, promote awareness of the airport consistent with the city council's goals and objectives pertaining to further expansion and utilization of the airport.
- (c) Membership. The membership of the Roger M. Dreyer Memorial Airport Advisory Board consists of seven (7) members appointed by the city council.
- (d) Term. All members of the board are appointed for two (2) year staggering terms.
- (e) Quorum. A majority of the board shall constitute a quorum for the transaction of business.

9.309 Beautification & Design Board

- (a) Purpose. Develop master plan for beautifying the City's public spaces and state roadways within the city limits. Integrate the efforts of various groups who have the beautification of Gonzales as primary goal and who actively contribute to achieving these goals.
- (b) Duties. The duties of the advisory board are to work as a community partner on behalf of the City, as well as provide guidance to staff on how programs and amenities can best meet the needs of the Gonzales community. They will be a resource for fundraising and special events efforts, and will be a source for community feedback and evaluation of programs and related services to the staff that are directly connected to this purpose..
- (c) Membership. The membership of the Beautification & Design Board will consist of five (5) members appointed by the city council.
- (d) Term. All members of the board are appointed for two (2) year staggering terms.
- (e) Quorum. A majority of the board shall constitute a quorum for the transaction of business.

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ARTICLE 9.400

RULES OF PROCEDURE DECORUM AND ETHICS

Division 1 Rules of Meetings and Order of Business

§ 9.401 Purpose.

The purpose of this article is to provide uniform rules of procedure decorum and ethics for the city council and each of its appointed boards, commissions, and committees. For purposes of this article the term board shall refer to the city council and each of its appointed boards, commissions, and committees.

§ 9.402 Regular Meetings.

- (a) Time and Location. The time and location of each board meeting shall be established in the bylaws or by official action of each respective board.
- (b) Other Locations. The boards may, occasionally, elect to meet at other locations and, upon such election, shall give the public notice of the change of location in accordance with state law.
- (c) Location During Local Emergency. If by reason of fire, flood or other emergency, it is unsafe to meet at the regular meeting location, the meetings may be held for the duration of the emergency at such other place as may be designated by the board chair or in the absence of the board chair, the board liaison.
- (d) Cancellation of Meetings. When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for such day shall be deemed canceled unless otherwise specified by the board. At other times, when the board deems appropriate, regular meetings may be canceled and rescheduled by a majority vote of the board.
- (e) Texas Open Meetings Act. For purposes of chapter 9 of this code, all boards, commissions and committees appointed by the city council are hereby deemed to be governmental bodies as that is defined in the Texas Government Code chapter 551, as amended. As such, all boards, commissions, and committees appointed by the city council shall fully comply with the requirements set forth in chapter 551, known as the Texas Open Meetings Act, and be entitled to any rights and privileges established therein.

§ 9.403 Workshops.

- (a) The purpose of a workshop is to discuss in depth or explore matters of interest to the city, such as a meeting between one or more boards or when a board alone may wish to explore a matter in great detail. The time, place and purpose will be stated on all legally posted notices. Boards shall not take formal action on items presented at a workshop.

- (b) Workshop meetings may be called by the board liaison, chair or upon requests of two board members at a properly posted meeting of the board

§ 9.404 Attendance by the Public.

Citizens and other visitors attending board meetings and workshops shall observe the same rules of propriety, decorum and good conduct applicable to members of the board.

§ 9.405 through § 9.415. (Reserved)

Division 2 Order of Business

§ 9.416 General Order.

Board meetings will be generally conducted in the following order, unless otherwise necessary as determined by the mayor, city manager or city secretary. An executive session may be held at any time during a meeting consistent with applicable state law.

(1) Workshop agenda.

- (A) Call to order.
- (B) Roll call.
- (C) Announcements.
- (D) Hearing of residents.
- (E) Workshop items.
- (F) Public recognition.
- (G) Adjourn.

(2) Regular meeting agenda.

- (A) Call to order.
- (B) Invocation and pledge of allegiance.
- (C) Roll call.
- (D) Hearing of residents.
- (E) Consent agenda. (if applicable).
- (F) Public hearings/action. (if applicable).
- (G) Action items.
- (H) Reports from staff, outside entities, subcommittees.

- (I) Executive session.
- (J) Reconvene into open session for possible action resulting from any items posted and legally discussed in executive session.
- (K) Items for future agendas/announcements.
- (L) Adjourn.

§ 9.417 Placement of an Item on an Agenda.

- (a) All items for placement on an agenda shall be coordinated through the board chair, and staff liaison. The staff liaison shall be responsible for coordinating items and supporting documentation for the agenda and for timely submission of the agenda to the city secretary in conformance with state law.
- (b) Members of board wishing to place any item on an agenda may do so at the end of a board meeting during the section provided for "items for future agendas."
- (c) The board chair, staff liaison or appropriate board member shall be listed as the sponsor for each agenda item that has been individually requested.

§ 9.418 Agenda Officer.

- (a) The city secretary shall be the agenda officer with responsibility for proper and legal posting of the agenda.
- (b) The city secretary will assume responsibility for issuing to newspaper a copy of the agenda advising them of any scheduled meeting.
- (c) The staff liaison shall distribute the agenda packets for all regularly scheduled meetings to the members of the board no later than 72 hours prior to the meeting date.

§ 9.419 Hearing of Residents.

- (a) All individuals wishing to be heard, may do so on all agenda items or on items they would like to be placed on a future agenda.
- (b) Individuals wishing to be heard shall comply with the following:
 - (1) Each person addressing the board must provide his/her legal name for the official records and meeting minute preparation.
 - (2) No rebuttals will be permitted.
 - (3) Each person addressing the governing body shall not exceed three (3) minutes.
 - (4) The hearing of residents portion of the agenda shall not exceed thirty (30) minutes total.
 - (5) Individuals wishing to speak on a matter posted on the agenda as a public hearing may also do so once the public hearing has been opened.

- (6) The Texas Open Meetings Act permits a member of the public or a member of the board to raise a subject that has not been included in the notice for the meeting, but any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting.
- (7) All remarks shall be addressed to the board as a body, and not to any individual member thereof.

§ 9.420 Public Recognition.

All special presentations and announcements will be scheduled and coordinated through the staff liaison for placement on the agenda. A period of time, not to exceed fifteen (15) minutes, may be set aside for public recognition at a board meeting.

§ 9.421 Consent Agenda.

- (a) The consent agenda shall contain routine, noncontroversial items that require board action but require no board deliberation. All items on the consent agenda shall be considered in one (1) motion unless removed.
- (b) Examples of routine business found on consent agendas include, but are not limited to:
 - (1) Approval of license applications and bonds.
 - (2) Approval of minutes.
 - (3) Approval of payment for contracts.
 - (4) Bid and contract awards.
 - (5) Set date for hearings.
 - (6) Appointments.
 - (7) Resignations.
 - (8) Staff reports.
- (c) Agenda items removed from the consent agenda by the request of board members or staff will be considered before approval of the entire consent agenda.

§ 9.422 Announcements.

Members of the board or staff liaison have the opportunity to notify others of community events, functions and other activities. This item shall be included on all meetings of the board.

§ 9.423 through § 9.430. (Reserved)

Division 3 Rules of Conduct

§ 9.431 General procedure.

These rules, any applicable city ordinance, statute or other legal requirement, and “Robert’s Rules

of Order Newly Revised” shall govern the proceedings of the boards.

§ 9.432 Authority of the Chair.

- (a) Subject to appeal to the full board, the board chair shall have the authority to prevent the misuse of motions, the abuse of any privilege, or the observation of the business of the board by ruling any such matter out of order. In so ruling, the board chair shall be courteous and presume that the moving party is acting in good faith.
- (b) Any member of the board may move to require enforcement of the rules, and the affirmative vote of a majority of the board shall require the presiding officer to act.

§ 9.433 Board Chair to Facilitate Board Meetings.

In the role of facilitator, the board chair will assist the board in focusing agenda discussions and deliberations.

§ 9.434 Board Deliberation and Order of Speakers.

The board chair has been delegated the responsibility to control the debate and the order of speakers. Speakers will generally be called upon in the order of the request to speak. With the concurrence of the board chair, a board member holding the floor may address a question to another board member and that board member may respond while the floor is still held by the board member asking the question. A board member may opt not to answer a question while another board member has the floor.

§ 9.435 Limit Deliberations to Item at Hand.

Board members will limit their comments to the subject matter, time or motion being currently considered by the board.

§ 9.436 Length of Board Comments.

Board members will govern themselves as to the length of their comments or presentation. As a courtesy, the board chair will signal by hand to a board member who has been speaking for over five (5) minutes. This procedure is not meant to limit debate or to cut comments short but rather to assist board members in their efforts to communicate concisely.

§ 9.437 Obtaining the Floor.

Any member of the board wishing to speak must first obtain the floor by being recognized by the board chair. The board chair must recognize any board member who seeks the floor when appropriately entitled to do so. When two (2) or more members wish to speak, the presiding officer shall name the member who is to speak first. No member of the board shall interrupt another while speaking except to make a point of order or to make a point of personal privilege.

§ 9.438 Motions.

Motions may be made by any member of the board who may vote on the motion. Any member of the board who may vote on the motion, other than the person offering the motion, may second a motion.

§ 9.439 Procedures for Motions.

The following is the general procedure for making motions:

- (1) A board member who wishes to make a motion should do so through a verbal request to the board chair.
- (2) A board member who wishes to second a motion should do so through a verbal request to the board chair. Before a motion can be considered or debated it must be seconded.
- (3) Once the motion has been properly made and seconded, the board chair shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any board member recognized by the board chair.
- (4) Once the matter has been fully discussed, the board chair calls for a vote, thus no further discussion will be allowed.

§ 9.440 Voting.

- (a) Voting shall be by roll call and the ayes, nays and abstentions shall be recorded in the minutes.

(b) Abstention.

- (1) A board member of an advisory board shall disqualify himself from voting whenever he finds that he has a personal or monetary interest in the item, or he will be directly affected by the decision of the board. He/she shall do so by stating their conflict and recusing themselves from all discussion or action on such items.
- (2) When a board member subject to chapter 171 of the Local Government Code abstains or excuses himself/herself from a portion of a board discussion or vote because of a legal conflict of interest, the board member must briefly state the nature of the conflict in an affidavit. State law requires the inclusion of this information in the record. He/she shall do so by also recusing themselves from all discussion or action on such items.

§ 9.441 Nonobservance of Rules.

Rules adopted to expedite and facilitate the transaction of the business of the board in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of, or invalidate any action taken by the board.

§ 9.442 through § 9.450. (Reserved)

Division 4 Public Hearings

§ 9.451 General Procedure.

The board procedure for the conduct of public hearings is generally as follows:

- (1) Board chair reads listed topic information for public hearing.
- (2) Board chair opens the public hearing.

- (3) Staff presents its report.
- (4) Board members may ask questions of staff.
- (5) The applicant or appellant then has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called upon first to provide comments or testimony. The applicant or appellant shall have a total of fifteen (15) minutes for a presentation when recognized by the board chair. The initial comments or presentation shall be limited to ten (10) minutes and the rebuttal or concluding comments shall be limited to five (5) minutes.
- (6) Board members may ask questions of the applicant and/or appellant.
- (7) Members of the public are provided with the opportunity to speak for or against the issue.
- (8) The public hearing is closed.
- (9) The board deliberates and takes action.

§ 9.452 Continuance of Hearings.

Any public hearing being held, noticed or ordered to be held by the board may, by order, notice or motion, be continued to any subsequent meeting.

§ 9.453 Public Discussion at Hearings.

- (a) Questions of Speakers. Members of the board who wish to ask questions of the speakers or each other during the public hearing portion may do so, but only after first being recognized by the board chair. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue.
- (b) Materials for Public Record. All persons interested in the matter being heard by the board shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained by the city secretary's office as part of the record of the hearing, with the requirements of state law.
- (c) Germane Comments. During the public hearing, no person will be permitted to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the board chair, but may be appealed to the full board.

§ 9.454 Communications and Petitions.

Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the board chair. A reading in full shall take place if requested by any member of the board.

§ 9.455 through § 9.460. (Reserved)

Division 5 Procedures Administration

§ 9.461 Review of City Council Procedures.

The city council will review and revise the city council rules of order and procedure as needed, and at a minimum, every two (2) years.

§ 9.462 Adherence to Procedures.

During city council discussions, deliberations and proceedings, the mayor has been delegated the primary responsibility to ensure that the city council, staff and members of the public adhere to the council's adopted procedures.

§ 9.463 City Attorney or City Secretary as Procedure Advisor.

The city attorney, or in the absence of the city attorney, the city secretary assists the mayor and city council as a resource and as an advisor for interpreting the city council's adopted rules and procedures.

§ 9.464 Applicability of Procedures.

The city council rules of order and procedures shall also apply to the city council when sitting as the city's representative with other entities and agencies or when sitting as the board of appeals or board of adjustment. The role of mayor and mayor pro tem shall be interchangeable with chair and vice chair, or president and vice president when sitting as the city's representative with another entity.

§ 9.465 Waiver of Rules.

Any of the foregoing rules may be waived or suspended by a majority vote of the council members when it is deemed that there is good cause to do so, based upon the particular circumstances involved.

§ 9.466 Nonexclusive Rules.

The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the city council, or of its presiding officer, to govern the conduct of city council meetings as may be considered appropriate from time to time, or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the city.

ARTICLE 9.500

CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS AND EMPLOYEES

Division 1 Code of Ethics

§ 9.501 Statement of Purpose.

- (a) The citizens and businesses of Gonzales are entitled to have fair, ethical and accountable local government which earns the public's full confidence for integrity. The strong desire of the City of Gonzales to fulfill this expectation therefore requires that city officials, both elected and appointed, and employees:
- (1) Comply with both the letter and spirit of the laws and policies affecting the operations of government;
 - (2) Be independent, impartial and fair in their judgment and actions;
 - (3) The office or position be used for the public good, not for personal gain; and
- (b) To this end, the city council has adopted this code of ethics and conduct for city officials and employees to assure public confidence in the integrity of local government and its effective and fair operation.

§ 9.502 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings subscribed to them in this section.

Business. A corporation, partnership, sole proprietorship, firm, holding company, joint stock company, receivership, trust or any other for profit or non-profit entity.

City council. The legislative and governing body of the city consisting of the mayor and city council members.

City official. Any member of the city council and any appointed member of a board, commission, or committee set up by ordinance, resolution, state law or otherwise, on a temporary or permanent basis, and the city manager.

Employee. Any person employed by the city, including those individuals on a part-time basis, including independent contractors hired by the city for repetitive performance of services, but not independent contractors engaged for occasional services or professional services.

§ 9.503 Act in the Public Interest.

Recognizing that stewardship of the public interest must be their primary concern, city officials and employees will work for the common good of the people of the city and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the city council, boards, commissions, and committees.

§ 9.504 Comply with the Law.

City officials and employees shall comply with the laws of the nation, the state, and the city in the performance of their public duties. These laws include but are not limited to: the United States and Texas constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and city ordinances and policies.

§ 9.505 Conduct of City Officials and Employees.

The professional and personal conduct of city officials and employees must be above reproach and avoid even the appearance of impropriety. City officials and employees shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other city officials and employees, board, commission, and committee members and the public.

§ 9.506 Respect for Process.

City officials and employees shall perform their duties in accordance with the processes and rules of order established by the city council and boards, commissions, and committees governing the public deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the city council by city staff.

§ 9.507 Conduct of Public Meetings.

City officials have an obligation to attend meetings and be prepared for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfere with the orderly conduct of meetings.

§ 9.508 Decisions Based on Merit.

It is expected that city officials and employees review material, participate in discussion and base their decisions on the merits and substance of the matter at hand.

§ 9.509 Communication.

Prior to permitting final action to be taken on a matter under consideration city officials and employees shall publicly share substantive information, which they may have received from sources outside the public decision-making process, that is relevant to such action by the council, boards, commissions, or committees.

§ 9.510 Conflicts of Interest and Disclosure.

City officials and employees shall familiarize themselves and abide by the following conflicts of interest and disclosure statutes and principles:

- (1) Section 171 of the Local Government Code which requires councilmembers and certain officers to file an affidavit disclosing a substantial interest in a business or property that would be beneficially affected by a decision of the city council and thereafter abstaining from participation in discussion and voting on the matter. Once the disclosure is made the city official is to remove themselves from the meeting area to ensure their presence does not hinder the discussion of the item or influence the vote.

- (2) Section 176 of the Local Government Code which requires city council members and the city manager to file a conflicts disclosure statement disclosing any business relationship with a person or business doing business with the city or being considered by the city for a business relationship.
- (3) Section 176.003(a)(2)(B) of the Local Government Code which requires the disclosure of gifts of an aggregate value of more than \$250.00 in the twelve (12) month period preceding a transaction described in section 176, other than gifts of food, lodging, transportation, or entertainment accepted as a guest.
- (4) Sections 553.001-553.003 of the Government Code which requires the filing of an affidavit before the date the city will acquire a property in which public servants have a legal or equitable interest.
- (5) City employees shall disclose potential conflicts of interest to their supervisor and avoid participation in the handling of matters wherein employees have a personal interest.
- (6) In order to assure their independence and impartiality on behalf of the public good, city officials and employees are prohibited from using their positions to influence government decisions in which they have a personal interest.

§ 9.511 Corruption.

City officials and employees shall familiarize themselves and abide by the Penal Code mandates concerning corruption, including specifically section 36.02 prohibiting bribes, section 36.08(d) prohibiting illegal benefits, section 36.09 prohibiting receipt of prohibited gifts, section 39.02 concerning abuse of official capacity and section 39.06(a) concerning misuse of official information. (Penal Code section 36.10 provides the exceptions to 36.08 and 36.09.)

§ 9.512 Political Advocacy.

- (a) City officials and employees shall not utilize the city's name or logo for purposes of endorsing any political candidate or business. City employees shall not engage in electioneering while on the job. Electioneering means working for the election of a candidate to political office.
- (b) City employees shall not be appointed or retained on the basis of their political support or activities. Employees shall not engage in political activities relating to a campaign for elective office while in uniform or on active duty. Employees elected to city offices shall be required to resign their employment upon acceptance of the office.
- (c) City employees are prohibited from using their municipal title or position in any advertisement or endorsement of products, persons or activities, without exclusive authorization by the city council.

§ 9.513 Confidential Information.

City officials and employees shall respect the confidentiality of information concerning city property, personnel or proceedings of the city. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal interests.

§ 9.514 Use of Public Resources.

City officials and employees shall not use public resources generally unavailable to the public, such as city staff time, equipment, supplies or facilities, for private gain or personal purposes.

§ 9.515 Representation of Private Interests.

In keeping with their role as stewards of the public interest, city officials and employees shall not appear on behalf of private interests of third parties before the council or any board, commission, committee, or proceeding of the city.

§ 9.516 Advocacy.

City officials and employees shall represent the official policies or positions of the city council, board, commission, or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, city officials and employees shall explicitly state they do not represent their body or the city, nor will they allow the inference that they do.

§ 9.517 Policy Role of City Officials and Employees.

City officials and employees shall respect and adhere to the city governmental structure as outlined in state law, the city's policies and procedures. In this structure, the city council determines the policies of the city with the advice, information and analysis provided by the public, boards, commissions, and committees and city staff. Except as provided by the city ordinance, city officials therefore shall not interfere with the administrative functions of the city or the professional duties of the city staff; nor shall they impair the ability of staff to implement council policy decisions.

§ 9.518 Independence of Boards, Commissions, and Committees.

Because of the value of the independent advice of boards, commissions, and committees to the public decision-making process, city officials shall refrain from using their position to influence unduly the deliberations or outcomes of board, commission, and committee proceedings. This section should not be interpreted to limit the participation of a city official on a board, commission or committee to which they have been duly appointed by the city council.

§ 9.519 Positive Work Place Environment.

City officials shall support the maintenance of a positive and constructive work place environment for city employees and for citizens and businesses dealing with the city. City officials shall recognize their special role in dealing with city employees and refrain from creating the perception of inappropriate direction to staff.

§ 9.520 Implementation.

- (a) As an expression of the standards of conduct for city officials and employees expected by the city, the Gonzales Code of Ethics and Conduct is intended to be self-enforcing. It therefore becomes most effective when city officials and employees are thoroughly familiar with it and embrace its provisions.
- (b) Ethical standards shall be included in the regular orientations for candidates for city council, applicants to boards, commissions, and committees and newly elected and appointed officials and new employees.

- (c) City officials and employees entering office, including those appointed to boards, commissions and committees shall sign a statement affirming they have read and understood the City of Gonzales Code of Ethics and Conduct. In addition, the code of ethics and conduct shall be reviewed periodically by the city council, boards, commissions, and committees, and the city council shall consider recommendations from boards, commissions, committees, employees, and citizens for revision as it becomes necessary.

§ 9.521 Compliance and Enforcement.

- (a) The Gonzales Code of Ethics and Conduct expresses standards of ethical conduct expected for city officials and employees of the city council, boards, commissions, and committees.
- (b) City officials and employees themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.
- (c) The chairs of boards, commissions, and committees and the mayor have the additional responsibility to intervene when city officials' actions appear to be in violation of the code of ethics and conduct and are brought to their attention.
- (d) The city council may impose sanctions, such as reprimand, formal censure, or loss of committee assignment, on city officials whose conduct does not comply with the city's ethical standards. The city council also may act to remove members of boards, commissions, and committees from office.

§ 9.522 through § 9.529. (Reserved)

Division 2 Rules of Procedure

§ 9.530 Definitions.

As used in this rules of procedures, the following words and phrases have the meaning ascribed to them in this section, unless the context requires otherwise or more specific definitions set forth elsewhere in this code apply

Before the City. Representation or appearance "before the City" means before the city council; before a board, commission, or other city entity; or before a city official. Representation "before the city" does not include representation before a board where members of that board are not wholly appointed by the city council.

Business Days. The days of the week, Monday through Friday, in which the administrative offices of the city are open for business.

City. The City of Gonzales.

Code of Ethics. "Code of ethics," "ethics code," or "this code" means the city's code of ethics, its amendment(s), and/or enhanced definitions.

Complainant. An individual who has filed a sworn complaint with the city secretary as provided herein.

Confidential Government Information. Includes all information held by the city that is not available to the public under the Texas Public Information Act and any information from a meeting closed to the public pursuant to the Texas Open Meetings Act, unless disclosure is permitted under the Open Meetings Act.

Ethics Law. Includes the ethics code of the city and any applicable state statutes that establish rules and regulations for elected and appointed city officials.

Ethical Violation. Includes violations of any of those enactments.

Intentionally. A person acts intentionally, or with intent, with respect to the nature of his or her conduct or to a result of his or her conduct when it is his conscious objective or desire to engage in the conduct or cause the result.

Knowingly. A person acts knowingly, or with knowledge, with respect to the nature of his or her conduct or to circumstances surrounding his or her conduct when he or she is aware of the nature of his or her conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of his or her conduct when he or she is aware that his or her conduct is reasonably certain to cause the result.

Official. The term “official” or “city official” includes the mayor and members of the city council. Members of all boards, commissions, committees, and other bodies created by the city council pursuant to federal or state law or city ordinance, including entities that may be advisory only in nature, who are appointed by the mayor, the city council, or who are designated in the bylaws or organization papers of the entity to serve on behalf of the city; and board members of any entity who are appointed by the mayor or city council to such board membership.

Official Action. Includes any affirmative act (including the making of a recommendation) within the scope of, or in violation of, an official’s duties

Official Information. Includes information gathered or created by or on behalf of the city, in the conduct of the city’s business, and under the power and authority of the city as a political subdivision of the state.

Recklessly. A person acts recklessly, or is reckless, with respect to circumstances surrounding his or her conduct or the result of his or her conduct when he or she is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that its disregard constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor’s standpoint.

Representation. A presentation of fact-either by words or by conduct-made to induce someone to act. “Representation” does not include appearance as a witness in litigation or other official proceedings.

Respondent. An individual identified in a sworn complaint to have allegedly violated the ethics

code of the city.

§ 9.531 Function of the City Council.

- (a) In accordance with the Texas Constitution, the Texas Local government Code, the city code, and the city charter, the city council has the powers and duties specified in therein, and other powers and duties prescribed by ordinance.
- (b) Composition of the city council includes the mayor and each member of the city council.
- (c) A member of the city council shall recuse himself or herself from any case in which, because of familial relationship, employment, investments, or otherwise, his or her impartiality might reasonably be questioned. A councilmember may not participate in official action on any complaint:
 - (1) That the member initiated; or
 - (2) During the pendency of an indictment or information charging the member with any felony or misdemeanor offense, or after a finding of guilt of such an offense.
- (d) If the number of councilmembers who are recused from a case is so large that a council meeting cannot be convened to consider the complaint, the mayor shall nominate a sufficient number of ad hoc members so that the case can be heard. Ad hoc members must be confirmed by a majority vote of the city council and serve only for the case in question.

§ 9.532 Jurisdiction and Powers.

- (a) Jurisdiction. The city council has jurisdiction to investigate and make findings and conclusions concerning an alleged violation of the city's ethics code enacted from time to time by ordinance.
- (b) The city council shall not consider any alleged violation that occurred more than 180 days prior to the date of the filing of the complaint.
- (c) The city council has the discretion to accept or decline consideration of an alleged violation that has been resolved by the city manager, or by a governmental agency or council with jurisdiction over the matter.
- (d) Powers. The city council has the power:
 - (1) To establish, amend, and rescind rules and procedures governing its own internal organization and operations, consistent with ordinances pertaining to the ethics code;
 - (2) To meet as often as necessary to fulfill its responsibilities;
 - (3) To issue advisory opinions on behalf of the council;
 - (4) To request from the city manager the assignment of staff necessary to carry out its duties;
 - (5) To review, index, maintain on file, and dispose of sworn complaints;

- (6) To make notifications, extend deadlines, and conduct investigations, both on referral or complaint;
- (7) To compel the production of sworn testimony, witnesses and evidence;
- (8) To recommend cases for prosecution by appropriate authorities and agencies;
- (9) To enforce its decisions by assessing sanctions authorized by ordinance;
- (10) To request the city attorney to provide an independent counsel to advise and represent the council, when appropriate or necessary to avoid a conflict of interest;
- (11) To provide assistance in the training and education of city officials with respect to their ethical responsibilities;
- (12) To exercise such other powers and duties as may be established by ordinance.

§ 9.533 Complaints.

- (a) Filing. Any person (including a member of the city council, acting personally or on behalf of the council) who believes that there has been a violation of the ethics laws may file a sworn complaint with the city secretary to allege such violations. A complaint filed in good faith is qualifiedly privileged. A person who knowingly makes a false statement in a complaint, or in proceedings before the city council, is subject to criminal prosecution for perjury or a private cause of action.
- (b) Assistance. The city secretary shall provide information to persons who inquire about the process for filing a complaint.
- (c) Form. A complaint filed under this section must be in writing and under oath and must set forth in simple, concise, and direct statements:
 - (1) The name of the complainant;
 - (2) The street or mailing address, the telephone number, and email address of the complainant;
 - (3) The name of each person complained about;
 - (4) The position or title of each person complained about;
 - (5) The nature of the alleged violation, including, if possible, the specific provision of the ethics code alleged to have been violated;
 - (6) A statement of the facts constituting the alleged violation and the dates on which or period of time in which the alleged violation occurred; and
 - (7) All documents or other material available to the complainant that are relevant to the allegation; a list of all documents or other material relevant to the allegation and available to the complainant but that are not in the possession of the complainant, including the location

of the documents, if known; and a list of all documents or other material relevant to the allegation but unavailable to the complainant, including the location of the documents, if known.

- (8) The complaint must be accompanied by an affidavit stating that the information contained in the complaint is either true and correct or that the complainant has good reason to believe and does believe that the facts alleged constitute a violation of the Ethics Code. If the complaint is based on information and belief, the complaint shall state the source and basis of the information and belief. The complainant shall swear to the facts by oath before a notary public or other person authorized by law to administer oaths under penalty of perjury. A complaint that is not sworn as required shall not be forwarded by the city secretary to the city attorney as provided in subsection (d) but shall be returned to the complainant. The complaint must state on its face an allegation that, if true, constitutes a violation of a law administered and enforced by the city council.

(d) Review by the City Attorney and Notification to the City Council and Respondents.

- (1) A copy of a complaint shall be promptly forwarded by the city secretary to the city attorney who shall review the complaint for compliance with the filing requirements of subsection (c) within five (5) business days of receipt from the city secretary. The city secretary shall notify the respondent(s) of a complaint filed. This notification is for information purposes only and does not trigger subsection (e) until a decision has been made to accept the complaint and forward to the city council for consideration.
 - (2) If the complaint alleges a violation of the city's ethics code, and substantially complies with the filing requirements, the complaint shall be forwarded by the city secretary to the members of the city council and the respondents within ten (10) business days after receipt of the complaint from the city secretary. If the complaint does not substantially comply with the filing requirements, the city attorney shall return the complaint with a letter explaining the defects in the complaint to the city secretary who shall return all information to the complainant.
 - (3) The city secretary shall notify the respondent(s) of the resolution of a complaint.
- (e) The respondent(s) shall also be provided with a copy of the ethics code and shall be informed:
- (1) That, within ten (10) business days of receipt of the complaint, he or she may file a sworn response with the city secretary;
 - (2) That failure to file a response does not preclude the City Council from adjudicating the complaint;
 - (3) That a copy of any response filed by the respondent(s) will be provided by the city secretary to the complainant, who may, within five (5) business days of receipt, respond by sworn writing filed with the city secretary, a copy of which shall be provided by the city secretary to the respondent(s);
 - (4) That the complainant(s) or respondent(s) may request a hearing.

(5) Upon receipt, the city secretary shall forward the response to the city attorney and the city council.

(f) Frivolous Complaint.

(1) For purposes of this section, a “frivolous complaint” is a sworn complaint that is groundless and brought in bad faith or groundless, has no basis in law or fact, and is brought for the purpose of harassment.

(2) By a vote of at least two-thirds (2/3) of those present, the council may order a complainant to show cause why the council should not determine that the complaint filed by the complainant against a respondent is a frivolous complaint.

(3) In deciding if a complaint is frivolous, the council will be guided by the Texas Rules of Civil Procedure, rule 13, and interpretations of that rule, and may also consider:

(A) The timing of the sworn complaint with respect to when the facts supporting the alleged violation became known or should have become known to the complainant, and with respect to the date of any pending election in which the respondent is a candidate or is involved with a candidacy, if any;

(B) The nature and type of any publicity surrounding the filing of the sworn complaint, and the degree of participation by the complainant in publicizing the fact that a sworn complaint was filed with the council;

(C) The existence and nature of any relationship between the respondent and the complainant before the complaint was filed;

(D) Any evidence that the complainant knew or reasonably should have known that the allegations in the complaint were groundless; and

(E) Any evidence of the complainant’s motives in filing the complaint.

(4) Notice of an order to show cause shall be given to the complainant by the city secretary, with a copy to the respondent, and shall include:

(A) An explanation of why the complaint against a respondent appears to be frivolous and without basis in law or fact; and

(B) The date, time, and place of the hearing to be held under this section.

(5) Before making a determination that a sworn complaint against a respondent is a frivolous complaint, the Council shall hold a hearing at which the complainant may be heard; the complainant may be accompanied by counsel retained by the complainant.

(6) By a record vote of at least two-thirds (2/3) of those present after the hearing under subsection (5) of this section, the council may determine that a complainant filed a frivolous complaint against a respondent.

- (g) Confidentiality. Ex parte communications by members of the city council are prohibited.
- (1) The council shall not communicate any information about a pending sworn complaint, including whether or not a complaint has been filed, to any person other than the respondent, the complainant, and a witness or potential witness identified by the respondent, the complainant, or another witness or potential witness.
- (2) Information otherwise confidential under this section may be disclosed by entering it into the record of a formal hearing or city council proceeding.
- (3) Requests for records pertaining to complaints shall be responded to in compliance with the Texas Public Information Act and the Texas Open Meetings Act.

§ 9.534 City Attorney's Office.

- (a) City Attorney's Office. The city attorney's office shall perform the following duties:
 - (1) Act as legal counsel to the city council;
 - (2) Receive complaints and responses filed with the city secretary as set forth above;
 - (3) Review complaints for legal sufficiency;
 - (4) Request additional information from complainant as needed; and
 - (5) Issue advisory opinions to city officials about the requirements imposed by the ethics laws.
- (b) Independent Counsel.
 - (1) An independent attorney, who does not otherwise represent the city, may be appointed to serve as the independent counsel when a complaint is filed relating to an alleged violation of the ethics laws by the mayor, a member of the city council, or a candidate for city council.
 - (2) When a complaint is filed relating to an alleged violation of the ethics laws by a city employee who is a department head or of higher rank, the city attorney may recommend the appointment of an independent counsel for that matter.
 - (3) The city attorney or city council may request the appointment of an independent counsel for a particular case.
- (c) Exculpatory Evidence. The city attorney shall disclose to the city council and provide to the person charged with violating the ethics code evidence known to the city attorney tending to negate guilt or mitigate the seriousness of the offense.

§ 9.535 City Council Action.

- (a) Review by City Council. The city council will meet to review the complaint, responses, replies to responses and any other information it has requested be provided to assist in consideration of the complaint. The council shall consider whether the facts of the case establish a violation of any provision in the ethics laws, regardless of which provisions, if any, were identified in

the complaint as having been allegedly violated. If the council finds that the complaint fails to allege a violation of the ethics code when assuming all facts set forth in the complaint to be true, the council may dismiss the complaint without further proceedings.

- (b) Before the council may find a violation of a particular rule, the respondent must be on notice that compliance with that rule is at issue and must have an opportunity to respond. Notice is conclusively established: if the complaint alleged that the rule was violated; or if the council or the city secretary provides the respondent with written notice of the alleged violation and a ten (10) business-day period within which to respond in writing to the charge.
- (c) Scheduling of a Hearing. Regardless of whether the complainant or the respondent requests a hearing, the city council has discretion to decide whether to hold a hearing.
- (d) Ex Parte Communications. It is a violation of this code:
 - (1) For the complainant, the respondent, or any person acting on their behalf to engage or attempt to engage, directly or indirectly, in ex parte communication about the subject matter of a complaint with a member of the city council, or any known witness to the complaint; or
 - (2) For a member of the city council to:
 - (A) Knowingly entertain an ex parte communication prohibited by subsection (1) of this rule; or
 - (B) Communicate directly or indirectly with any person, other than a member of the city council, city staff, or city attorney's office about any issue of fact or law relating to the complaint.
- (e) Duty to Cooperate. All city officials and employees shall cooperate with the city council and shall supply requested testimony or evidence to assist it in carrying out its charge. Failure to abide by the obligations imposed by this subsection is a violation.
- (f) Extension of Deadlines.
 - (1) A complainant or respondent who fails to meet a deadline to submit a filing with the city council may file a request to accept the late filing. The complainant or respondent must include within the request a statement of good cause for the council to grant the request. The council may grant a request to accept a late filing for good cause. Any extension given to a respondent pursuant to his or her request shall extend the deadline for the council to issue a decision under section 1-08 [section 9.508] by the amount of time granted.
 - (2) The council, under its own initiative or at the request of a respondent, may defer consideration of a complaint if the respondent is under investigation by any agency for the activity comprising the subject matter of the complaint, until such time as the investigation has concluded.
- (g) Timeliness of Notices or Submissions. When the code of ethics requires a notice or other document to be submitted or otherwise given to a person or to the city council, the requirement is met in a timely fashion if the document is sent to the person or the council by first-class mail or certified mail addressed with postage or handling charges prepaid and it

bears a post office cancellation mark indicating a date within the time required to provide notice or to submit a document, unless another method of submission is expressly required.

§ 9.536 **Hearing Process and Prohibitions.**

- (a) All hearings for removal from office and prohibitions shall be conducted in open session, except that the city council may conduct a closed session to get advice from its attorney pursuant to the Texas Open Meetings Act.
- (b) Called Special Meeting. A special meeting shall be called to hold the hearing to be held no earlier than fourteen (14) days subsequent from the delivery of written notice and no later than ninety (90) days after delivery of written notice, unless otherwise agreed to by a majority of the city council and the individual subject to the hearing.
- (c) General Rules.
 - (1) All witnesses must be sworn and all questioning of witnesses shall be conducted by the members of the city council. The city council may establish time limits and other rules relating to the participation of any person in the hearing. No person may be held to have violated the ethics laws unless a majority of the city council so finds by a preponderance of the evidence.
 - (2) A member of the city council who initiated or is the subject of the investigation or hearing shall not sit at the dais and shall not participate in deliberation or vote.
 - (3) The city council shall state the nature of the hearing and the allegations to be considered.
 - (4) Public comments shall be allowed in conformance with established rules of order and decorum for the city council.
- (d) Evidence. The city council shall rely on evidence of which a reasonably prudent person commonly relies in the conduct of the person's affairs. The council shall further abide by the following:
 - (1) The council shall hear evidence relevant to the allegations; and
 - (2) The council shall not consider hearsay unless it finds the nature of the information is reliable and useful.
- (e) The Person Charged (Respondent). The person charged in the complaint has the right to attend the hearing, the right to make a statement, the right to present witnesses, and the right to be accompanied by legal counsel or another advisor. They shall be provided a copy of the results of the investigation, including any written testimony acquired during the investigation. Only legal counsel to the person charged in the complaint may advise that person during the course of the hearing, but may not speak on his or her behalf, except with the permission of the council. The time permitted for presentation will be at the discretion of the council.
- (f) The Complainant. The complainant has the right to attend the hearing, the right to make a statement, and the right to be accompanied by legal counsel or another advisor. Only legal counsel to the complainant may advise the complainant during the course of the hearing, but

may not speak on behalf of the complainant, except with the permission of the council. Witnesses may not be presented by the complainant, except with the permission of the council. The time permitted for presentation will be at the discretion of the council.

§ 9.537 **Disposition.**

- (a) Violation of City Code of Ethics. City council may on the affirmative vote of a majority of the city council take any of the following actions:
 - (1) Direct further investigation;
 - (2) Request further information;
 - (3) Vote to enforce a penalty pursuant to the city code;
 - (4) Vote to bring an action in municipal court;
 - (5) Take a vote of censure; or
 - (6) Upon the affirmative vote of two-thirds of city council find that sufficient evidence exists to merit removal of an appointee.
- (b) Written Opinion. The council shall issue a decision within ninety (90) calendar days after the filing of a complaint. This deadline shall be extended by any amount of time granted to a respondent pursuant to a respondent's request for additional time to respond or to attend proceedings. The council shall state in a written opinion its findings of fact and conclusions of law. The written opinion shall either:
 - (1) Dismiss the complaint; or
 - (2) Upon finding that there has been a violation of the ethics laws:
 - (A) Impose sanctions in accordance with these regulations; or
 - (B) Recommend criminal prosecution and/or civil remedies, in accordance with this rule; or
 - (C) State why no remedial action is imposed or recommended.
 - (3) If the council determines that a violation has occurred, the opinion shall identify in writing the particular rule or rules violated. If the complaint is dismissed, the grounds for the dismissal shall be set forth in the opinion. The failure of the council to comply within the above time limits may result in the charge being dismissed for want of prosecution. Prior to such dismissal, the complainant will be given notice and an opportunity to request continuance of the action.
- (c) Notification. Copies of the opinion shall be forwarded to the complainant, the person charged in the complaint, the city attorney, and any member of the city council who did not participate in the disposition of the case. A copy of the opinion shall also be forwarded to the city secretary, who shall make it available as authorized by law.

- (d) Recommendations. A recommendation for criminal prosecution or removal shall be forwarded to the appropriate authority.
- (e) Similar Charges Barred. If the complaint is dismissed because the evidence failed to establish a violation of the ethics laws, the city council shall not entertain any other similar complaint based on substantially the same evidence.
- (f) Factors Relevant to Sanctions.
 - (1) General violations. In deciding whether to recommend or impose, in the case of a violation of the ethics laws, criminal prosecution and/or civil remedies, the city council shall take into account relevant considerations, including, but not limited to, the following:
 - (A) The culpability of the person charged in the complaint;
 - (B) The harm to public or private interests resulting from the violation;
 - (C) The necessity of preserving public confidence in the conduct of local government;
 - (D) Whether there is evidence of a pattern of disregard for ethical obligations; and
 - (E) Whether remedial action has been taken that will mitigate the adverse effect of the violation.
 - (2) To impose or recommend sanctions for a first violation of the ethics code, other than a letter of notification, a letter of admonition or a referral to training, the council must find by a preponderance of the evidence that the person acted knowingly, unless otherwise provided by this code.
- (g) Civil Sanctions for Ethics Code Violations. The following civil remedies may be recommended or imposed by the city council which finds that the ethics laws have been violated:
 - (1) Disciplinary Action. City council members who engage in conduct that violates the code of ethics may be notified, warned, reprimanded, suspended, or removed from office in any manner authorized by law. Disciplinary action under this section may be imposed in addition to any other penalty or remedy contained in the code of ethics or any other law;
 - (2) Civil Fine. The city council may impose on a city official who violates any provision of the code of ethics a fine not exceeding five hundred dollars (\$500.00).
 - (3) Letter of Notification. The city council may issue a letter of notification to a city official, when the council finds that a violation of the code of ethics was clearly unintentional or inadvertent. The letter must advise the person to whom it is directed of any steps to be taken to avoid future violations.
 - (4) Letter of Admonition. The city council may issue to a city official, a letter of admonition when the council finds that the violation of the code of ethics was minor and/or may have been unintentional or inadvertent.

- (5) Letter of Reprimand. The city council may issue to a city official, a letter of reprimand when the council finds that the person has intentionally or knowingly violated the code of ethics.
- (6) Referral to Ethics Training. Upon finding of violation of the ethics code, the city council may require a city official to attend ethics training.
- (h) Reconsideration. Within five (5) business days of receiving the final opinion of the city council, the complainant or respondent may request the city council to reconsider its decision. The request must be filed with the city secretary. Within ten (10) business days after filing with the city secretary, the city council shall review the request for reconsideration. If the full and seated council grants reconsideration, the council may then order further proceedings in accordance with the provisions of this rules.
- (i) Council Action. City council shall dispose of the reconsideration within ninety (90) calendar days of approving the reconsideration. Failure to take action within specified time limits may result in the charge being dismissed for want of prosecution. Prior to such dismissal, the complainant will be given notice and an opportunity to request continuance of the action.

FINANCIAL REPORTS FOR FUNDS AS OF 02/28/2023

CASH & INVESTMENT BY FUND AS OF 02/28/2023

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
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 100-GENERAL FUND
 =====
CASH

100 1-001.000	CASH - GENERAL FUND	1,289,001.72	
100 1-001.501	CASH-GENERAL FUND RBFCU	62,550.61	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	124,681.33	
100 1-101.506	CASH- PEG FRANCHISE ACTIVITIES	132,931.86	

TOTAL CASH		1,609,165.52	
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INVESTMENTS

100 1-103.409	RBFCU-SAVINGS ACCOUNT		0.00
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		226,479.22
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		24,712.19

TOTAL INVESTMENTS			251,191.41
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POOLED INVESTMENTS

100 1-104.002	TEXPOOL- GENERAL FUND		2,407,376.10
100 1-104.003	TEXPOOL-CLFRF PART II - ARPA		829,170.40

TOTAL POOLED INVESTMENTS			3,236,546.50
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TOTAL 100-GENERAL FUND		1,609,165.52	3,487,737.91
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 203-JB WELLS FUND
 =====
CASH

203 1-001.000	CASH - JB WELLS	(469,833.64)	
TOTAL CASH		(469,833.64)	
TOTAL 203-JB WELLS PARK FUND		(469,833.64)	0.00

 210-ELECTRIC FUND
 =====
CASH

210 1-001.000	CASH - ELECTRIC FUND	35,389.00	
210 1-001.606	CASH CUSTOMER METER DEPOSIT	223,998.80	
TOTAL CASH		259,387.80	

CASH & INVESTMENTS BY FUND
AS OF: FEBRUARY 28TH, 2023

FEBRUARY 28TH, 2023

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		1,777,341.94
	TOTAL POOLED INVESTMENTS		1,777,341.94
	TOTAL 210-ELECTRIC FUND	259,387.80	2,060,199.53
<u>220-WATER FUND</u>			
=====			
<u>CASH</u>			
220 1-001.000	CASH - WATER FUND	483,766.13	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	32,829.00	
	TOTAL CASH	516,595.13	
<u>POOLED INVESTMENTS</u>			
220 1-104.002	TEXPOOL- WATER FUND		1,942,250.18
220 1-104.103	TEXPOOL - CO SERIES 2019		0.00
	TOTAL POOLED INVESTMENTS		1,942,250.18
	TOTAL 220-WATER FUND	516,595.13	1,942,250.18
<u>230-WASTEWATER FUND</u>			
=====			
<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	(144,831.28)	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	2,414.00	
	TOTAL CASH	(142,417.28)	
<u>INVESTMENTS</u>			
230 1-103.411	CERT. OF DEP - SOUTH STAR BANK		285,073.72
	TOTAL INVESTMENTS		285,073.72
<u>POOLED INVESTMENTS</u>			
230 1-104.002	TEXPOOL- WASTEWATER FUND		921,052.15
230 1-104.003	TEXPOOL-CLFRF PART I -ARPA W/W		196,119.73
230 1-104.102	CASH - CO SERIES 2019		0.00
	TOTAL POOLED INVESTMENTS		1,117,171.88
	TOTAL 230-WASTEWATER FUND	(142,417.28)	1,402,245.60

CASH & INVESTMENTS BY FUND

AS OF: FEBRUARY 28TH, 2023 FEBRUARY 28TH, 2023

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<hr/>			
240-SOLID WASTE			
=====			
<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	137,098.95	

	TOTAL CASH	137,098.95	

	TOTAL 240-SOLID WASTE FUND	137,098.95	0.00
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250-DSF PROPRIETARY			
=====			
<u>CASH</u>			
250 1-001.000	CASH-DSF PROPRIETARY	0.00	

	TOTAL CASH	0.00	

	TOTAL 250-DSF PROPRIETARY	0.00	0.00
<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	
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<u>POOLED INVESTMENTS</u>			
300 1-104.101	CASH-CO SERIES 2019 CIP STREET		0.00
300 1-104.102	CASH-CO SERIES 2019 CIP W/W		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
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	TOTAL 300-CAPITAL PROJECTS-BUSINESS	0.00	0.00
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400-DSF GOVERNMENTAL ACTI			
=====			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCT	0.00	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	406,791.67	

	TOTAL CASH	406,791.67	
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	TOTAL 400-DSF GOVERNMENT ACTIVITIES	406,791.67	0.00

CASH & INVESTMENTS BY FUND

AS OF: FEBRUARY 28TH, 2023 FEBRUARY 28TH, 2023

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
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500-HOTEL/MOTEL FUND

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CASH

500 1-001.000	CASH - CONTROL ACCT	0.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	743,681.25	
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		743,681.25	
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TOTAL 500-HOTEL/MOTEL FUND		743,681.25	0.00
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501-MEMORIAL MUSEUM FUND

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CASH

501 1-001.000	CASH - CONTROL ACCT.	0.00	
501 1-001.503	CASH - MUSEUM FUNDS	8,489.45	

TOTAL CASH		8,489.45	
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TOTAL 501-MEMORIAL MUSEUM FUND		8,489.45	0.00
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502-FORFEITURES

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CASH

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	
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TOTAL 502-FORFEITURE FUND		38,817.78	0.00
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503-MUNICIPAL COURT

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CASH & INVESTMENTS BY FUND

AS OF: FEBRUARY 28TH, 2023 FEBRUARY 28TH, 2023

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	5,220.66	
503 1-001.506	CASH - MUN CRT SECURITY	21,567.51	
503 1-001.507	CASH - MUN CRT TECH	952.71	
503 1-001.508	CASH - SPECIAL EXPENSE	3,218.07	
TOTAL CASH		30,958.95	
TOTAL 503-MUNICIPAL COURT		30,958.95	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	55,781.56	
TOTAL CASH		55,781.56	
TOTAL 504-ROBERT LEE BROTHERS FUND		55,781.56	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	(11,835.49)	
700 1-001.101	CASH - ECONOMIC DEV CORP	2,650,464.28	
TOTAL CASH		2,638,628.79	

CASH & INVESTMENTS BY FUND

AS OF: FEBRUARY 28TH, 2023 FEBRUARY 28TH, 2023

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		2,638,628.79	1,000,000.00

FUND TOTAL OTHER INVESTMENTS			1,819,122.72
FUND TOTAL POOLED INVESTMENTS			8,073,310.50

TOTAL CASH AND INVESTMENTS		5,833,145.93	9,892,433.22
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*** END OF REPORT ***

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: FEBRUARY 28TH, 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	527,419.06	1,749,253.23	59.30	0.00	1,200,602.77
402-FRANCHISE REVENUE	1,995,900.00	36,273.91	632,369.36	31.68	0.00	1,363,530.64
403-LICENSE/FEE/PERMITS	92,270.00	11,675.46	39,369.63	42.67	0.00	52,900.37
404-PARKS FEES REVENUE	293,310.00	17,854.96	100,349.29	34.21	0.00	192,960.71
405-MUNICIPAL COURT REVEN	58,075.00	8,443.97	25,645.63	44.16	0.00	32,429.37
406-MISCELLANEOUS REVENUE	787,958.00	20,545.33	151,980.56	19.29	0.00	635,977.44
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	20,000.00	14,328.95	66,162.30	330.81	0.00	(46,162.30)
409-OTHER FINANCING REVEN	131,410.00	0.00	184,521.73	140.42	0.00	(53,111.73)
410-TRANSFERS	2,832,618.00	205,718.16	1,114,191.80	39.33	0.00	1,718,426.20

*** TOTAL REVENUES ***	9,161,397.00	842,259.80	4,063,843.53	44.36	0.00	5,097,553.47
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EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTME	84,966.00	3,066.59	22,349.94	26.30	0.00	62,616.06
102-CITY MANAGER DEPART	173,019.50	13,483.45	52,780.90	30.51	0.00	120,238.60
103-COMMUNITY DEVELOPMENT	212,459.00	7,235.52	66,331.16	31.22	0.00	146,127.84
104-NON-DEPARTMENTAL	594,772.00	37,715.58	307,472.26	51.70	0.00	287,299.74
105-MAIN STREET DEPARTMEN	119,785.00	6,667.40	44,396.13	37.06	0.00	75,388.87
106-ECONOMIC DEVELOPMENT	0.00	0.00	0.00	0.00	0.00	0.00
107-BUILDING MAINTENANCE	280,421.00	17,376.62	97,775.55	34.87	0.00	182,645.45
108-CITY SECRETARY DEP	186,150.00	12,083.74	68,809.08	36.96	0.00	117,340.92
109-FINANCE DEPARTMENT	311,672.50	17,478.30	94,527.92	30.33	0.00	217,144.58
110-HOTEL/MOTEL	0.00	0.00	0.00	0.00	0.00	0.00
201-PARKS DEPARTMENT	730,292.00	39,282.18	263,200.53	37.66	11,857.51	455,233.96
202-SWIMMING POOL DEPARTM	28,425.00	0.00	445.16	1.57	0.00	27,979.84
204-RECREATION DEPARTMENT	18,314.00	0.00	263.00	1.44	0.00	18,051.00
206-INDEPENDENCE GOLF CO	301,199.00	17,736.63	106,568.75	35.38	0.00	194,630.25
301-FIRE DEPARTMENT	1,579,550.00	82,156.14	513,232.84	34.34	29,202.96	1,037,114.20
501-POLICE DEPARTMENT	2,768,595.00	198,352.01	1,086,845.25	39.84	16,218.31	1,665,531.44
504-ANIMAL CONTROL DEPART	186,241.00	13,911.46	67,657.36	36.33	0.00	118,583.64
550-MUNICIPAL COURT DEPT.	113,216.00	6,259.37	41,469.31	36.63	0.00	71,746.69
602-AIRPORT DEPARTMENT	130,820.00	826.14	27,760.91	21.22	0.00	103,059.09
603-STREETS DEPARTMENT	751,550.00	29,755.13	481,993.72	64.17	297.82	269,258.46
650-LIBRARY DEPARTMENT	310,366.00	22,300.77	122,296.96	39.40	0.00	188,069.04
660-MUSEUM DEPARTMENT	98,085.00	7,608.12	36,438.87	37.15	0.00	61,646.13

*** TOTAL EXPENDITURES ***	8,979,898.00	533,295.15	3,502,615.60	39.65	57,576.60	5,419,705.80
=====						
** REVENUES OVER (UNDER) EXPENDITURES **	181,499.00	308,964.65	561,227.93	277.50	(57,576.60)	(322,152.33)
=====						

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: FEBRUARY 28TH, 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	37,892.00	200,601.67	26.60	0.00	553,548.33
406-MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	754,150.00	37,892.00	200,601.67	26.60	0.00	553,548.33
EXPENDITURE SUMMARY						
203-JB WELLS PARK	935,649.00	39,802.42	228,122.70	26.43	19,178.99	688,347.31
*** TOTAL EXPENDITURES ***	935,649.00	39,802.42	228,122.70	26.43	19,178.99	688,347.31
** REVENUES OVER (UNDER) EXPENDITURES **	(181,499.00)	(1,910.42)	(27,521.03)	25.73	(19,178.99)	(134,798.98)

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: FEBRUARY 28TH, 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	799,550.00	4,065,308.67	37.36	0.00	6,814,834.33
750-REVENUE COLLECTION	279,802.00	1,020.40	95,412.18	34.10	0.00	184,389.82
809-HYDRO PLANT CONST.	0.00	0.00	0.00	0.00	0.00	0.00
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
*** TOTAL REVENUES ***	11,159,945.00	800,570.40	4,160,720.85	37.28	0.00	6,999,224.15
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	10,706,897.00	613,257.39	4,225,442.57	45.08	601,355.66	5,880,098.77
750-REVENUE COLLECTIONS	304,792.00	18,528.07	112,919.39	37.05	0.00	191,872.61
809-HYDRO PLANT CONST.	146,000.00	0.00	123,500.00	84.59	0.00	22,500.00
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
*** TOTAL EXPENDITURES ***	11,157,689.00	631,785.46	4,461,861.96	45.38	601,355.66	6,094,471.38
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	2,256.00	168,784.94	(301,141.11)	4.29-	(601,355.66)	904,752.77
	=====	=====	=====	=====	=====	=====

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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	212,350.88	1,092,309.24	35.14	0.00	2,016,140.76
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	3,108,450.00	212,350.88	1,092,309.24	35.14	0.00	2,016,140.76
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	2,298,310.00	100,762.33	1,100,901.71	48.81	20,991.13	1,176,417.16
722-SERIES 2011 DEBT SERV	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	2,298,310.00	100,762.33	1,100,901.71	48.81	20,991.13	1,176,417.16
	=====	=====	=====	=====	=====	=====
*** REVENUES OVER(UNDER) EXPENDITURES ***	810,140.00	111,588.55	(8,592.47)	3.65-	(20,991.13)	839,723.60
	=====	=====	=====	=====	=====	=====

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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	144,576.33	621,307.07	34.99	0.00	1,154,192.93
731-W/W GRANT PROJECTS	0.00	16,109.95	338,463.34	0.00	0.00	(338,463.34)
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
*** TOTAL REVENUES ***	1,775,500.00	160,686.28	959,770.41	54.06	0.00	815,729.59
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,663,508.00	52,533.17	440,384.27	27.28	13,338.00	1,209,785.73
731-W/W GRANT PROJECTS	0.00	618.64	441,106.14	0.00	0.00	(441,106.14)
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
*** TOTAL EXPENDITURES ***	1,663,508.00	53,151.81	881,490.41	53.79	13,338.00	768,679.59
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	111,992.00	107,534.47	78,280.00	57.99	(13,338.00)	47,050.00
	=====	=====	=====	=====	=====	=====

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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	71,465.25	346,812.59	41.67	0.00	485,537.41
*** TOTAL REVENUES ***	832,350.00	71,465.25	346,812.59	41.67	0.00	485,537.41
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	832,217.00	60,282.45	342,867.85	43.74	21,135.54	468,213.61
*** TOTAL EXPENDITURES ***	832,217.00	60,282.45	342,867.85	43.74	21,135.54	468,213.61
** REVENUES OVER(UNDER) EXPENDITURES **	133.00	11,182.80	3,944.74	925.41	(21,135.54)	17,323.80

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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	284,599.97	773,311.55	94.47	0.00	45,301.45
*** TOTAL REVENUES ***	818,613.00	284,599.97	773,311.55	94.47	0.00	45,301.45
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	815,613.00	0.00	647,612.50	79.40	0.00	168,000.50
*** TOTAL EXPENDITURES ***	815,613.00	0.00	647,612.50	79.40	0.00	168,000.50
** REVENUES OVER (UNDER) EXPENDITURES **	3,000.00	284,599.97	125,699.05	189.97	0.00	(122,699.05)

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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	17,527.42	143,308.83	40.44	0.00	211,091.17
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	17,527.42	143,308.83	40.44	0.00	211,091.17
EXPENDITURE SUMMARY						
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL MOTEL	524,026.00	17,250.26	194,923.72	37.20	0.00	329,102.28
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	17,250.26	194,967.55	37.21	0.00	329,058.45
** REVENUES OVER(UNDER) EXPENDITURES **	(169,626.00)	277.16	(51,658.72)	30.45	0.00	(117,967.28)

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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	526.45	1,732.64	72.19	0.00	667.36
*** TOTAL REVENUES ***	2,400.00	526.45	1,732.64	72.19	0.00	667.36
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)	526.45	1,732.64	108.29-	0.00	(3,332.64)

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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	0.00	14,312.31	11.19	0.00	(14,202.31)
*** TOTAL REVENUES ***	110.00	0.00	14,312.31	11.19	0.00	(14,202.31)
EXPENDITURE SUMMARY						
813-FORFEITURES	20,500.00	0.00	0.00	27.08	5,552.34	14,947.66
*** TOTAL EXPENDITURES ***	20,500.00	0.00	0.00	27.08	5,552.34	14,947.66
** REVENUES OVER(UNDER) EXPENDITURES **	(20,390.00)	0.00	14,312.31	42.96-	(5,552.34)	(29,149.97)

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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	124.82	992.70	57.72	0.00	727.30
*** TOTAL REVENUES ***	1,720.00	124.82	992.70	57.72	0.00	727.30
EXPENDITURE SUMMARY						
814-MUNICIPAL COURT	14,927.00	235.15	4,208.30	28.19	0.00	10,718.70
*** TOTAL EXPENDITURES ***	14,927.00	235.15	4,208.30	28.19	0.00	10,718.70
** REVENUES OVER (UNDER) EXPENDITURES **	(13,207.00)	(110.33)	(3,215.60)	24.35	0.00	(9,991.40)

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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	0.00	918.63	241.74	0.00	(538.63)
*** TOTAL REVENUES ***	380.00	0.00	918.63	241.74	0.00	(538.63)
EXPENDITURE SUMMARY						
815-ROBERT LEE BROTHERS	52,200.00	838.51	15,336.21	43.99	7,626.89	29,236.90
*** TOTAL EXPENDITURES ***	52,200.00	838.51	15,336.21	43.99	7,626.89	29,236.90
** REVENUES OVER (UNDER) EXPENDITURES **	(51,820.00)	(838.51)	(14,417.58)	42.54	(7,626.89)	(29,775.53)

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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	109,089.76	484,326.38	48.39	0.00	516,468.62
*** TOTAL REVENUES ***	1,000,795.00	109,089.76	484,326.38	48.39	0.00	516,468.62
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,903,448.00	177,835.93	510,874.04	26.84	0.00	1,392,573.96
*** TOTAL EXPENDITURES ***	1,903,448.00	177,835.93	510,874.04	26.84	0.00	1,392,573.96
** REVENUES OVER (UNDER) EXPENDITURES **	(902,653.00)	(68,746.17)	(26,547.66)	2.94	0.00	(876,105.34)