

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
AGENDA –JANUARY 8, 2024, 6:00 P.M.**

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

CITY EVENTS AND ANNOUNCEMENTS

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

HEARING OF RESIDENTS

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

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

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

PRESENTATION

- 1.1 Edwards Association President, Mr. David Tucey will give a presentation regarding the renaming of a city street in honor of Dr. Martin Luther King, Jr.

CONSENT AGENDA ITEMS

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

- 2.1 **Minutes** - Approval of the minutes for the December 14, 2023, Regular Meeting and December 18, 2023, Called Meeting
- 2.2 Discuss, Consider and Possible Action on **Ordinance #2024-1** Ordering a General Municipal Election to be Held on May 4, 2024, for the Purpose of Electing an Individual to the Office of Council Member District 1 and Council Member District 2

- 2.3 Discuss, Consider & Possible Action on **Resolution #2024-1** Authorizing the City Manager to execute an agreement for Election Services with the Election Administrator of Gonzales County for the May 4, 2024, General Election
- 2.4 Discuss, Consider & Possible Action on **Resolution #2024-2** Approving Changes to the Main Street Manager Job Description and Current Position Classifications for Fiscal Year 2023-2024
- 2.5 Discuss, Consider & Possible Action on **Resolution #2024-3** Approving the Amendments to the bylaws of the Gonzales Main Street Inc.
- 2.6 Discuss, Consider & Possible Action on **Resolution #2024-4** Authorizing the City Manager to Execute a Service Agreement with Gonzales Main Street, Inc.
- 2.7 Discuss, Consider & Possible Action on **Resolution #2024-5** Authorizing Gonzales Main Street's use of the Independence Square including the parking lot, designated street closures, closure of the Brickyard Area at Independence Park and the sale and consumption of alcoholic beverages for their Annual Star-Spangled Spectacular on July 4, 2024

RESOLUTION

- 3.1 Discuss, Consider and Possible Action on **Resolution #2024-6** Authorizing the City Manager to Execute a Purchase Agreement for ERP Pro 10: Financial Management Suite, Customer Relationship Management Suite, Community Development Suite, and Municipal Justice 10 Suite, All Powered by Incode, in the Amount of \$68,400.00

OTHER BUSINESS

- 4.1 Discussion, Consider and Possible Action regarding the disposition and potential sale of surplus real property
- 4.2 Discussion and direction regarding the manner and process in which appointments to all City Council appointed boards, commissions and committees will be conducted

ORDINANCE

- 5.1 Discuss, Consider & Possible Action on **Ordinance #2024-2** Approving Budget Amendments to the Operating Budget for the Fiscal Year October 1, 2023, and Ending September 30, 2024
- 5.2 Discuss, Consider & Possible Action on **Ordinance #2024-3** Updating and Amending the City of Gonzales Code of Ordinances Article 3.600 Flood Damage Prevention

STAFF/BOARD REPORTS

- 6.1 Finance Director, Laura Zella will provide feedback on any questions regarding:
 - Financial Reports for funds as of December 31, 2023
 - Cash & Investment by Fund as of December 31, 2023
- 6.2 City Manager, Tim Crow will update the City Council on the following:
 - Timeline on Capital Improvement and Departmental Projects

- Recently Completed Projects
- Projects Currently in Process
- Upcoming Projects

CLOSED SESSION

7.1 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) Westwood Inn, LLC. Delinquent HOT funds

RETURN TO OPEN SESSION

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

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 January 8, 2024, agenda of items to be considered by the Gonzales City Council was posted on the City Municipal Building bulletin board on the 4th day of January 2024 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 _____, 2024 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. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please Contact the City Secretary's office at (830)672-2815 for further information.

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES – DECEMBER 14, 2023**

The regular meeting of the City Council was held on **December 14, 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 PLEDGES OF ALLEGIANCE

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
Lorenzo Hernandez	Council Member, District 3	Present
Ronda Miller	Council Member, District 4	Present

STAFF PARTICIPATING:

Tim Crow-City Manager, Kristina Vega-City Secretary, Laura Zella-Finance Director, Erica Leopold-Administrative Assistant, Gayle Autry-Police Chief, Jason Montoya-Police Lt., Tiffany Hutchinson-Padilla-Main Street Director, and Susan Sankey-Economic Development Director.

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events-None
- Announcements and recognitions by the City Manager- None
- Announcements and recognitions by the Mayor- Mayor

Mayor Sucher acknowledged Larry and Johnnie Lynn Edwards for their contribution to the architecture downtown; Marcus Pridgeon for his donation of aerial photos of the Sarah DeWitt installation; and TXGN Railways and all that were involved in the Winter/Santa Event.

- Recognition of actions by City employees-None
- Recognition of actions by community volunteers-None

HEARING OF RESIDENTS

Edwards Association President, Mr. David Tucy thanked the City of Gonzales for the funds that the City provides that are included in the annual budgetary planning, they have contributed to the improvements that are being made at the Edward's location. Mr. Tucy spoke in favor of the approval of the Dr. Martin Luther King March and personally invited the City Council and the community to participate on January 15, 2024.

OTHER BUSINESS

- 1.1 Discussion and possible action regarding city sponsored rezoning for LI, Light Industrial and HI, Heavy Industrial Districts will be led by Zoning Administrator Kristina Vega

Mayor Sucher asked for a motion. Council Member Koepp moved to initiate the city sponsored rezoning for LI, Light Industrial and HI, Heavy Industrial Districts. 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.

- 2.1 **Minutes** - Approval of the minutes for the November 9, 2023, Regular Meeting
- 2.2 Discuss, Consider and Possible Action on **Resolution #2023-143** Authorizing the Edwards Association the use of Independence Square including the Parking Lot, and Designated Street Closures for the Martin Luther King March on January 15, 2024
- 2.3 Discuss, Consider & Possible Action on **Resolution #2023-144** Authorizing the City Manager to Execute a Purchase Agreement for the Purchase of a Chevrolet Tahoe PPV for the Police Department in the amount of \$46,983.00 from MacMulkin Chevrolet Cadillac
- 2.4 Discuss, Consider & Possible Action on **Resolution #2023-145** Approving a Performance Agreement by and Between the GEDC and Main Street, Inc.
- 2.5 Discuss, Consider & Possible Action on **Resolution #2023-146** Authorizing the City Manager to execute an agreement with TxDOT on Roger M. Dreyer Memorial Airport runway lighting project.
- 2.6 Discuss, Consider & Possible Action on **Resolution #2023-147** Ratifying the Library Lease Agreement for the office space at 301 St. Joseph Street with Gonzales County for the purposes of housing the Gonzales Central Appraisal District

ACTION: Items 2.1 through 2.6

APPROVED

Council Member Hernandez moved to approve the consent agenda Items 2.1 through 2.6. Council Member Koepp seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

RESOLUTION

- 3.1 Discuss, Consider and Possible Action on **Resolution #2023-148** Authorizing an appointment to Roger M. Dreyer Memorial Airport Advisory Board

ACTION: Item 3.1

APPROVED

Council Member Kridler moved to approve **Resolution #2023-148** Authorizing the Appointment of Brian Wells to the Roger M. Dreyer Memorial Airport Advisory Board. Council Member Hernandez seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.2 Discuss, Consider and Possible Action on **Resolution #2023-149** Authorizing the City Manager to Terminate the utility collection agreement with Online Information Services, Inc.

ACTION: Item 3.2

APPROVED

Council Member Koepp moved to approve **Resolution #2023-149** Authorizing the City Manager to Terminate the utility collection agreement with Online Information Services, Inc. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.3 Discuss, Consider and Possible Action on **Resolution #2023-150** Authorizing the City Manager to execute an agreement with Linebarger Goggan Blair & Sampson, LLP for utility collections.

ACTION: Item 3.3

APPROVED

Council Member Koepp moved to approve **Resolution #2023-150** Authorizing the City Manager to execute an agreement with Linebarger Goggan Blair & Sampson, LLP for utility collections. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.4 Discuss, Consider & Possible Action on **Resolution #2023-151** Authorizing the City Manager to Terminate the Municipal Court Collection of Delinquent Municipal Court Fines and Fees agreement with McCreary Veselka Bragg & Allen, PC

ACTION: Item 3.4

APPROVED

Council Member Kridler moved to approve **Resolution #2023-151** Authorizing the City Manager to Terminate the Municipal Court Collection of Delinquent Municipal Court Fines and Fees agreement with McCreary Veselka Bragg & Allen, PC. Council Member Koepp seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.5 Discuss, Consider & Possible Action on **Resolution #2023-152** Authorizing the City Manager to execute an agreement with Linebarger Goggan Blair & Sampson, LLP for Municipal Collection of Delinquent Municipal Court Fines, and fees.

ACTION: Item 3.5

APPROVED

Council Member Koepp moved to approve **Resolution #2023-152** Authorizing the City Manager to execute an agreement with Linebarger Goggan Blair & Sampson, LLP for Municipal Collection of Delinquent Municipal Court Fines, and fees. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ORDINANCE

- 4.1 Discuss, Consider & Possible Action on **Ordinance #2023-15** Updating and amending regulations for construction, installation and maintenance of private utilities and facilities in City rights-of-way.

ACTION: Item 4.1

APPROVED

Council Member Koepp moved to approve **Ordinance #2023-15** Updating and amending regulations for construction, installation and maintenance of private utilities and facilities in City rights-of-way. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.2 Discuss, Consider & Possible Action on **Ordinance #2023-16** Amending the Master Rate and Fee Schedule for Various City Services

ACTION: Item 4.2

APPROVED

Council Member Kridler moved to approve **Ordinance #2023-16** Amending the Master Rate and Fee Schedule for Various City Services. Council Member Miller seconded the motion. The Mayor asked for further discussion. Council Member Hernandez asked that the amendments be postponed until next fiscal year. City staff asked that the striking of water sales, concession and Gatorade at least be approved at this evening's meeting. Council Member Kridler amended his motion to strike the requested items. Council Member Miller amended her second. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.3 Public Hearing, Discussion & Possible Action on **Ordinance #2023-17** Amending the Official Zoning Map by Zoning Property (Address/Parcel) 425 St. James/11636; 515 St. Joseph/11650; 507 St. George/11660; 726 St. Paul/11668; 509 St. Joseph/11673; 510 St. Andrew/11674; 313 St. Lawrence/11679; 621 St. Joseph/11701; 510 St. Paul/11706; 322 St. George/11708; 623/627 St. Paul/11714; 300 Blk St. George/11722; 500 Blk St. James/11723; 516 St. Paul/11725; 305 St. Lawrence/11754; 621 St. Paul/11798; 602 St. Paul/11820; 617 St. Paul/11836; 619 St. Paul/11838; 419 St. James/11865; 415 St. George/11888; 421 St. James/11889; 335 St. George/11919; 300 Blk St 11920; 342 St. George/11921; 332 B St. George/11924; 521 St. Joseph/11928; 307 St. Lawrence/11956; 607 St. Joseph/11968; 612 St. James/11971/ 306 St. George/11986; 405 St. James/11990; 614 St. Paul/11998; 411 St. James/12002; 418 St. Francis/12003; 301 St. George/23487; 200 Blk St. Lawrence/24911; and 607 St. Joseph/27437 from C-1 Light Commercial District to DMU Downtown Mixed Use District

Mayor Sucher opened the Public Hearing at 6:51 p.m.

Zoning Administrator, Kristina Vega spoke in favor of the request for Amending the Official Zoning Map by Zoning Property as listed from C-1 Light Commercial District to DMU Downtown Mixed Use District. Zoning Administrator, Kristina Vega gave a staff presentation stating the zoning request was received to rezone the twenty-three properties in response to the city sponsored rezone. The Downtown Mixed Use District (DMU) was created in 2021 to provide opportunities for the use of substantial land areas and buildings within the city and downtown area that have unique qualities associated with the history and culture of the area and its people. Reduced setbacks and parking requirements are provided as part of this district due to physical constraints and to preserve the look and feel of the downtown area. Preservation of existing buildings is encouraged to promote the history and culture of the community. The DMU district has zero front, side and rear setbacks and allows 100% maximum impervious area coverage. Since the adoption of the

new DMU district, there have been a few properties that have requested and been rezoned to DMU. To help kick start the use of this district and continue to encourage the preservation of existing buildings, renovation, and revitalization of downtown, staff requested that the City Council initiate a City Sponsored rezone. On January 19, 2023, the City Council took action to initiate a City sponsored rezoning for the Downtown Mixed Use District (DMU) and provided an opportunity to property owners of downtown commercially used property to voluntarily rezone to DMU free of charge.

Notifications were mailed to the properties within the DMU eligibility area on April 4, 2023. The City received applications for a zoning change from twenty-three properties within the eligibility area that were zoned C-1 Light Commercial District to be rezoned DMU, Downtown Mixed Use District A total of 162 notification letters were mailed. A notice was published in the newspaper on November 16, 2023, and notices were mailed to property owners within 200' of the subject properties on November 14, 2023. One hundred sixty-two notices were mailed to the surrounding property owners within 200 feet of the properties requesting rezone. As of preparation of the staff report, there not any objection letters filed.

Public Comments made by David Dement in favor of moving forward with this rezone as listed as it has already been set forward by the City.

Mayor Sucher closed the Public Hearing at 7:09 p.m.

ACTION: Items 4.3

APPROVED

Council Member Koepp moved to approve **Ordinance #2023-17** Amending the Official Zoning Map by Zoning Property (Address/Parcel) 425 St. James/11636; 515 St. Joseph/11650; 507 St. George/11660; 726 St. Paul/11668; 509 St. Joseph/11673; 510 St. Andrew/11674; 313 St. Lawrence/11679; 621 St. Joseph/11701; 510 St. Paul/11706; 322 St. George/11708; 623/627 St. Paul/11714; 300 Blk St. George/11722; 500 Blk St. James/11723; 516 St. Paul/11725; 305 St. Lawrence/11754; 621 St. Paul/11798; 602 St. Paul/11820; 617 St. Paul/11836; 619 St. Paul/11838; 419 St. James/11865; 415 St. George/11888; 421 St. James/11889; 335 St. George/11919; 300 Blk St 11920; 342 St. George/11921; 332 B St. George/11924; 521 St. Joseph/11928; 307 St. Lawrence/11956; 607 St. Joseph/11968; 612 St. James/11971/ 306 St. George/11986; 405 St. James/11990; 614 St. Paul/11998; 411 St. James/12002; 418 St. Francis/12003; 301 St. George/23487; 200 Blk St. Lawrence/24911; and 607 St. Joseph/27437 from C-1 Light Commercial District to DMU Downtown Mixed Use District. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Kridler, Koepp, Hernandez, and Mayor Sucher. Against: Miller The motion passed 4 to 1.

- 4.4 Public Hearing, Discussion & Possible Action on **Ordinance #2023-18** Authorizing amendments to the City of Gonzales Code of Ordinances Chapter 14, Articles 14.200, 14.400 and 14.600 related to the addition of new land uses for Bakery, commercial; Bakery, retail; Bar; Brewery/Distillery/Winery, industrial; Bar; Brewery/Distillery/Winery, craft; and Brewpub; associated land use definitions and off-street parking regulations.

Mayor Sucher opened the Public Hearing at 7:10 p.m

Zoning Administrator, Kristina Vega spoke in favor of Authorizing amendments to the City of Gonzales Code of Ordinances Chapter 14, Articles 14.200, 14.400 and 14.600 related to the addition of new land uses for Bakery, commercial; Bakery, retail; Bar; Brewery/Distillery/Winery, industrial; Bar; Brewery/Distillery/Winery, craft; and Brewpub; associated land use definitions and off-street parking regulations. In review of the existing Zoning Ordinance and in discussion with potential developers determined that there were a few uses that were not currently included within the code. Classification of New and Unlisted Uses can be created within the Zoning Ordinance based on Section 14.402, which states when new types of land use will develop, and forms of land use not presently anticipated may seek to locate in the city. If the city manager is unable to classify the use under one of the existing listed uses, then the city manager shall initiate a zoning text amendment pursuant to procedures set forth in section 14.902, Zoning Text and Map Amendments.

A notice was published in the newspaper for three consecutive weeks beginning on November 16, 2023, and posted on the City's website and at City Hall beginning on November 14, 2023.

No other comments were made.

Mayor Sucher closed the Public Hearing at 7:15 p.m.

ACTION: Items 4.4

APPROVED

Council Member Koepp moved to approve **Ordinance #2023-18** Authorizing amendments to the City of Gonzales Code of Ordinances Chapter 14, Articles 14.200, 14.400 and 14.600 related to the addition of new land uses for Bakery, commercial; Bakery, retail; Bar; Brewery/Distillery/Winery, industrial; Bar; Brewery/Distillery/Winery, craft; and Brewpub; associated land use definitions and off-street parking regulations. 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

5.1 Finance Director, Laura Zella will provide feedback on any questions regarding:

- Financial Reports for funds as of November 30, 2023
- Cash & Investment by Fund as of November 30, 2023

No questions were asked regarding the report.

5.2 City Manager, Tim Crow will update the City Council on the following:

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

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 7:36 p.m.

CLOSED SESSION

- 6.1 (1) Pursuant to Section 551.072 of the Texas Government Code, the City of Gonzales will consult in closed session to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person:
- A) Unopened portion of College Street
- (2) Pursuant to Section 551.074 of the Texas Government Code, the City of Gonzales will consult in closed session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
- A) City Manager Evaluation
- (3) Pursuant to Section 551.087 of the Texas Government Code, the City of Gonzales will consult in closed session (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) to include the following matters:
- A) 510 St. Paul Street

RETURN TO OPEN SESSION

The Council convened into open session at 8:25 p.m.

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

Agenda Item 6.1(3)(A) Mayor Sucher asked for a motion to accept the amended real estate contract as presented for 510 St. Paul Street. Council Member Miller moved to accept the amended real estate contract as presented for 510 St. Paul. Council Member Koepp seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

Agenda Item 6.1 (2)(A) Mayor asked if there was any action resulting from Closed Session. Council Member Koepp moved to continue employment with City Manager Crow and provide an increase to \$140k per year, effective with the next pay period. Council Member Miller seconded. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 7.2 Discuss, Consider & Possible Action on **Ordinance #2023-19** Closing and Abandoning to the abutting property owner, Portions of certain unimproved streets lying within the municipal boundaries and authorizing the City Manager to execute the real property contract

ACTION: Item 7.2

APPROVED

Council Member Koepp moved to approve **Ordinance #2023-19** Closing and Abandoning to the abutting property owner, Portions of certain unimproved streets lying within the municipal boundaries and authorizing the City Manager to execute the real property contract. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

- Requests by Mayor and Councilmembers for items on a future City Council agenda. Mayor Sucher asked to have a presentation by The Edwards Association and discussion on renaming a city street to Dr. Martin Luther King Jr. Council Member Miller request to have discussion on the voting/ballot process for the City Council appointed boards, commissions, and committees. Council Member Koepp request and update in relation to the Beautification and Design Board.
- Announcements by Mayor and Councilmembers
- City and community events attended and to be attended
- Continuing education events attended and to be attended

ADJOURN

On a motion by Council Member Kridler and second by Council Member Miller, the meeting was adjourned at 8:34 p.m.

Approved this 8th day of January 2024.

Mayor, S.H. Sucher

Kristina Vega, City Secretary

**CITY OF GONZALES, TEXAS
CALLED CITY COUNCIL MEETING
MINUTES - DECEMBER 18, 2023**

The Special Called meeting of the City Council was held on **December 18, 2023**, at 5:00 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at the Gonzales Municipal Building, giving notice of time, date, place, and agenda thereof. The meeting notice, and agenda was posted online at www.gonzales.texas.gov.

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

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

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

STAFF PARTICIPATING:

Tim Crow-City Manager, Kristina Vega-City Secretary, Tammy West-Police Lt., Gayle Autry-Police Chief and Tiffany Hutchinson-Padilla-Main Street Director

HEARING OF RESIDENTS

None

RESOLUTIONS

- 1.1 Discuss, Consider & Possible Action on **Resolution #2023-153** Authorizing the City Manager to Enter into an Agreement with Kingdom Rescue Team

ACTION: Item 1.1

APPROVED

Council Member Miller moved to approve **Resolution #2023-153** Authorizing the City Manager to Enter into an Agreement with Kingdom Rescue Team. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ADJOURN

On a motion by Council Member Kridler and second by Council Member Hernandez, the meeting was adjourned at 5:11 p.m.

Approved this 8th day of January 2024.

Mayor, S.H. Sucher

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Ordinance #2024-1 Ordering a General Municipal Election to be Held on May 4, 2024, for the Purpose of Electing an Individual to the Office of Council Member District 1 and Council Member District 2

DATE: January 8, 2024

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

The attached ordinance officially orders the City of Gonzales' General Municipal Election for May 4, 2024 in accordance with the City's Charter and state statutes for the purpose of electing an individual to the office Council Member District 1, and Council Member District 2. The Council is required to order the election no later than the 78th day before the election, which is February 16, 2024. Early Voting will begin April 22, 2024 at 8 a.m. and end on April 30, 2024 at 5:00 p.m.

POLICY CONSIDERATIONS:

The ordinance ordering the election is consistent with the City of Gonzales Charter and the Texas Election Code.

FISCAL IMPACT:

The estimated cost to the City of Gonzales varies on the actual cost for the equipment and the amount of time the election workers spend on their required duties (hourly rate of pay for election workers). The City has budgeted \$15,000 within the 2023-2024 fiscal year in Account #100-7-101-501 for the City's elections.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this ordinance.

ORDINANCE NO. 2024-01
ORDENANZA NRO. 2024-01

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING AN INDIVIDUAL TO THE OFFICE OF COUNCIL MEMBER DISTRICT 1 AND COUNCIL MEMBER DISTRICT 2; PROVIDING FOR EARLY VOTING; PROVIDING FOR OTHER MATTERS RELATING TO THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

UNA ORDENANZA DE LA CIUDAD DE GONZALES, TEXAS, QUE ORDENA QUE SE CELEBRE UNA ELECCIÓN MUNICIPAL GENERAL EL 4 DE MAYO DE 2024, CON EL PROPÓSITO DE ELEGIR A UN INDIVIDUO PARA EL CARGO DE MIEMBRO DEL CONSEJO DISTRITO 1 Y MIEMBRO DEL CONSEJO DISTRITO 2; QUE DISPONE LA VOTACIÓN ANTICIPADA; QUE DISPONE OTROS ASUNTOS RELATIVOS A LA ELECCIÓN; Y QUE DISPONE UNA FECHA DE ENTRADA EN VIGENCIA.

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

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

Section 1. That a May 4, 2024 regular election for the purpose of electing an individual to the office of Council Member District 1, and Council Member District 2 is hereby Ordered.

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

Sección 1. Que se ordena por la presente una elección regular para el 4 de mayo de 2024 con el propósito de elegir a un individuo para el cargo de Miembro del Consejo Distrito 1 y Miembro del Consejo Distrito 2.

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

Section 2. The City Council of the City of Gonzales finds that it is in the best interest of the public health, safety and interest to conduct a joint election with Gonzales County for the May 4, 2024 election requiring the use of polling locations and early voting hours as determined by Gonzales County.

Sección 2. El Consejo Municipal de la Ciudad de Gonzales halla que es en el mejor interés de la a salud, la seguridad y el interés público celebrar una elección conjunta con

el Condado de Gonzales para la elección del 4 de mayo de 2024 que requiera del uso de los lugares de votación y los horarios de votación anticipada que el Condado de Gonzales determine.

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

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

Section 4. On Election Day, May 4, 2024, the polls shall be open between the hours of 7:00 a.m. and 7:00 p.m., at the locations established by Gonzales County on the dates and times as follows, or as may be amended by Gonzales County, per the contract.

Gonzales County Election Precinct

Pct. 1, 2, 3, 12

Voting Location

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

Sección 4. El Día de Elección, el 4 de mayo de 2024, las casillas abrirán en el horario de 7:00 a.m. a 7:00 p.m., en los lugares de votación establecidos por el Condado de Gonzales en las siguientes fechas y horarios o según el Condado de Gonzales los modifique en virtud del contrato.

Precinto electoral del

Condado de Gonzales

Precinto 1, 2, 3, 12

Lugar de Votación

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

Section 5. Early Voting by personal appearance shall commence on April 22, 2024 and continue through April 30, 2024, at the locations established by Gonzales County on the dates and times as follows, or as may be amended by Gonzales County, per the contract.

Main Early Voting Location:

Randle-Rather Building – EV Election Room

427 St. George, Gonzales, Texas 78629

April 22 nd -April 26 th	Monday – Friday	8:00 a.m. – 5:00 p.m.
April 29 th -April 30 th	Monday-Tuesday	8:00 a.m. – 5:00 p.m.

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

Sección 5. La votación anticipada en persona empezará el 22 de abril de 2024 y continuará hasta el 30 de abril de 2024, inclusive, en los lugares de votación establecidos por el Condado de Gonzales en las siguientes fechas y horarios o según el Condado de Gonzales los modifique en virtud del contrato.

Lugar principal de votación anticipada:

Randle-Rather Building – Sala de elección de votación anticipada

427 St. George, Gonzales, Texas 78629

22 de abril al 26 de abril	Lunes a viernes	8:00 a.m. – 5:00 p.m.
----------------------------	-----------------	-----------------------

29 de abril y 30 de abril	Lunes y martes	8:00 a.m. – 5:00 p.m.
---------------------------	----------------	-----------------------

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

Section 6. Applications for ballot by mail shall be received by the Gonzales Election Administrator at 427 St. George, Ste 306, Gonzales, Texas 78629 no later than close of business on April 23, 2024.

Sección 6. Las solicitudes de boletas por correo serán recibidas por el Administrador de Elecciones de Gonzales en 427 St. George, Ste 306, Gonzales, Texas 78629 hasta el cierre de operaciones el 23 de abril de 2024.

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

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

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

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

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

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

Section 10. It is hereby declared to be the intention of the City Council of the City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Sección 10. Por la presente, se declara que es intención del Consejo Municipal de la Ciudad que las frases, cláusulas, oraciones, párrafos y secciones de esta Ordenanza sean divisibles, y si cualquier frase, cláusula, oración, párrafo o sección de esta Ordenanza fuera declarado inconstitucional por el fallo o decreto válido de cualquier tribunal con competencia jurisdiccional, dicha inconstitucionalidad no afectará ninguna de las frases, cláusulas, oraciones, párrafos o secciones restantes de esta Ordenanza, debido a que la misma hubiera sido promulgada por el Consejo Municipal sin la incorporación en esta Ordenanza de cualquiera de esas frases, cláusulas, oraciones, párrafos o secciones inconstitucionales.

Section 11. It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, as amended.

Sección 11. Por la presente, se halla y se determina oficialmente que la asamblea en la cual esta Ordenanza fue adoptada estuvo abierta al público y que se dio aviso público de la hora, el lugar y el propósito de dicha asamblea según lo exige la Ley de Asambleas Públicas en el Capítulo 551 del Código de Gobierno de Texas y sus enmiendas.

Section 12. This ordinance shall become effective immediately upon its passage.

Sección 12. Esta ordenanza entrará en vigencia inmediatamente después su aprobación.

PASSED AND ADOPTED this 8th day of January, 2024.

APROBADA Y ADOPTADA el 8 de enero de 2024.

Mayor (Alcalde), S.H. Sucher

ATTEST (ATESTIGUA):

Kristina Vega, City Secretary (Secretaria de la Ciudad)

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider and Possible Action on Resolution #2024-1 Authorizing the City Manager to Execute an Agreement for Election Services with the Elections Administrator of Gonzales County for the May 4, 2024, General Election

DATE: January 8, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

In 2021, the Gonzales County created the position of Election Administrator for the County which now provides the opportunity for the City to contract annually for all of the City of Gonzales elections. The City of Gonzales will hold an election for the purpose of electing Council Member District 1 and Council Member District 2 on the uniform election date of May 4, 2024. To eliminate confusion regarding the elections, City Staff feels it is in the City's best interest to contract with the County for the May 4, 2024, election, any resulting runoff election, as well as all city elections. Contracting will provide uniformity for all elections across all entities.

FISCAL IMPACT:

The estimated cost to the City of Gonzales varies on the actual cost for the equipment and the amount of time the election workers spend on their required duties (hourly rate of pay for election workers). The City has budgeted \$15,000 within the 2023-2024 fiscal year in Account #100.7-101.501 for the City's elections.

ATTACHMENTS:

Contract

STAFF RECOMMENDATION:

Staff recommends approval of the resolution.

RESOLUTION NO. 2024-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR ELECTION SERVICES WITH THE ELECTIONS ADMINISTRATOR OF GONZALES COUNTY FOR THE MAY 4, 2024, GENERAL ELECTION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has ordered a General Election for the purpose of electing an individual to the office of Council Member District 1 and Council Member District 2 to be held on May 4, 2024; and

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

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

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

WHEREAS, the City finds that entering into a Joint Election Agreement for the May 4, 2024, General Election with Gonzales County is in the best interest of the City of Gonzales.

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

Section 1. The City Council of the City of Gonzales hereby authorizes the City Manager to Execute an Agreement for Election Services with the Elections Administrator of Gonzales County for the May 4, 2024 General Election with Gonzales County for a joint election as specified in Exhibit "A".

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

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

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

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

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

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

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

PASSED AND APPROVED this 8th day of January 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

**JOINT ELECTION AGREEMENT AND ELECTION SERVICE CONTRACT
BETWEEN
GONZALES COUNTY, TEXAS
AND
CITY OF GONZALES, GONZALES ISD, GONZALES MEMORIAL HOSPITAL, GONZALES
WATER DISTRICT, FOR THE CONDUCT OF A JOINT ELECTION TO BE HELD
SATURDAY, MAY 4, 2024 and/or Runoff Election**

This Joint Election Agreement and Election Service Contract is made this ____ day of _____, 20____, by and between Gonzales County Elections Administrator, hereinafter referred to as “EA”, and the City of Gonzales, Gonzales Independent School District, Gonzales Memorial Hospital, Gonzales Water District, hereinafter referred to as “Participating Authorities”.

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

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

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

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

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

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

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

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

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

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

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

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

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

1. Proper public Notice of Election
2. Conduct ballot order drawing
3. Furnish the Gonzales County Election Administrator a complete list of all candidates and all races to be conducted in the above mentioned election by February 23, 2024, with the order they should appear on the ballot
4. Canvassing of the election and all other statutory requirements by the Texas Election Code and/or the Federal Voting Rights Act
5. Reimbursement of all expenses incurred, including, but not limited to programming, ballots, notices, supplies and payroll as invoiced by Gonzales County.

GENERAL CONDITIONS

1. EARLY VOTING

- A. Gwen Schaefer, Elections Administrator, will be appointed as early voting clerk in compliance with Sections 271.006 of the Texas Election Code. Other deputy early voting clerks will be appointed as needed to process early voting mail and to conduct early voting at the main location. The names of Early Voting Clerks may be obtained from the EA.
- B. Early voting by personal appearance will be conducted on weekdays beginning Monday, April 22, 2024 through Friday, April 26, 2024 between 8:00 a.m. and 5:00 p.m., Monday, April 29, 2024, through Tuesday, April 30, 2024, between 8:00 a.m. and 5:00 p.m. Any qualified voter for the Joint Election may vote early by personal appearance at the main early voting polling place. (Early Voting locations, subject to change)

MAIN EARLY VOTING POLLING PLACE

RANDLE RATHER BUILDING

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

- C. Persons voting by mail will send their voted ballots to EA.

Election Official
P.O Box 1753, Gonzales, TX 78629

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

2. VOTING LOCATIONS (subject to change)

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

3. JOINT ELECTION COSTS: PAYMENT

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

canceled as allocated to that Participating Authority. In that event that a party cancels its election, the other parties shall continue to have access to the polling locations. If an election is to be canceled by one of the parties, notice will be given to all parties within two (2) days of cancellation.

4. GENERAL PROVISIONS

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

5. RECORDS OF THE ELECTION

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

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

6. MISCELLANEOUS PROVISIONS

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

representative, agent, or employee of any Participating Authority has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective Participating Authority.

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

7. ELECTION JUDGES, CLERKS AND OTHER ELECTION WORKERS

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

8. SUPPLIES AND PRINTING

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

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

9. RETURNS OF ELECTIONS

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

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

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

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

10. ELECTION EXPENSES

- A. The participating authorities agree to share the costs of administering the May 4, 2024 Joint Election. A general supervisory fee not to exceed 10% of the total cost of the election shall be assessed as authorized by the Texas Election Code, Sec. 31.100.

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

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

11. ELECTION REPORTS

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

12. RUNOFF ELECTION

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

13. NOTICE

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

If to the Elections Administrator:

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

If to the Participating Authority:

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

14. This contract may be executed in multiple originals.

May 4, 2024 JOINT AGREEMENT ACCEPTANCE AND APPROVAL

Recommended for approval by:



Gwen Schaefer
Gonzales County Elections Administrator

ACCEPTED AND AGREED TO BY CITY OF GONZALES:

Timothy L. Crow, City Manager

Patrick C. Davis, Gonzales County Judge

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-2 Approving Changes to the Main Street Manager Job Description and Current Position Classification for Fiscal Year 2023-2024

DATE: January 8, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

In discussion with Main Street staff, it was determined that the job description title is not consistent with the bylaws and Administrative Services documents that the Main Street has approved. Therefore, City staff is suggesting the change from Main Street Manager to Main Street Executive Director. This change will need to be applied to the job description as well as the position classification to be consistent throughout all documents.

POLICY CONSIDERATIONS:

This resolution will amend the job description and position classification for Fiscal year 2023-2024.

FISCAL IMPACT:

This will not have any impact on the budget.

ATTACHMENTS:

Job description
Position classification

STAFF RECOMMENDATIONS:

City staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2024-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING CHANGES TO THE MAIN STREET MANAGER JOB DESCRIPTION AND CURRENT POSITION CLASSIFICATION FOR FISCAL YEAR 2023-2024; AND ESTABLISHING AN EFFECTIVE DATE.

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

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

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

WHEREAS, the City Council finds that approving the City of Gonzales job classifications as described herein will further promote the public health, safety, and general welfare of the City.

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

Section 1. The City Council of the City of Gonzales, Texas approves changes to the Main Street Manager Job Description and Current Position Classification for Fiscal Year 2023-2024 as set forth in the attached Exhibit A.

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

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

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

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

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

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

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

PASSED AND APPROVED this 8th day of January 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

**CITY OF GONZALES
POSITION DESCRIPTION**

TITLE: Main Street ~~Manager~~ Executive Director
DEPARTMENT: Main Street

JOB CODE: Full-Time
FLSA: Exempt

SUMMARY: Plans, coordinates, and manages the City's Main Street Program coordinating community organization, promotion, design, and economic restructuring as set by the National Trust for Historic Preservation. Work with local organizations to focus on improvements and preservation planning. Has daily contact with the public and with groups requiring courtesy, tact, speaking skills, and poise. Responsible for the preparation of numerous reports and makes decisions requiring mature judgment. This position directly reports to the City Manager.

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

Essential Job Functions:

- In collaboration with City Manager, creates and updates the Program's annual work plan including budget development, financial incentives, purchasing, and record keeping.
- Coordinates updates and submits program reports to the Texas Main Street Program, and National Trust for Historic Preservation as required.
- Organize Main Street Advisory Board and other volunteers in order to enhance appreciation of Gonzales' assets and implement the goals of the Main Street Project.
- Solicits sponsorships and volunteers for Main Street events and projects. Collaborates with outside agencies and the public regarding various program matters
- Serves as a contact for all current/prospective businesses and building owners and provides information about incentives, grants, and historical information.
- Works with the Economic Development Director for business retention/expansion in the Main Street area.
- Plan and develop promotional ideas to draw retail business and tourists to town.
- Use information acquired from the State and through networking with other Main Street cities to gain ideas and solve problems.
- Promote community interest and support through publicity on radio and in newspapers.
- Encourage and promote rehabilitation projects for commercial structures.
- Maintains an incentive grant fund to be used for further commercial structural improvements by receiving funding from the Gonzales Economic Development Corporation.
- Assist building owners with rehabilitation by offering lists of contractors, access to State architects, drawings done previously by the State, local project assistance, and local publicity.
- Research, seek, apply, and administer grants for the improvement of the Downtown Area.
- Maintain list of buildings and businesses in the Downtown Area.
- Research the history of the buildings in the Downtown Area.
- Represent Gonzales at various conferences, workshops, and seminars.
- Co-ordinates with City departments for city wide promotions and seasonal decorating.
- Makes contact at least monthly with each downtown business/building owner to discuss downtown and business related issues.
- Other duties as assigned.

CITY OF GONZALES
POSITION DESCRIPTION

Required Knowledge and Skills:

- Skill in providing excellent customer service to persons of all ages, regardless of social or economic backgrounds
- Skills in organizational development, written/verbal communication, management, merchandising, advertising, public relations, bookkeeping, business procedures, and inventory required.
- Knowledge of the community, businesses, local personalities, coordination, and the surrounding areas necessary.

Required Education, Experience and Certificates:

- High School Diploma or equivalent
- Training in secretarial, management, and public relations needed.
- Previous retail and economic development experience recommended.
- Two Main Street training sessions required annually.

Environmental Factors and Conditions/Physical Requirements:

- Work primarily takes place indoors, but can take place outdoors during special projects.
- May be subject to repetitive motion such as typing and vision to monitor.
- May be subject to standing, sitting, bending, reaching kneeling and lifting (up to 50 lbs.).

Equipment and Tools Utilized:

- Equipment utilized includes computer, copier, calculator, fax machine and standard office equipment.

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

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

POSITION CLASSIFICATION		
DEPARTMENT	EEO CLASS	FLSA
210-750 Revenue Collections		
Revenue Collections Supervisor	Administrative Support-01	Exempt
Revenue Collections Clerk (3)	Administrative Support-01	Non-exempt
220-720 Water Department		
Water Department Director	Officials/Administrative-13	Exempt
Crew Leader	Skilled Craft-13	Non-exempt
Water Operator I (2)	Skilled Craft-13	Non-exempt
Water Operator II	Skilled Craft-13	Non-exempt
230-730 Wastewater Department		
Wastewater Superintendent	Officials/Administrative-13	Exempt
Crew Leader (2)	Skilled Craft-13	Non-exempt
Operator I (3)	Skilled Craft-13	Non-exempt
Operator II (2)	Skilled Craft-13	Non-exempt
240-740 Solid Waste		
Equipment Operator I (1)	Skilled Craft-02	Non-exempt
Equipment Operator II (1)	Skilled Craft-02	Non-exempt
500-811 Hotel/Motel		
Tourism Director	Professional-01	Exempt
700-700 Economic Development		
Economic Development President/CEO	Officials/Administrative-01	Exempt
Administrative Assistant to President/CEO	Administrative Support-01	Non-exempt

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-3 Approving the amendments to the bylaws of the Gonzales Main Street, Inc.

DATE: January 8, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The Gonzales Main Street Inc. has existing Bylaws that determine the guidelines to which the organization conducts business. The bylaws were reviewed and accepted at the December 19, 2023, Main Street Advisory Board meeting but will need to be approved by City Council.

The amendments to the bylaws include:

- Updating the name of Confederate Square to Independence Square
- Updating and clarifying wording regarding Program Director and Board of Directors to change Board of Directors verbiage to read “Board Members” and Program Director to read “Executive Director”.
- Adding Section 7 under Article 4 to include Board Member requirements

POLICY CONSIDERATIONS:

The approval of the amendments to the bylaws by City Council is consistent with previous action.

FISCAL IMPACT:

There is no budgetary impact to amending the existing bylaws.

ATTACHMENTS:

Bylaws

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2024-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS APPROVING THE AMENDMENTS TO THE BYLAWS OF THE GONZALES MAIN STREET, INC.; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gonzales Main Street, Inc. adopted the original bylaws in 1992 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 Main Street, Inc. voted unanimously to approve the amendments to the existing bylaws at their meeting held on December 19, 2023; and

WHEREAS, the amendments to the bylaws were based on the standard template from Main Street USA and the Texas Non-Profit Corporation Act.; and

WHEREAS, the City Council of the City of Gonzales hereby finds that the amendments to the Gonzales Main Street, Inc., 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 to the bylaws of the Gonzales Main Street, Inc., 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 8th day of January 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

**BYLAWS
of Gonzales Main Street, Inc.,
a Texas nonprofit corporation**

ARTICLE 1

Name and Principal Office of Corporation

Section 1. The name of this corporation shall be the Gonzales Main Street, Inc. (hereinafter referred to as "The Program"). The corporation shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The principal offices shall be determined from time to time by the Board of Directors of the Program.

ARTICLE 2

Purpose

Section 1. The purposes for which this corporation is organized are to assist in the maintenance and preservation of public buildings, historical buildings, the Independence Square (a public city square), the City Museum and Amphitheater, the monuments, in the designated Mainstreet Area in downtown Gonzales, Texas, as outlined in the attached plat of the City of Gonzales, Texas, the historical fire bell tower and other areas in the City of Gonzales, Texas as the Board of Directors of the Program may from time to time decide and to provide design features to such public areas, buildings and monuments.

Additionally this corporation is organized to engage in activities to preserve and to educate the public with respect to the historical occurrences which took place or take place in Gonzales, Texas, such as the events in the Texas-Mexican War and its war artifacts, Peach Arbor, and contributions by individuals (such as Sam Houston) while in Gonzales to the Republic of Texas, and to receive, administer and distribute funds in connection with any activities related to the above purposes; provided, however, that the Program shall only engage in activities that are in the purview of Section 501(c)(3) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future law. No part of the net earnings of the Program shall inure to the benefit of any of its members or any other individual; and the Program shall not participate in, or intervene in, any political campaign on behalf of any candidate for public office.

Section 2. It is the intent of the Program to qualify as a nonprofit, tax-exempt entity pursuant to Section 501(c)(3) of the Internal Revenue Code of 1954, as now or hereafter amended. In order to effectuate such intent, no part of the net earnings of the Program shall inure to the benefit of any of its members or any other individual; and the Program shall not participate in, or intervene in, any political campaign on behalf of any candidate for public office.

Section 3. Upon dissolution of the corporation, the residual assets of the corporation shall be distributed to a private, nonprofit corporation which is an exempt organization as described in Section 501(c)(3) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future law, selection of which corporation may be designated prior to dissolution.

ARTICLE 3

Program Area

Section 1. The Program Area shall be that geographic area indicated on the attached map [Exhibit A].

ARTICLE 4

Board of Directors

Section 1. The Program shall be managed by its Board. The Board shall consist of nine (9) Members appointed by the City Council of the City of Gonzales, Texas. The term of office for each Member shall be two (2) years. The total number of Members may be increased or decreased from time to time by amendment to these Bylaws by the Board, provided, however, the number of Board Members shall not be less than three (3). No decrease in number shall have the effect of shortening the term of any incumbent Board Member.

Board Members shall be appointed annually in the manner and schedule as established by the City. Each Board Member shall hold office for the term for which he or she is elected and until his or her successor shall have been elected and qualified.

Section 2. Any vacancy occurring in the Board (other than a vacancy resulting from the normal expiration of a term of office) may be filled by the affirmative vote of a majority of the City Council. A Board Member elected to fill a vacancy shall be elected for the unexpired term of his or her predecessor in office. Any Board Member may resign by submitting written notice of resignation to the Secretary. Any Board Member may be removed from office at any time with or without cause by the City Council. Any member of the Board who is absent from three (3) consecutive regular meetings without just cause for such absence may be removed as a member of the Board.

Section 3. The Executive Director of the Program shall be a non-voting member of the Board and shall be present at all meetings of the Board.

Section 4. The Board may hold regular and special meetings. Regular meetings shall be held not less than six (6) times each year. Special meetings of the Board may be called by the President or by the Executive Committee or by two or more Board Members.

Section 5. At all meetings of the Board, a majority of the voting members thereof shall constitute a quorum for the transaction of business.

Section 6. The Board shall conduct public meetings in accordance with the Texas Open Meetings Act, Tex. Loc. Gov't Code Chapter 552.

Section 7. Every individual employed by the City of Gonzales or appointed to a board, committee or commission governed by the City of Gonzales, must read, and understand the City of Gonzales Code of Ethics [Exhibit B]. The Program Board Members also agree to adopt and represent the Program under the following requirements:

- Leadership abilities and a commitment to the growth and redevelopment of Gonzales.
- Enthusiastic, willing to try new ideas and bring a high level of creativity to the redevelopment process.
- 4-10 hours per month of available time to commit to the Program outside of board meetings.
- Supports board decisions, Main Street Executive Director, and City of Gonzales, even when he or she may disagree with the majority decision.
- Understands the mission & vision of the Main Street Program
- Promotes goals and activities to his or her own constituent groups and to the community as a whole.
- Attends the majority of board meetings (not missing 3 or more consecutive meetings)
- Attends as many special events and fundraisers as possible.
- Attends the mandatory Board Training and workshops held each year by the Main Street Executive Director and/or Texas Historical Commission
- Contributes knowledge, financial resources, or labor to Gonzales Main Street.
- Offers opinions honestly, without reservation and in a constructive way.
- Does not commit more time to the Main Street program than he or she can realistically afford and delegates responsibilities to committees when appropriate.
- Promotes unity within the organization and seeks to resolve conflicts.
- Takes responsibility for his/her position on the board and takes appropriate action if life situations alter his/her time commitment.

ARTICLE 5

Committees

Section 1. With concurrence of a majority of the Board, the president of the Board may appoint ad hoc committees for such work and terms as may be directed. Ad hoc committees of the Board shall consist of two (2) but not more than three (3) Board Members. It is provided, however, that all final actions of the Board may be exercised only by the Board. The designation and appointment of any such committees and the delegation thereto of authority shall not operate to relieve the Board, or any individual Board Member, of any responsibility imposed upon them by law.

ARTICLE 6

Officers

Section 1. The officers of the Program shall be elected annually by the membership and shall consist of a President, a Vice President, a Secretary, a Treasurer and such other officers and assistant officers as may be deemed necessary.

Section 2. Officers shall be elected at the annual meeting of the membership. All officers shall be elected by a majority of the eligible voting members present in person.

Section 3. Vacancies. A vacancy in the office of president, vice-president or secretary which occurs by reason of death, resignation, disqualification, removal or otherwise, shall be filled by election by the Board from the remaining board members for the unexpired portion of the term of that office.

Section 4. Except as hereinafter provided, the officers of the Program shall each have such powers and duties as generally pertain to their respective offices, as well as those that from time to time may be conferred by the Board Members.

A. *President.* The President shall preside at all business meetings, but may at his or her discretion or at the suggestion of the Board Members arrange for another officer to preside at other meetings. The President shall perform such duties as are usually incumbent upon that officer and such duties as may be directed by resolution of the Board.

B. *Vice President.* The Vice President shall have such duties and responsibilities as the President or Board Members may from time to time prescribe.

C. *Secretary.* The Secretary shall record and maintain in good order Minutes of all meetings and all records and correspondence of the Program, and shall provide copies of the Minutes of each membership meeting to all members within 60 days from the conclusion of each meeting. The Secretary shall also have such other duties as may be assigned by the membership or the Board Members.

D. *Treasurer.* The Treasurer shall maintain in good order all financial records of the Program. The Treasurer shall also have such other duties as may be assigned by the membership or the Board.

E. *Temporary Officers.* In case of the absence or disability of any officer of the Program and of any person authorized to act in his or her place during such periods of absence or disability, the President may from time to time delegate the powers and duties of such officer to any other officer or any other member.

ARTICLE 7

Program Executive Director

Section 1. The Executive Director of the Program shall manage the daily operations of the Program. The Program Executive Director shall be responsible for coordinating the implementation of the Program's policies and projects and such other duties as the Board Members may require. The Executive Director shall receive for his or her services such compensation as may be determined by the Board.

ARTICLE 8

Finances

Section 1. Except as the Board Members may generally or in particular cases authorize the execution thereof in some other manner, all checks, drafts and other instruments for the payment of money and all instruments of transfer of securities shall be signed in the name and on behalf of the Program by any two (2) of the following people: the Executive Director, the Board President or Treasurer.

Section 2. All funds of the Program shall be deposited from time to time to the credit of the Program in such banks, trust companies or other depositories as the Board Members may select.

Section 3. The Board may accept on behalf of the Program any contribution, gift, bequest or device for the general purposes or for any special purpose of the Program.

Section 4. Within 30 days of the election of the Board Members each year, the Board shall approve a Program budget for the fiscal year. The approved budget may be reviewed and revised periodically as deemed necessary by the Board.

ARTICLE 9

General Provisions

Section 1. The fiscal year of the Program shall begin on the first day of January and end on the last day of December in each year.

Section 2. The corporate seal shall have inscribed thereon the name of the Program and the words "Corporate Seal" and "[state]". The seal may be used by causing it or a facsimile thereof to be impressed or affixed or reproduced or otherwise shown. In the event it is inconvenient to use such a seal at any time, the signature of the Program followed by the word "Seal" enclosed in parentheses shall be deemed the seal of the Program.

Section 3. Not later than three months after the close of each fiscal year, the Program shall prepare:

A. A balance sheet showing in reasonable detail the financial condition of the Program at the close of the fiscal year.

B. A statement of the source and application of funds showing the results of the operation of the Program during the fiscal year.

ARTICLE 10

Amendments

Section 1. The Board shall have the power to alter, amend or repeal the Bylaws or adopt new Bylaws by a two-thirds vote of the Board Members present at any duly called meeting of the Board, provided that no such action shall be taken if it would in any way adversely affect the Program's qualifications under Section 501(c)(3) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future law.

ARTICLE 11

Indemnification

Section 1. The Program shall indemnify any board member or officer, former board member or officer, employee, agent or representative of the Program and hold them harmless from any and all claims, actions, damages, suits proceedings, judgments, liabilities, costs and expenses (including reasonable attorneys' fees and court costs) to the fullest extent permissible under the Act, the Texas Non-Profit Corporation Act, or other applicable rules, regulations or laws.

Section 2. The Program may purchase and maintain insurance on behalf of any board member, officer, employee, agent or representative of the Program against any liability asserted against him and incurred by him in such capacity or arising out of his actions or status in such capacity to the fullest extent permissible under the Act, the Texas Non-Profit Corporation Act, or other applicable rules, regulations or laws.

Section 3. The liability of a board member shall be limited to the fullest extent permitted by the Act, the Texas Non-Profit Corporation Act, or other applicable rules, regulations or laws. To the extent permitted by law, no board member shall be personally liable to the Program for monetary damages for an act or omission in the board member's capacity as board member, except that these Bylaws do not eliminate or limit the liability of a board member to the extent the board member is found liable for:

- (1) A breach of the board member's duty of loyalty to the Program.
- (2) An act or omission not in good faith that constitutes a breach of duty of the board member to the Program or an act or omission that involves intentional misconduct or a knowing violation of the law.

- (3) A transaction from which the board member received an improper benefit, whether or not the benefit resulted from an action taken within the scope of the board member's office; or
- (4) An act or omission for which the liability of the board member is expressly provided for by statute.

ARTICLE 12

Miscellaneous Provisions

Section 1. Legal Authority. The Bylaws shall be construed in accordance with the laws of the State of Texas. All references in the bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time.

Section 2. Legal Construction. If any bylaw provision is held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision and the bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the bylaws.

Section 3. Parliamentary Procedures. Unless otherwise provided for in these bylaws, *Robert's Rules of Order* shall govern the conduct of any and all meetings of the Main Street Advisory Board and duly created committees.

Certificate of Secretary

I certify that I am the duly elected and acting secretary of Gonzales Main Street, Inc., and that the foregoing bylaws constitute the Bylaws of the Corporation. These Bylaws were duly adopted at a meeting of the Board of Directors held on December 19, 2023.

Dated: _____, 2023

Secretary of the Corporation

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-4 Authorizing the City Manager to Enter into a Service Agreement with Gonzales Main Street, Inc.

DATE: January 8, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The agreement between the City of Gonzales and Gonzales Main Street Inc. was last reviewed and updated in March 2022. The document has been reviewed and several minor adjustments have been recommended by the Gonzales Main Street Inc. advisory board and reviewed by legal counsel.

POLICY CONSIDERATIONS:

Based on the review of the 2022 service agreement recommended updates include:

- City agrees to:
 - Provide liability insurance for all GMS events held within the GMS area.
 - Provide all necessary accounting services and recordkeeping of City funded services to GMS as requested
- Gonzales Main Street Inc. agrees to:
 - Provide three (3) annual events with a focus on promoting Main Street Revitalization through Main Street America's Transformational Strategies utilizing the Four-Point Approach.

FISCAL IMPACT:

The budgetary impact would be to include verbiage for city in-kind services to be provided to the Main Street for their special events. In-kind services are already provided to Main Street, but this outlines those in-kind costs within the agreement not to exceed a certain dollar amount.

ATTACHMENTS:

Service Agreement

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2024-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A SERVICE AGREEMENT WITH GONZALES MAIN STREET, INC.; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, this agreement will establish guidelines and responsibilities for the Gonzales Main Street, Inc., and the City of Gonzales; and

WHEREAS, the City Council approved a service agreement to be executed between the City of Gonzales and Gonzales Main Street, Inc. in April 2022; and

WHEREAS, Gonzales Main Street, Inc. voted unanimously to make several minor amendments to the existing agreement at their meeting held on December 19, 2023; and

WHEREAS, based on the service agreement that is negotiated between the two parties it will provide program support, liability insurance and legal services to the Gonzales Main Street, Inc; and

WHEREAS, the City Council of the City of Gonzales hereby finds that Gonzales Main Street, Inc., supports and sponsors programs that represent and maintain the culture, heritage and spirit of the City of Gonzales and serves a vital public purpose in preserving our shared place in Texas History.

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 enter into a service agreement with Gonzales Main Street, Inc., 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 8th day of January 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

THE STATE OF TEXAS X
 X KNOW ALL MEN BY THESE PRESENTS;
COUNTY OF GONZALES X

This agreement, effective the _____ day of _____, 2023, by and between the City of Gonzales, a municipal corporation, situated in Gonzales County, Texas, acting by and through its City Manager, (hereinafter referred to as the "City"), and the Gonzales Main Street, Inc. (hereinafter referred to as the "GMS") acting by and through its President:

WITNESSETH:

For and in consideration of the covenants, promises, and agreements set forth herein, it is mutually agreed as follows:

I. PURPOSE

That the City agrees to provide support for the Gonzales Main Street Program ("Program"), liability insurance, and legal services to the GMS as requested by the Board of Directors of the GMS (hereinafter referred to as the "Board")

II. DUTIES

A. The City Agrees to:

1. Provide liability insurance for all GMS events held within the GMS area.
2. Provide information on local, state, and federal permit and licensing requirements and act as a liaison between the GMS and other City departments.
3. Prepare a budget for services provided for the forthcoming year for review. The budget shall be prepared in accordance with the procedures prescribed for all City departments and included with the proposed overall City budget for approval by the Gonzales City Council.
4. The City Manager and Main Street Program Executive Director, or his/her designee, shall meet with the Board on an as needed basis, to receive the Board's input regarding services.

5. Act as the Employer of Record and provide salary and benefits for Main Street Program ~~Executive~~ Director.
6. Provide monthly meeting space at Gonzales City Hall so long as there is no conflict with the use of the Council Chambers.
7. Provide all necessary accounting services and recordkeeping of City funded services to GMS as requested.
8. Provide in-kind services and city staff support for Main Street events and programs with a total in-kind cost to the City not to exceed \$5000.00 annually.

B. The GMS agrees to:

1. Develop budget priorities and recommendations for City Council consideration.
2. Oversee the administration of the Main Street Program.
3. Provide three annual events with a focus on promoting Main Street Revitalization through Main Street America's Transformational Strategies utilizing the Four-Point Approach.

III. LEGAL SERVICES

The City Attorney shall be the legal advisor of, and attorney for, the GMS. Such legal services shall include representation of the entity in litigation and legal proceedings, so long as the interest of the entity is not adverse to that of the City, review documents, contracts and legal instruments as to form and legality, and attendance at meetings when requested.

The GMS retains the right to hire an attorney of its own choice at its own expense whenever it so chooses, or anytime the City Attorney determines that his/her office is unable to represent both the GMS and City.

IV. TERMINATION

This Agreement may be terminated by the GMS or the City, in whole or in part, whenever such termination is determined by the Board or the City Council to be in the best interest of the GMS or the City. Termination will be effective sixty (60) days after delivery of Notice of Termination specifying to what extent performance or work under the Agreement has been terminated and that the Agreement has been terminated and that the Agreement shall be terminated sixty (60) days after receipt by the notified party.

If no notice of termination is received from either party prior to _____, 20_____, this Agreement expires without notification on _____, 20_____.
_____.

V. OFFICIALS NOT TO BENEFIT

No public official of the governing body of the City or the GMS who exercises any functions or responsibilities in the review or the approval of the undertaking or carrying out of any project hereunder, shall participate in any decision relating to the Agreement which affects any personal interest, nor shall the public official have any personal or pecuniary interest direct or indirect in this Agreement or proceeds thereof.

VI. MINORITY AND SMALL BUSINESSES

The City will encourage and utilize small businesses and minority suppliers and services to the extent possible under present law for use in completion of the Agreement.

VII. EQUAL EMPLOYMENT OPPORTUNITIES

During the performance of this Agreement, the City agrees as follows:

The City will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, or disability. The City will take affirmative action to ensure that applicants and their employees are treated equally without regard to race, color, religion, sex, national origin, or disability. The City agrees to post in conspicuous places available to employees and applicants for employment notices to be provided setting forth the provisions of this nondiscrimination clause. The City will, in all solicitations or advertisements for employees placed by or on behalf of the City; state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or disability.

VIII. AGREEMENT

This Agreement shall constitute the sole agreement between the City and the GMS relating to the object of this Agreement and correctly sets forth the complete rights, duties, and obligations of each party to the other as of its date. Any prior agreements, promises, negotiations or representations, verbal or otherwise, not expressly set forth in this Agreement are of no force and effect.

GONZALES MAIN STREET, INC.

CITY OF GONZALES

President

City Manager

ATTEST:

ATTEST:

Secretary

City Secretary

Approved as to form:

City Attorney

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2024-5 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, 2024

DATE: January 8, 2024

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 Thursday, July 4, 2024. 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 including mixed drinks on July 4, 2024. They intend to block off Independence Square and its parking lot at 6:30 A.M. on July 4, 2024, and will remove barricades by 11 P.M. The event will be from 3 P.M. until 11 P.M. Times are subject to minor change based on the need and as planning continues. If substantial changes are needed an updated event sheet will be presented to City Council for consideration. The board wished for City Council's permission before donations for the event were solicited.

POLICY CONSIDERATIONS:

The approval of these events will permit the 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 (1 hr. 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 and volunteers 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 (2 hrs. 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. 2024-5

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, 2024; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the annual Main Street Star-Spangled Spectacular is offered as an agreed upon event 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, 2024; 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 11:00 P.M. on Thursday with take-down to be completed by 11:30 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, 2024, for staging of a firework show and public safety; and

WHEREAS, a variance was approved for the sale and consumption of alcohol to include mixed 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, 2024, 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 8th day of January 2024.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

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>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, 2024</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	Y <u>X</u> N <u> </u>	HOLIDAY: <u>Independence Day</u>
CITY COUNCIL APPROVAL REQUIRED	Y <u>X</u> N <u> </u>	MEETING DATE: <u>January 8, 2024</u>
<u>POLICE/FIRE/EMS DEPARTMENT</u>		
ATTENDANCE ESTIMATE	<u>1500</u>	
MUSIC	Y <u>X</u> N <u> </u>	LIVE <u>X</u> DJ <u>X</u>
FOOD	Y <u>X</u> N <u> </u>	
ALCOHOL	Y <u>X</u> N <u> </u>	RESPONSIBLE PARTY <u>TBD</u>
MOTORIZED VEHICLES	Y <u> </u> N <u>X</u>	PARADE <u> </u> SHOW <u> </u>
PUBLIC OR PRIVATE EVENT	<u>Public</u>	
SECURITY	Y <u>2</u> N <u> </u>	# OFFICERS NEEDED <u>(Call 672-8686 for costs)</u>
<u>ELECTRIC DEPARTMENT</u>		
ADDITIONAL LIGHTING	Y <u> </u> N <u> </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	Y <u>X</u> N <u> </u>	SET UP DAY/TIME <u>Wednesday 7/3/24</u>
TENT SIZE:	<u>30 x 30 tent with weighted barrels</u>	TAKE DOWN DAY/TIME <u>Friday 7/5/24</u>
<u>STREETS DEPARTMENT</u>		
STREETS AFFECTED	Y <u>X</u> N <u> </u>	<u>St George from St Paul to St Joseph, St Paul from St George to St Lawrence</u>
BARRICADES NEEDED (max 12)	Y <u>X</u> N <u> </u>	
CONES NEEDED (max 48)	Y <u>X</u> N <u> </u>	<u>Independence Square parking lot.</u>
STREETS TO BE CLOSED	Y <u>X</u> N <u> </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 Fridayday following event</u>	
TAKE DOWN TIME	<u>Parking to be closed at 7:00am. Roads closed at 12:00pm. Roads open at 11:30pm</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 #2024-6 Authorizing the City Manager to Execute a Purchase Agreement for ERP Pro 10: Financial Management Suite, Customer Relationship Management Suite, Community Development Suite, and Municipal Justice 10 Suite, All Powered by Incode, in the Amount of \$68,400.00

DATE: January 8, 2024

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

On September 14, 2023, the City Council of the City of Gonzales Approved the Operating Budget for the City of Gonzales for the Fiscal Year Beginning October 1, 2023, and ending September 30, 2024.

City Staff has been looking at upgrading the current Tyler Technology Incode Version 9 to Version 10 for more than seven years. Staff is currently experiencing transactions freezing up and closing out in the middle of a process. The new version has different options available that are not in Version 9 and staff feels that it would be beneficial to the City to upgrade from Tyler Technologies Version 9 to Version 10. Staff would like to attend the Tyler Technology annual conference, but the classes they offer for Version 9 are becoming very limited. Staff is proposing to purchase Tyler Technology Version 10 with an approximate migration time of 12-15 months from approval to go-live.

POLICY CONSIDERATIONS

As set forth in the City's Fiscal and Budgetary Policy Statements; All City purchases and contacts over \$50,000 shall conform to a competitive bidding process as set forth in Chapter 252 of the Local Government Code of Texas. Tyler Technologies is considered a sole source as described in Chapter 252 in the Texas Local Government Code.

FISCAL IMPACT:

Within the 2023-2024 Fiscal Year, Staff budgeted \$68,400.00 for Software GL Account 100-7-109.422. The availability of these funds has been verified with the Finance Director.

ATTACHMENTS:

Proposal from Tyler Technologies

STAFF RECOMMENDATION:

Staff respectfully recommend approval for the purchase of ERP Pro 10: Financial Management Suite, Customer Relationship Management Suite, Community Development Suite, and Municipal Justice 10 Suite, All Powered by Incode.

RESOLUTION NO. 2024-6

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT FOR ERP PRO 10: FINANCIAL MANAGEMENT SUITE, CUSTOMER RELATIONSHIP MANAGEMENT SUITE, COMMUNITY DEVELOPMENT SUITE, AND MUNICIPAL JUSTICE 10 SUITE, ALL POWERED BY INCODE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, City Staff has been looking at upgrading the current Tyler Technology Incode Version 9 to Version 10 for more than seven years; and

WHEREAS, Director of Finance is proposing to purchase the Tyler Technology Version 10 to create efficiencies and eliminate the downtime that is currently being experienced when Incode freezes up; and

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

WHEREAS, the pricing was obtained from Tyler Technologies, and it is considered a sole source as described in Chapter 252 of the Local Government Code; and

WHEREAS, the budgeted amount in the 2023-2024 Fiscal Year is \$68,400.00 within Software GL Account 100-7-109.422; and

WHEREAS, the City Council hereby finds that the purchase of Tyler Technology Version 10 serves 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 authorizes the City Manager to execute a Purchase Agreement for ERP Pro 10: Financial Management Suite, Customer Relationship Management Suite, Community Development Suite, and Municipal Justice 10 Suite, All Powered by Incode in the amount of \$68,400.00.

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 January 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

**Sales Quotation For:**

City of Gonzales
820 St Joseph St
Gonzales TX 78629-0547
Laura Zella
+1 (830) 672-2815,,1902
lzella@gonzales.texas.gov

Quoted BY	DK Robertson
Quote Expiration	6/26/24
Quote Name	ERP Pro 10 Migration

Tyler Migration Services	
Description	Total
ERP Pro powered by Incode	
ERP Pro 10 Financial Management Suite	
Financial Management Services	\$ 24,480
Accounts Receivable Services	\$ 1,440
Fixed Assets	
Project Accounting	
Accounts Receivable	
Core Financials	
Human Resources Management (Includes Position Budgeting)	
Purchasing	

ERP Pro 10 Customer Relationship Management Suite	
Customer Relationship Management Services	\$ 23,040
Cashiering	
Meter Data Sync with Scheduler	
Utility Billing Water/Gas	
ERP Pro Community Development Suite	
Community Development Services	\$ 480
Permitting	
Other Services	
Project Management	\$ 3,000
Municipal Justice powered by Incode	
Municipal Justice 10 Suite	
Court Services	\$ 12,960
Project Management	\$ 3,000
Collection Agency Export Interface	
Criminal Case Manager	
Total:	\$ 68,400

Summary	One Time Fees	Recurring Fees
Total Tyler Services	\$ 68,400	
Summary Total	\$ 68,400	\$ 0
Contract Total	\$ 68,400	

Comments

Work will be delivered remotely unless otherwise noted in this agreement.

SaaS is considered a term of one year unless otherwise indicated.

Cashiering	Cashiering supports credit/debit cards, is PCI Compliant, and includes a cash collection interface and a cashiering receipt import.
Core Financials	Core Financials includes general ledger, budget prep, bank recon, AP, CellSense, a standard forms pkg, output director, positive pay, secure signatures.
Utility Billing Water/Gas	Utility CIS System includes collections, tax lien process and import, a standard forms pkg., output director and one Utility handheld meter-reader interface.

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms, subject to payment terms in an agreement, amendment, or similar document in which this sales quotation is included:

- License fees for Tyler and third-party software are invoiced upon the earlier of (i) delivery of the license key or (ii) when Tyler makes such software available accessible.
- Fees for hardware are invoiced upon delivery.
- Fees for year one of hardware maintenance are invoiced upon delivery of the hardware.
- Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software accessible to the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the agreement, with renewals invoiced annually thereafter in accord with the Agreement.

Fees for services included in this sales quotation shall be invoiced as indicated below.

- Implementation and other professional services fees shall be invoiced as delivered.
- Fixed-fee Business Process Consulting services shall be invoiced 50% upon delivery of the Best Practice Recommendations, by module, and 50% upon delivery of custom desktop procedures, by module.
- Fixed-fee conversions are invoiced 50% upon initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, Tyler will invoice Client the actual services delivered on a time and materials basis.
- Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service. For the avoidance of doubt, where "Project Planning Services" are provided, payment shall be invoiced upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be invoiced monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
- If Client has purchased any change management services, those services will be invoiced in accordance with the Agreement.

- Notwithstanding anything to the contrary stated above, the following payment terms shall apply to fees specifically for migrations: Tyler will invoice Client 50% of any Migration Services Fees listed above upon Client approval of the product suite migration schedule. The remaining 50%, by line item, will be billed upon the go-live of the applicable product suite. Tyler will invoice Client for any Project Management Fees listed above upon the go-live of the first product suite. Annual SaaS Fees will be invoiced upon availability of the hosted environment.

Any SaaS or hosted solutions added to an agreement containing Client-hosted Tyler solutions are subject to Tyler's SaaS Services terms found here: <https://www.tylertech.com/terms/tyler-saas-services>.

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held
For six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval:	_____	Date:	_____
Print Name:	_____	P.O.#:	_____

COUNCIL AGENDA ITEM BRIEFING DATA



DATE: January 8, 2024

AGENDA ITEM

Discuss, Consider and Possible Action on Ordinance #2024-2 Approving Budget Amendments to the Operating Budget for the Fiscal Year October 1, 2023, and Ending September 30, 2024; General Fund: \$334,215.03 in expenses and \$103,888.00 in revenue; Electric Fund: \$558,258.77 in expenses; Water Fund: \$300,261.03 in expenses; Hotel/Motel Fund: \$50,000.00 in expenses; Economic Development Fund: \$354,778.58 in expenses

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

On September 14, 2023, the City Council of the City of Gonzales Approved the Operating Budget for the Fiscal Year Beginning October 1, 2023, and ending September 30, 2024.

The estimated fund balance of the General Fund with JB Wells is \$3,269,662.06. Staff is still working on cleaning up the books and completing adjustments. Staff will have a better idea of the fund balance after all adjustments, including the ones provided by the auditors after the audit is completed. The budget amendments listed below will affect that fund balance by a decrease of \$230,327.03 (\$334,215.03-\$103,888.00) to the General Fund, a decrease of \$558,258.77 to the Electric Fund, a decrease of \$300,261.03 to the Water Fund, a decrease of \$50,000.00 to the Hotel/Motel Fund and a decrease of \$354,778.58 to the Economic Development Fund.

BUDGET AMENDMENT #1

The City Council of the City of Gonzales previously awarded the 2022 Street Improvement Contract for the St. Lawrence project that was partially funded by ARPA Grant funds and the Water Fund. The Construction Contract was awarded to Central Texas Site Prep, LLC in the amount of \$1,286,257.65. The construction expense for the 2022-2023 budget was \$837,311.90, leaving \$448,945.75 and the project came in under budget by \$46,763.65. Staff is requesting a budget amendment to reflect the \$402,182.10 that was not completed by 9/30/2023 and was incurred in the 2023-2024 budget. These expenses will come from the fund balance of the General Fund (\$101,921.07) and the fund balance of the Water Fund (\$300,261.03).

Capital Replacement	100-7-603.650	\$101,921.07
Capital Replacement	220-7-720.650	\$300,261.03

BUDGET AMENDMENT #2

The Street Department had some minor sidewalk improvements completed in front of 321 St. Lawrence Street in the amount of \$6,650.00. Staff elected to use part of the savings the General Fund had on the St. Lawrence project for these sidewalk improvements. Staff is requesting a budget amendment for the following account which will come from the fund balance of the

General Fund.

Maintenance to Streets	100-7-603.318	\$6,650.00
------------------------	---------------	------------

BUDGET AMENDMENT #3

The Fire Chief ordered an APX 8000 all band portable radio in April of 2023 to be paid out of the 2022-2023 budget. As of September 30, 2023, it has not been received and will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Radios	100-7-301.609	\$9,286.96
--------	---------------	------------

BUDGET AMENDMENT #4

The City Council of the City of Gonzales approved Resolution #2023-90 on August 10, 2023, authorizing the City Manager to Execute a Purchase Agreement for the purchase of a Chevrolet Tahoe SSV 4x4 for the Fire Department in the amount of \$75,929.00. As of September 30, 2023, the Tahoe had not been received and will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Vehicles/Equipment	100-7-301.608	\$75,929.96
--------------------	---------------	-------------

BUDGET AMENDMENT #5

The Fire Chief ordered Fourteen (14) Safe Life Vests on August 11, 2023, to be paid out of the 2022-2023 budget. As of September 30, 2023, they have not been received and will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Protective Clothing	100-7-301.205	\$7,336.00
---------------------	---------------	------------

BUDGET AMENDMENT #6

The City Council of the City of Gonzales approved Resolution #2023-31 on February 9, 2023, approving the Lease Agreement with Enterprise Fleet Management, Inc. for the Lease of several budgeted vehicles which included two Tahoes for the Police Department. Those vehicles were sent in July to be upfitted with all necessary equipment and customization but were not completed as of September 30, 2023. The cost per vehicle is \$12,869.36 and the expense of upfitting both of the Tahoes will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Vehicles/Equipment	100-7-501.608	\$25,738.72
--------------------	---------------	-------------

BUDGET AMENDMENT #7

The City of Gonzales was awarded the 2023 Operation Lone Star Grant which included \$5,800

for purchase of equipment. Staff ordered sixteen wireless radio mics in the amount of \$3,888.00 on February 24, 2023, but were not received as of September 30, 2023. The cost per wireless radio mic is \$243.00 after the discount received and the expense of the sixteen wireless radio mics will now be paid out of the 2023-2024 budget. The City of Gonzales did receive the grant reimbursement of \$3,888.00 on November 20, 2023. Staff is requesting a budget amendment for the following accounts which will come from the fund balance of the General Fund.

Grants	100-4-409.912	\$ 3,888.00
Small Equipment/Furniture	100-7-501.304	\$ 3,888.00

BUDGET AMENDMENT #8

City Staff ordered a new server for the Police Department in May of 2023. Staff was in contact with Hill Country Tech Guys regarding installing the server and moving everything over to it and requested a quote. That quote for \$17,325.00 was signed in May of 2023 and was going to be paid out of the 2022-2023 budget. As of September 30, 2023, everything had not been completed and the remaining balance of \$3,465.00 was paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Office Furniture/Equipment	100-7-104.610	\$3,465.00
----------------------------	---------------	------------

BUDGET AMENDMENT #9

The City of Gonzales was awarded the Operation Lone Star Grant 2024 in the amount of \$100,000. The award is \$52,000 for overtime for Peace Officers for Border Enforcement, \$47,998 for the purchase of Tahoe, \$1.00 for specialty camera and \$1.00 for law enforcement equipment. Staff is requesting a budget amendment for the following accounts to reflect the grant income and expenses.

Grants	100-4-409.912	\$100,000.00
Salaries – Overtime	100-7-501.107	\$ 43,147.00
FICA Taxes	100-7-501.110	\$ 3,300.00
Retirement	100-7-501.112	\$ 5,553.00
Vehicles/Equipment	100-7-501.608	\$ 48,000.00

BUDGET AMENDMENT #10

The City Council of the City of Gonzales approved Resolution #2023-117 on October 12, 2023, approving the Operation and Maintenance Agreement Addendum Six for the electric utility operations and day-to-day maintenance services. The monthly fee was increased by 2% which increased the previous amount by \$769.60, changing it to \$39,249.58 monthly or \$470,994.96 annually. When the budget was adopted, \$461,760.00 was allocated for the GVEC Contract. Staff is requesting a budget amendment for the following account which will come from the fund balance of the Electric Fund.

Contractual Services	210-7-710.412	\$ 9,234.96
----------------------	---------------	-------------

BUDGET AMENDMENT #11

The City Council of the City of Gonzales approved Resolution #2023-70 on June 8, 2023, approving the replacement of underground wiring and pedestals at Independence Square in the amount of \$160,134.00. This project was not completed as of September 30, 2023, and the remaining balance of \$70,134.00 will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the Electric Fund.

Capital Replacement	210-7-710.650	\$70,134.00
---------------------	---------------	-------------

BUDGET AMENDMENT #12

The Electric Department Director received a quote for \$6,000.00 from PBD Customs, LLC on August 21, 2023, to remove all pins and gear spurs at the dam, build up and re-machine shoulder on all pins bore, press in bronze bushing, drill, tap, counterbore for grease fitting on all remaining gear spurs and install all hardware. This work was going to be paid out of the 2022-2023 budget, but wasn't completed as of September 30, 2023, and will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the Electric Fund.

Maintenance to Hydro	210-7-710.313	\$6,000.00
----------------------	---------------	------------

BUDGET AMENDMENT #13

On January 14, 2021, the City Council of the City of Gonzales awarded a contract to Techline, Inc. for the purchase and installation of a Fixed Network Advanced Metering Infrastructure (AMI) System for the electric meters in the amount of \$741,256.74. The City of Gonzales has received about one-third of the meters since that time. City Staff was recently told the estimated shipping date for some of them will be January or February and the plan is to try to get them installed as soon as possible. Staff is requesting a budget amendment of \$455,042.81 for the remaining project and this will come from the fund balance of the Electric Fund.

Capital Improvement	210-7-710.640	\$455,042.81
---------------------	---------------	--------------

BUDGET AMENDMENT #14

On January 14, 2021, the City Council of the City of Gonzales awarded a contract to Techline, Inc. for the purchase and installation of a Fixed Network Advanced Metering Infrastructure (AMI) System for the electric meters in the amount of \$741,256.74. The Aclara software that hosts the meters is being used due to receiving one-third of the meters. The cost for this Aclara One Hosted wireless network and all maintenance included will cost the City of Gonzales \$17,847.00 for the 2023-2024 budget. Staff is requesting a budget amendment of \$17,847.00 for this Aclara software and this will come from the fund balance of the Electric Fund.

Software	210-7-710.422	\$17,847.00
----------	---------------	-------------

BUDGET AMENDMENT #15

The City Council of the City of Gonzales approved Resolution #2023-54 on April 13, 2023, authorizing the City Manager to Execute an Agreement with Texas Youth Rodeo Association (TYRA) with an incentive of a \$15,000.00 check. In addition, the City Council of the City of Gonzales approved Resolution #2023-135 on November 9, 2023, authorizing the City Manager to Execute a License Agreement with Texas Junior High Rodeo Association (TJHRA) with an incentive of a \$35,000.00. The incentive checks for both events were allocated for in the JB Wells Fund in the 2023-2024 budget. The TYRA attracts approximately 1,500 attendees and 3,000 attendees for the TJHRA and in return provides a positive economic impact on sales tax, municipal hotel occupancy tax and retail sales revenue each year. Texas Tax Code Section 351.101 provides that revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry. Section 351.1001(a)(6) further states expenses, including promotion expenses, directly related to a sporting event in which most participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity if (A) the municipality is in a county with a population of one million or less. The incentive checks for both of these events is an allowable expense. Staff is requesting a budget amendment for the following account which will come from the fund balance of the Hotel/Motel Fund.

City Special Events	500-7-811.531	\$50,000.00
---------------------	---------------	-------------

BUDGET AMENDMENT #16

On March 27, 2023, the GEDC approved an ask from Irons Properties, LLC for improvements to the property located at 305 St George St. The total fund commitment from GEDC was \$104,000.00 with an option for four (4) \$26,000 draws to happen at 30, 90, 150, and 210 days of the effective date. As of Monday November 27, 2023, one draw for \$26,000 has been made. The scope of work consists of miscellaneous structural, civil, and MEP associated work to develop four (4) 1,000 square foot retail spaces at the property.

The City Council of the City of Gonzales approved the first reading of the Irons Properties, LLC resolution for improvements on April 13, 2023, and the second reading of the resolution for improvements on May 11, 2023. The total fund commitment from the GEDC was \$104,000.00 with an option for four (4) \$26,000 draws to happen at 30, 90, 150, and 210 days of the effective date. The GEDC budgeted \$300,000.00 for Business Incentive Grant Program for projects approved in the October 1, 2023-September 30, 2024, Fiscal Year, but did not include the rollover of funding for projects approved in the 2022-2023 Fiscal Year that are still in progress. Staff is asking for a budget amendment to reflect the increase to be taken from the fund balance of the Gonzales Economic Development Corporation for the remainder of the project that has not been reimbursed as per the performance agreement.

Business Incentive Grant Program	700-7-700.718	\$78,000.00
----------------------------------	---------------	-------------

BUDGET AMENDMENT #17

On August 28, 2023, the GEDC approved an ask from ButlerWood, Inc for improvements to the

property located at 820 Oilpatch Ln. The total fund commitment from GEDC was \$270,000.00. As per the performance agreement, the project’s anticipated completion date is June 30, 2024. The scope of work consists of installation of electrical and gas improvements; installation of fencing and gates to the property; concrete work; and landscaping work.

The City Council of the City of Gonzales approved the first reading of the ButlerWood, Inc resolution for improvements on September 14, 2023, and the second reading of the resolution for improvements on October 12, 2023. The total fund commitment from the GEDC was \$270,000. The GEDC budgeted \$300,000.00 for Business Incentive Grant Program for projects approved in the October 1, 2023-September 30, 2024, Fiscal Year, but did not include the rollover of funding for projects approved in the 2022-2023 Fiscal Year that are still in progress. Staff is asking for a budget amendment to reflect the increase to be taken from the fund balance of the Gonzales Economic Development Corporation for the remainder of the project that has not been reimbursed as per the performance agreement.

Business Incentive Grant Program	700-7-700.718	\$270,000.00
----------------------------------	---------------	--------------

BUDGET AMENDMENT #18

During the 2022 – 23 FY, the GEDC budgeted \$10,000 in line item 7-700.520 Marketing & Promotions. Throughout October 1, 2022 – September 30, 2023, budget year, a total of \$3,221.42 was spent from the Marketing & Promotions line item leaving the remaining \$6,778.58 unused. As per the EDC code of ordinances, EDCs are allowed to spend not more than ten percent of their annual yearly revenues for promotional purposes, they are however, allowed to roll unused marketing dollars that were budgeted in the previous fiscal year to the current fiscal year budget without any penalty.

On December 18, 2023, the GEDC approved a budget amendment in the amount of \$6,778.58 for the unused Marketing & Promotions funds that were not spent in the 2022-23 FY to be added to the Marketing & Promotions line item for the 2023-24 FY as allowed by the EDC Code of Ordinances.

Marketing & Promotions	700-7-700.520	\$6,778.58
------------------------	---------------	------------

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. 2024-2

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, APPROVING BUDGET AMENDMENTS TO THE OPERATING BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; GENERAL FUND: \$334,215.03 IN EXPENSES AND \$103,888.00 IN REVENUE; ELECTRIC FUND: \$558,258.77 IN EXPENSES; WATER FUND: \$300,261.03 IN EXPENSES; HOTEL/MOTEL FUND: \$50,000.00 IN EXPENSES; ECONOMIC DEVELOPMENT FUND: \$354,778.58 IN EXPENSES; ESTABLISHING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an annual operating budget for the fiscal year October 1, 2023, through September 30, 2024, was approved and adopted by the City Council on September 14, 2023; 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 2023-24 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 8th day of January 2024.

Mayor, S.H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT “A”

On September 14, 2023, the City Council of the City of Gonzales Approved the Operating Budget for the Fiscal Year Beginning October 1, 2023, and ending September 30, 2024.

The estimated fund balance of the General Fund with JB Wells is \$3,269,662.06. Staff is still working on cleaning up the books and completing adjustments. Staff will have a better idea of the fund balance after all adjustments, including the ones provided by the auditors after the audit is completed. The budget amendments listed below will affect that fund balance by a decrease of \$230,327.03 (\$334,215.03-\$103,888.00) to the General Fund, a decrease of \$558,258.77 to the Electric Fund, a decrease of \$300,261.03 to the Water Fund, a decrease of \$50,000.00 to the Hotel/Motel Fund and a decrease of \$354,778.58 to the Economic Development Fund.

BUDGET AMENDMENT #1

The City Council of the City of Gonzales previously awarded the 2022 Street Improvement Contract for the St. Lawrence project that was partially funded by ARPA Grant funds and the Water Fund. The Construction Contract was awarded to Central Texas Site Prep, LLC in the amount of \$1,286,257.65. The construction expense for the 2022-2023 budget was \$837,311.90, leaving \$448,945.75 and the project came in under budget by \$46,763.65. Staff is requesting a budget amendment to reflect the \$402,182.10 that was not completed by 9/30/2023 and was incurred in the 2023-2024 budget. These expenses will come from the fund balance of the General Fund (\$101,921.07) and the fund balance of the Water Fund (\$300,261.03).

Capital Replacement	100-7-603.650	\$101,921.07
Capital Replacement	220-7-720.650	\$300,261.03

BUDGET AMENDMENT #2

The Street Department had some minor sidewalk improvements completed in front of 321 St. Lawrence Street in the amount of \$6,650.00. Staff elected to use part of the savings the General Fund had on the St. Lawrence project for these sidewalk improvements. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Maintenance to Streets	100-7-603.318	\$6,650.00
------------------------	---------------	------------

BUDGET AMENDMENT #3

The Fire Chief ordered an APX 8000 all band portable radio in April of 2023 to be paid out of the 2022-2023 budget. As of September 30, 2023, it has not been received and will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Radios	100-7-301.609	\$9,286.96
--------	---------------	------------

BUDGET AMENDMENT #4

The City Council of the City of Gonzales approved Resolution #2023-90 on August 10, 2023,

authorizing the City Manager to Execute a Purchase Agreement for the purchase of a Chevrolet Tahoe SSV 4x4 for the Fire Department in the amount of \$75,929.00. As of September 30, 2023, the Tahoe had not been received and will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Vehicles/Equipment	100-7-301.608	\$75,929.96
--------------------	---------------	-------------

BUDGET AMENDMENT #5

The Fire Chief ordered Fourteen (14) Safe Life Vests on August 11, 2023, to be paid out of the 2022-2023 budget. As of September 30, 2023, they have not been received and will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Protective Clothing	100-7-301.205	\$7,336.00
---------------------	---------------	------------

BUDGET AMENDMENT #6

The City Council of the City of Gonzales approved Resolution #2023-31 on February 9, 2023, approving the Lease Agreement with Enterprise Fleet Management, Inc. for the Lease of several budgeted vehicles which included two Tahoes for the Police Department. Those vehicles were sent in July to be upfitted with all necessary equipment and customization but were not completed as of September 30, 2023. The cost per vehicle is \$12,869.36 and the expense of upfitting both of the Tahoes will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Vehicles/Equipment	100-7-501.608	\$25,738.72
--------------------	---------------	-------------

BUDGET AMENDMENT #7

The City of Gonzales was awarded the 2023 Operation Lone Star Grant which included \$5,800 for purchase of equipment. Staff ordered sixteen wireless radio mics in the amount of \$3,888.00 on February 24, 2023, but were not received as of September 30, 2023. The cost per wireless radio mic is \$243.00 after the discount received and the expense of the sixteen wireless radio mics will now be paid out of the 2023-2024 budget. The City of Gonzales did receive the grant reimbursement of \$3,888.00 on November 20, 2023. Staff is requesting a budget amendment for the following accounts which will come from the fund balance of the General Fund.

Grants	100-4-409.912	\$ 3,888.00
Small Equipment/Furniture	100-7-501.304	\$ 3,888.00

BUDGET AMENDMENT #8

City Staff ordered a new server for the Police Department in May of 2023. Staff was in contact with Hill Country Tech Guys regarding installing the server and moving everything over to it and requested a quote. That quote for \$17,325.00 was signed in May of 2023 and was going to

be paid out of the 2022-2023 budget. As of September 30, 2023, everything had not been completed and the remaining balance of \$3,465.00 was paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the General Fund.

Office Furniture/Equipment	100-7-104.610	\$3,465.00
----------------------------	---------------	------------

BUDGET AMENDMENT #9

The City of Gonzales was awarded the Operation Lone Star Grant 2024 in the amount of \$100,000. The award is \$52,000 for overtime for Peace Officers for Border Enforcement, \$47,998 for the purchase of Tahoe, \$1.00 for specialty camera and \$1.00 for law enforcement equipment. Staff is requesting a budget amendment for the following accounts to reflect the grant income and expenses.

Grants	100-4-409.912	\$100,000.00
Salaries – Overtime	100-7-501.107	\$ 43,147.00
FICA Taxes	100-7-501.110	\$ 3,300.00
Retirement	100-7-501.112	\$ 5,553.00
Vehicles/Equipment	100-7-501.608	\$ 48,000.00

BUDGET AMENDMENT #10

The City Council of the City of Gonzales approved Resolution #2023-117 on October 12, 2023, approving the Operation and Maintenance Agreement Addendum Six for the electric utility operations and day-to-day maintenance services. The monthly fee was increased by 2% which increased the previous amount by \$769.60, changing it to \$39,249.58 monthly or \$470,994.96 annually. When the budget was adopted, \$461,760.00 was allocated for the GVEC Contract. Staff is requesting a budget amendment for the following account which will come from the fund balance of the Electric Fund.

Contractual Services	210-7-710.412	\$ 9,234.96
----------------------	---------------	-------------

BUDGET AMENDMENT #11

The City Council of the City of Gonzales approved Resolution #2023-70 on June 8, 2023, approving the replacement of underground wiring and pedestals at Independence Square in the amount of \$160,134.00. This project was not completed as of September 30, 2023, and the remaining balance of \$70,134.00 will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the Electric Fund.

Capital Replacement	210-7-710.650	\$70,134.00
---------------------	---------------	-------------

BUDGET AMENDMENT #12

The Electric Department Director received a quote for \$6,000.00 from PBD Customs, LLC on August 21, 2023, to remove all pins and gear spurs at the dam, build up and re-machine shoulder

on all pins bore, press in bronze bushing, drill, tap, counterbore for grease fitting on all remaining gear spurs and install all hardware. This work was going to be paid out of the 2022-2023 budget, but wasn't completed as of September 30, 2023, and will now be paid out of the 2023-2024 budget. Staff is requesting a budget amendment for the following account which will come from the fund balance of the Electric Fund.

Maintenance to Hydro	210-7-710.313	\$6,000.00
----------------------	---------------	------------

BUDGET AMENDMENT #13

On January 14, 2021, the City Council of the City of Gonzales awarded a contract to Techline, Inc. for the purchase and installation of a Fixed Network Advanced Metering Infrastructure (AMI) System for the electric meters in the amount of \$741,256.74. The City of Gonzales has received about one-third of the meters since that time. City Staff was recently told the estimated shipping date for some of them will be January or February and the plan is to try to get them installed as soon as possible. Staff is requesting a budget amendment of \$455,042.81 for the remaining project and this will come from the fund balance of the Electric Fund.

Capital Improvement	210-7-710.640	\$455,042.81
---------------------	---------------	--------------

BUDGET AMENDMENT #14

On January 14, 2021, the City Council of the City of Gonzales awarded a contract to Techline, Inc. for the purchase and installation of a Fixed Network Advanced Metering Infrastructure (AMI) System for the electric meters in the amount of \$741,256.74. The Aclara software that hosts the meters is being used due to receiving one-third of the meters. The cost for this Aclara One Hosted wireless network and all maintenance included will cost the City of Gonzales \$17,847.00 for the 2023-2024 budget. Staff is requesting a budget amendment of \$17,847.00 for this Aclara software and this will come from the fund balance of the Electric Fund.

Software	210-7-710.422	\$17,847.00
----------	---------------	-------------

BUDGET AMENDMENT #15

The City Council of the City of Gonzales approved Resolution #2023-54 on April 13, 2023, authorizing the City Manager to Execute an Agreement with Texas Youth Rodeo Association (TYRA) with an incentive of a \$15,000.00 check. In addition, the City Council of the City of Gonzales approved Resolution #2023-135 on November 9, 2023, authorizing the City Manager to Execute a License Agreement with Texas Junior High Rodeo Association (TJHRA) with an incentive of a \$35,000.00. The incentive checks for both events were allocated for in the JB Wells Fund in the 2023-2024 budget. The TYRA attracts approximately 1,500 attendees and 3,000 attendees for the TJHRA and in return provides a positive economic impact on sales tax, municipal hotel occupancy tax and retail sales revenue each year. Texas Tax Code Section 351.101 provides that revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry. Section 351.1001(a)(6) further states expenses, including promotion expenses, directly related to a sporting event in which most participants are tourists who substantially increase economic activity at hotels and motels within

the municipality or its vicinity if (A) the municipality is in a county with a population of one million or less. The incentive checks for both of these events is an allowable expense. Staff is requesting a budget amendment for the following account which will come from the fund balance of the Hotel/Motel Fund.

City Special Events	500-7-811.531	\$50,000.00
---------------------	---------------	-------------

BUDGET AMENDMENT #16

On March 27, 2023, the GEDC approved an ask from Irons Properties, LLC for improvements to the property located at 305 St George St. The total fund commitment from GEDC was \$104,000.00 with an option for four (4) \$26,000 draws to happen at 30, 90, 150, and 210 days of the effective date. As of Monday November 27, 2023, one draw for \$26,000 has been made. The scope of work consists of miscellaneous structural, civil, and MEP associated work to develop four (4) 1,000 square foot retail spaces at the property.

The City Council of the City of Gonzales approved the first reading of the Irons Properties, LLC resolution for improvements on April 13, 2023, and the second reading of the resolution for improvements on May 11, 2023. The total fund commitment from the GEDC was \$104,000.00 with an option for four (4) \$26,000 draws to happen at 30, 90, 150, and 210 days of the effective date. The GEDC budgeted \$300,000.00 for Business Incentive Grant Program for projects approved in the October 1, 2023-September 30, 2024, Fiscal Year, but did not include the rollover of funding for projects approved in the 2022-2023 Fiscal Year that are still in progress. Staff is asking for a budget amendment to reflect the increase to be taken from the fund balance of the Gonzales Economic Development Corporation for the remainder of the project that has not been reimbursed as per the performance agreement.

Business Incentive Grant Program	700-7-700.718	\$78,000.00
----------------------------------	---------------	-------------

BUDGET AMENDMENT #17

On August 28, 2023, the GEDC approved an ask from ButlerWood, Inc for improvements to the property located at 820 Oilpatch Ln. The total fund commitment from GEDC was \$270,000.00. As per the performance agreement, the project's anticipated completion date is June 30, 2024. The scope of work consists of installation of electrical and gas improvements; installation of fencing and gates to the property; concrete work; and landscaping work.

The City Council of the City of Gonzales approved the first reading of the ButlerWood, Inc resolution for improvements on September 14, 2023, and the second reading of the resolution for improvements on October 12, 2023. The total fund commitment from the GEDC was \$270,000. The GEDC budgeted \$300,000.00 for Business Incentive Grant Program for projects approved in the October 1, 2023-September 30, 2024, Fiscal Year, but did not include the rollover of funding for projects approved in the 2022-2023 Fiscal Year that are still in progress. Staff is asking for a budget amendment to reflect the increase to be taken from the fund balance of the Gonzales Economic Development Corporation for the remainder of the project that has not been reimbursed as per the performance agreement.

Business Incentive Grant Program 700-7-700.718 \$270,000.00

BUDGET AMENDMENT #18

During the 2022 – 23 FY, the GEDC budgeted \$10,000 in line item 7-700.520 Marketing & Promotions. Throughout October 1, 2022 – September 30, 2023, budget year, a total of \$3,221.42 was spent from the Marketing & Promotions line item leaving the remaining \$6,778.58 unused. As per the EDC code of ordinances, EDCs are allowed to spend not more than ten percent of their annual yearly revenues for promotional purposes, they are however, allowed to roll unused marketing dollars that were budgeted in the previous fiscal year to the current fiscal year budget without any penalty.

On December 18, 2023, the GEDC approved a budget amendment in the amount of \$6,778.58 for the unused Marketing & Promotions funds that were not spent in the 2022-23 FY to be added to the Marketing & Promotions line item for the 2023-24 FY as allowed by the EDC Code of Ordinances.

Marketing & Promotions 700-7-700.520 \$6,778.58

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Ordinance #2024-3 Updating and Amending the City of Gonzales Code of Ordinances Article 3.600 Flood Damage Prevention

DATE: January 8, 2024

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

The Federal Emergency Management Agency is progressing towards having a newly revised Flood Insurance Rate Map (FIRM) for Gonzales County, TX. and Incorporated Areas, including the City of Gonzales (NFIP# 480254). The new FIRM and Flood Insurance Study (FIS) will be effective March 27, 2024.

To avoid suspension from the National Flood Insurance Program (NFIP) on March 27, 2024, FEMA Region 6 must have received a copy of the City's updated and adopted Flood Damage Prevention Ordinance or Order/Ordinance (FDPO), indicating adoption of the new FIS and FIRM prior to March 27, 2024.

The City's FDPO needs to reference the correct dates for the FIS and applicable FIRM Panels or contain approved language automatically adopting the new FIS and FIRM Panels.

The City of Gonzales has FIRM features that require a "d" level FDPO for this map update, which is the same as the City's previous regulation level of "d." Texas Water Development Board provided a "d" level Model Ordinance to review against the City's current ordinance. City staff has compared and verified the provided ordinance with the City's current ordinance and has determined that the City's ordinance includes all provisions provided for compliance. The following section was the only amendment made to the City's ordinance for the FIS and FIRM reference section to meet all requirements for adoption:

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "[Flood Insurance Study \(FIS\) for Gonzales County TX and Incorporated Areas](#)," dated Effective 3-27-2024, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated 3-27-2024, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

POLICY CONSIDERATIONS:

As per the Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Respectfully request approval of the amendment to the existing ordinance.

ORDINANCE NO. 2024-3

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, UPDATING AND AMENDING THE CITY OF GONZALES CODE OF ORDINANCES ARTICLE 3.600 FLOOD DAMAGE PREVENTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the legislature of the state has in the Flood Control Insurance Act, Texas Water Code, section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses; and

WHEREAS, the Federal Emergency Management Agency is progressing towards having a newly revised Flood Insurance Rate Map (FIRM) for Gonzales County, TX. and Incorporated Areas, including the City of Gonzales (NFIP# 480254); and

WHEREAS, the new FIRM and Flood Insurance Study (FIS) will be effective March 27, 2024.

WHEREAS, to avoid suspension from the National Flood Insurance Program (NFIP) on March 27, 2024, FEMA Region 6 must have received a copy of the City's updated and adopted Flood Damage Prevention Ordinance or Order/Ordinance (FDPO), indicating adoption of the new FIS and FIRM prior to March 27, 2024; and

WHEREAS, the City has determined that it is in the best interest of the City to update and amend flood damage prevention regulations which will benefit the health, safety, and general welfare of the community.

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

Section 1. The City Council of the City of Gonzales, Texas hereby updates and amends the City of Gonzales Code of Ordinances Article 3.600 Flood Damage Prevention 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, ADOPTED, AND APPROVED this 8th day of January 2024.

Mayor, S. H. Sucher

ATTEST:

Kristina Vega, City Secretary

EXHIBIT “A”

Note: Additions are noted as underlined and deletions as ~~strikethroughs~~.

ARTICLE 3.600 FLOOD DAMAGE PREVENTION

Division 1 Generally

§ 3.601 Statutory Authorization.

The legislature of the state has in the Flood Control Insurance Act, Texas Water Code, section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the city does ordain as follows.

§ 3.602 Findings of Fact.

- (a) The flood hazard areas of the City of Gonzales are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (b) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

§ 3.603 Statement of Purpose.

It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of floodprone

areas in such a manner as to minimize future flood blight areas; and

- (7) Insure that potential buyers are notified that property is in a flood area.

§ 3.604 Methods of Reducing Flood Losses.

In order to accomplish its purposes, this article uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

§ 3.605 Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application.

Alluvial Fan Flooding. Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex. A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant Structure. A structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of Future Conditions Flood Hazard. The land area that would be inundated by the 1-percent-annual chance (100-year) flood based on future conditions hydrology.

Area of Shallow Flooding. A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's flood insurance rate map (FIRM) with a 1-percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard. The land in the floodplain within a community subject to a 1-percent or greater chance of flooding in any given year. The area may be designated as zone A on

the flood hazard boundary map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

Base Flood. The flood having a 1-percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE). The elevation shown on the flood insurance rate map (FIRM) and found in the accompanying flood insurance study (FIS) for zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1-percent chance of equaling or exceeding that level in any given year - also called the base flood.

Basement. Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Critical Feature. An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development. Any manmade change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevated Building. For insurance purposes, a nonbasement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Enclosure. An enclosure is a fully enclosed area below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement. To qualify as an enclosure, the area must meet the nonelevation design requirements of 44 CFR 60.3. See also the definition of lowest floor.

Existing Construction. For the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. Existing construction may also be referred to as existing structures.

Existing Manufactured Home Park or Subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site

grading or the pouring of concrete pads).

Flood Elevation Study. An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Insurance Rate Map (FIRM). An official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study (FIS). See flood elevation study.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Protection System. Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodplain Management. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations. Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodplain or Floodprone Area. Any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodproofing. Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway. See regulatory floodway.

Freeboarding. A term used to describe the safety margin provided above the BFE. Most

communities choose a freeboard of 1 to 3 feet above BFE.

Functionally Dependent Use. A use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure. Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary [of the Interior] to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (A) By an approved state program as determined by the Secretary of the Interior; or
 - (B) Directly by the Secretary of the Interior in states without approved programs.

Levee. A manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System. A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

Manufactured Home. A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term manufactured home does not include a recreational vehicle.

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean Sea Level. For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

New Construction. For the purpose of determining insurance rates, structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Nonresidential Structure. A nonresidential structure includes, but is not limited to: small business concerns, churches, schools, farm buildings (including grain bins and silos), poolhouses, clubhouses, recreational buildings, mercantile structures, agricultural and industrial structures, warehouses, hotels and motels with normal room rentals for less than 6 months' duration, and nursing homes.

Reasonably Safe From Flooding. Base floodwaters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters to the base flood will not damage existing or proposed buildings.

Recreational Vehicle. A vehicle which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projections;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Residential Structure. A residential structure is one that is considered to be a domicile or is used for residential purposes for 6 months or more. Residential structures include a single-family home,

multiple unit apartment buildings, a residential condominium, or a manufactured or modular home.

Riverine. Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Special Flood Hazard Area. See area of special flood hazard.

Start of Construction. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Variance. A grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see section 60.6 of the National Flood Insurance Program regulations.)

Violation. The failure of a structure or other development to be fully compliant with the

community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) [of the National Flood Insurance Program regulations] is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation. The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

§ 3.606 Lands to Which This Article Applies.

This article shall apply to all areas of special flood hazard within the jurisdiction of the city the City of Gonzales.

§ 3.607 Basis for Establishing the Areas of Special Flood Hazard.

~~The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "Flood Insurance Study (FIS) for Gonzales County TX and Incorporated Areas," dated Effective 3-27-2024, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated 3-27-2024, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance. The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, the flood insurance study (FIS) for Gonzales County dated January 22, 2020, with accompanying flood insurance rate maps (FIRM) dated January 22, 2020 and any revisions thereto are hereby adopted by reference and declared to be a part of this article.~~

§ 3.608 Establishment of Development Permit.

A floodplain development permit shall be required to ensure conformance with the provisions of this article.

§ 3.609 Compliance.

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this article and other applicable regulations.

§ 3.610 Abrogation and Greater Restrictions.

This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

§ 3.611 Interpretation.

In the interpretation and application of this article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

§ 3.612 Warning and Disclaimer of Liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made hereunder.

§ 3.613 Penalties for Noncompliance.

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations. Violation of the provisions of this article by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

§ 3.614 through § 3.630. (Reserved)

**Division 2
Administration**

§ 3.631 Floodplain Administrator–Designation.

The city manager or his/her designee is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

§ 3.632 Same–Duties and Responsibilities.

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this article.
- (2) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
- (3) Review, approve or deny all applications for development permits required by adoption of this article.
- (4) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of

the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

- (5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
- (6) Notify, in riverine situations, adjacent communities and the state coordinating agency which is the Texas Water Development Board (TWDB) and also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (8) When base flood elevation data has not been provided in accordance with section 3.607, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of division 3.
- (9) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- (10) Under the provisions of 44 CFR chapter 1, section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by section 65.12.

§ 3.633 Permit Procedures.

- (a) Application for a floodplain development permit shall be presented to the floodplain administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
 - (1) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
 - (2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

- (3) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 3.652(2);
- (4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
- (5) Maintain a record of all such information in accordance with section 3.632(1);
- (b) Approval or denial of a floodplain development permit by the floodplain administrator shall be based on all of the provisions of this article and the following relevant factors:
 - (1) The danger to life and property due to flooding or erosion damage;
 - (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (3) The danger that materials may be swept onto other lands to the injury of others;
 - (4) The compatibility of the proposed use with existing and anticipated development;
 - (5) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (6) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
 - (7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
 - (8) The necessity to the facility of a waterfront location, where applicable;
 - (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (10) The relationship of the proposed use to the comprehensive plan for that area.

§ 3.634 Variance Procedures.

- (a) The appeal board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this article.
- (b) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this article.
- (c) Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.
- (d) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

- (e) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this article.
- (f) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 3.633(b) of this division have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
- (g) Upon consideration of the factors noted above and the intent of this article, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this article (section 3.603).
- (h) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (i) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (j) Prerequisites for granting variances:
 - (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (2) Variances shall only be issued upon:
 - (A) Showing a good and sufficient cause;
 - (B) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (C) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - (3) Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (k) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
 - (1) The criteria outlined in subsections (a)–(i) are met; and

- (2) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

§ 3.635 through § 3.650. (Reserved)

Division 3 Flood Hazard Reduction

§ 3.651 General Standards.

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

- (1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters; and
- (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

§ 3.652 Specific Standards.

When a residential or nonresidential structure is intended to be constructed in an approximate A zone, a BFE must be determined by using the same engineering standards and methods that are used to develop BFEs in a flood insurance study (FIS). In all areas of special flood hazards where base flood elevation data has been provided as set forth in section 3.607, section 3.632(8), or section 3.653(c), the following provisions are required:

- (1) Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to a minimum of 12 inches or 1 foot above the base flood elevation. A registered professional engineer, architect, or land

surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as proposed in section 3.633(a)(1), is satisfied.

- (A) If a new or substantially improved residential structure is constructed outside the SFHA but is within 1 foot of the centerline of a known but unmapped water course (including an intermittent water course on the community's FIRM, then it shall be elevated so that the lowest floor (including basement) is a minimum of 12 inches or 1 foot above the highest adjacent grade.
- (B) All residential structures that are constructed outside the SFHA shall be elevated 12 inches or 1 foot above the highest adjacent grade.
- (2) Nonresidential Construction. New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to a minimum of 12 inches or 1 foot above the base flood elevation or together with attendant utility and sanitary facilities, be designed so that below the base flood elevation level the structure is watertight to a minimum level of 12 inches or 1 foot above the BFE with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.
- (3) Enclosures. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - (A) A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (B) The bottom of all openings shall be no higher than 1 foot above grade.
 - (C) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (4) Manufactured Homes.
 - (A) Require that all manufactured homes to be placed within zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not

limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

(B) Require that manufactured homes that are placed or substantially improved within zones A1-30, AH, and AE on the community's FIRM on sites:

- (i) Outside of a manufactured home park or subdivision;
- (ii) In a new manufactured home park or subdivision;
- (iii) In an expansion to an existing manufactured home park or subdivision; or
- (iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood;

be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to a minimum of 12 inches or 1 foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(C) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of subsection (4) of this section be elevated so that either:

- (i) The lowest floor of the manufactured home is elevated to a minimum of 12 inches or 1 foot above the base flood level; or
- (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(5) Recreational Vehicles. Require that recreational vehicles placed on sites within zones A1-30, AH, and AE on the community's FIRM either:

- (A) Be on the site for fewer than 180 consecutive days; or
- (B) Be fully licensed and ready for highway use; or
- (C) Meet the permit requirements of section 3.633(a), and the elevation and anchoring requirements for manufactured homes in subsection (4) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

§ 3.653 Standards for Subdivision Proposals.

- (a) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with sections 3.602, 3.603, and 3.604 of this article.
- (b) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet floodplain development permit requirements of section 3.608, section 3.633; and the provisions of this division.
- (c) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to section 3.607 or section 3.632(8) of this article.
- (d) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- (e) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

§ 3.654 Standard for Areas of Shallow Flooding (AO/AH Zones).

Located within the areas of special flood hazard established in section 3.607, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- (1) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to a minimum of 12 inches or 1 foot above the base flood level or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified). They also shall have the ductwork, and exposed plumbing and electrical components elevated 12 inches or 1 foot above the BFE.
- (2) All new construction and substantial improvements of nonresidential structures:
 - (A) Have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified); or
 - (B) Together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO zone, or below the base flood elevation in an AH zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
- (3) A registered professional engineer or architect shall submit a certification to the floodplain

administrator that the standards of this section, as proposed in section 3.633(a)(3), are satisfied.

- (4) Require within zones AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

§ 3.655 Floodways.

Located within areas of special flood hazard established in section 3.607 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

- (1) Fill material of any kind is prohibited within the regulatory floodway as delineated on the community's FIRM.
- (2) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- (3) If subsection (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this division.
- (4) Under the provisions of 44 CFR chapter 1, section 65.12, of the National Flood Insurance Program regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by section 65.12.

FINANCIAL REPORTS FOR FUNDS AS OF 12/31/2023

CASH & INVESTMENT BY FUND AS OF 12/31/2023

GRANT REIMBURSEMENTS PENDING UPDATE:

\$307,940.68 on the Texas Heroes Square grant project

\$1,460.00 on the Edwards Association grant project

\$550.00 on the Tinsley Creek CDBG Mitigation grant project

\$65,290.91 on the Lone Star Operation grant project

\$375,241.59 TOTAL

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

100-GENERAL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
401-TAX REVENUE	3,136,922.00	417,084.36	848,829.28	27.06	0.00	2,288,092.72
402-FRANCHISE REVENUE	1,904,888.00	16,273.81	358,025.72	18.80	0.00	1,546,862.28
403-LICENSE/FEE/PERMITS	106,325.00	5,053.44	14,509.64	13.65	0.00	91,815.36
404-PARKS FEES REVENUE	362,565.00	19,892.80	77,459.00	21.36	0.00	285,106.00
405-MUNICIPAL COURT REVEN	51,531.00	5,354.25	14,959.17	29.03	0.00	36,571.83
406-MISCELLANEOUS REVENUE	726,196.00	28,161.40	93,926.73	12.93	0.00	632,269.27
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	75,000.00	1,744.59	30,513.63	40.68	0.00	44,486.37
409-OTHER FINANCING REVEN	11,410.00	87,634.85	107,332.85	940.69	0.00	(95,922.85)
410-TRANSFERS	3,019,873.00	201,551.49	785,792.47	26.02	0.00	2,234,080.53
*** TOTAL REVENUES ***	9,394,710.00	782,750.99	2,331,348.49	24.82	0.00	7,063,361.51
EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTME	92,312.00	3,878.81	18,183.05	19.70	0.00	74,128.95
102-CITY MANAGER DEPART	199,681.00	14,888.71	49,123.52	24.93	651.00	149,906.48
103-COMMUNITY DEVELOPMENT	68,406.00	188.36	10,564.00	15.44	0.00	57,842.00
104-NON-DEPARTMENTAL	388,877.00	18,748.53	120,890.70	31.09	0.00	267,986.30
105-MAIN STREET DEPARTMEN	130,709.00	7,205.10	23,183.85	17.74	0.00	107,525.15
107-BUILDING MAINTENANCE	291,321.00	16,050.64	67,792.19	23.27	0.00	223,528.81
108-CITY SECRETARY DEP	264,407.00	12,716.01	65,941.31	24.94	0.00	198,465.69
109-FINANCE DEPARTMENT	605,583.00	34,592.32	124,154.42	20.70	1,175.31	480,253.27
201-PARKS DEPARTMENT	739,238.00	41,769.32	153,301.01	21.18	3,264.01	582,672.98
202-SWIMMING POOL DEPARTM	36,573.00	0.00	455.88	1.25	0.00	36,117.12
204-RECREATION DEPARTMENT	21,270.00	0.00	313.00	1.47	0.00	20,957.00
205-MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00
206-INDEPENDENCE GOLF CO	322,316.00	13,690.02	57,636.45	17.88	0.00	264,679.55
301-FIRE DEPARTMENT	1,537,690.00	100,671.79	491,752.97	37.49	84,720.01	961,217.02
501-POLICE DEPARTMENT	2,850,480.00	189,047.45	788,939.99	28.70	29,271.22	2,032,268.79
504-ANIMAL CONTROL DEPART	200,733.00	13,692.85	47,131.56	23.48	0.00	153,601.44
550-MUNICIPAL COURT DEPT.	123,624.00	6,417.06	29,084.86	23.53	0.00	94,539.14
602-AIRPORT DEPARTMENT	121,054.00	480.49	10,670.11	8.81	0.00	110,383.89
603-STREETS DEPARTMENT	698,051.00	43,866.61	404,242.11	57.95	297.82	293,511.07
650-LIBRARY DEPARTMENT	325,951.00	19,805.85	71,887.11	22.05	0.00	254,063.89
660-MUSEUM DEPARTMENT	115,161.00	4,090.24	13,576.88	11.79	0.00	101,584.12
*** TOTAL EXPENDITURES ***	9,133,437.00	541,800.16	2,548,824.97	29.21	119,379.37	6,465,232.66
** REVENUES OVER(UNDER) EXPENDITURES **	261,273.00	240,950.83	(217,476.48)	128.93-	(119,379.37)	598,128.85

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2023

203-JB WELLS PARK FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
404-PARKS FEES REVENUE	670,850.00	30,795.00	120,024.16	17.89	0.00	550,825.84
406-MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	670,850.00	30,795.00	120,024.16	17.89	0.00	550,825.84
EXPENDITURE SUMMARY						
203-JB WELLS PARK	932,121.00	34,037.10	124,234.79	13.33	(0.01)	807,886.22
*** TOTAL EXPENDITURES ***	932,121.00	34,037.10	124,234.79	13.33	(0.01)	807,886.22
** REVENUES OVER(UNDER) EXPENDITURES **	(261,271.00)	(3,242.10)	(4,210.63)	1.61	0.01	(257,060.38)

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2023

210-ELECTRIC FUND

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

REVENUE SUMMARY						
710-ELECTRIC DEPARTMENT	10,932,943.00	674,673.17	2,718,978.68	24.87	0.00	8,213,964.32
750-REVENUE COLLECTION	279,302.00	2,043.58	67,071.63	24.01	0.00	212,230.37
809-HYDRO PLANT CONST.	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	11,212,245.00	676,716.75	2,786,050.31	24.85	0.00	8,426,194.69
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	10,723,680.00	199,624.47	1,976,566.36	31.40	1,390,558.93	7,356,554.71
750-REVENUE COLLECTIONS	321,669.00	20,278.48	85,306.43	26.52	0.00	236,362.57
809-HYDRO PLANT CONST.	147,700.00	0.00	0.00	0.00	0.00	147,700.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	11,193,049.00	219,902.95	2,061,872.79	30.84	1,390,558.93	7,740,617.28
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	19,196.00	456,813.80	724,177.52	471.46-	(1,390,558.93)	685,577.41
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2023

220-WATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
720-WATER PRODUCTION DEPT	3,208,440.00	229,339.73	808,474.83	25.20	0.00	2,399,965.17
*** TOTAL REVENUES ***	3,208,440.00	229,339.73	808,474.83	25.20	0.00	2,399,965.17
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	3,192,759.00	99,287.25	770,681.98	24.44	9,701.49	2,412,375.53
*** TOTAL EXPENDITURES ***	3,192,759.00	99,287.25	770,681.98	24.44	9,701.49	2,412,375.53
** REVENUES OVER(UNDER) EXPENDITURES **	15,681.00	130,052.48	37,792.85	179.14	(9,701.49)	(12,410.36)

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2023

230-WASTEWATER FUND

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

REVENUE SUMMARY						
730-WASTEWATER COLLECTION	1,741,600.00	148,217.41	439,206.65	25.22	0.00	1,302,393.35
731-W/W GRANT PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,741,600.00	148,217.41	439,206.65	25.22	0.00	1,302,393.35
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,541,943.00	49,876.62	297,650.03	21.83	38,883.53	1,205,409.44
731-W/W GRANT PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	1,541,943.00	49,876.62	297,650.03	21.83	38,883.53	1,205,409.44
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	199,657.00	98,340.79	141,556.62	51.42	(38,883.53)	96,983.91
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S
 FINANCIAL STATEMENT
 AS OF: DECEMBER 31ST, 2023

240-SOLID WASTE FUND

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

REVENUE SUMMARY						
740-SOLID WASTE DEPARTMEN	876,750.00	72,073.69	216,052.12	24.64	0.00	660,697.88
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	876,750.00	72,073.69	216,052.12	24.64	0.00	660,697.88
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	850,468.00	9,565.01	157,989.78	18.58	0.00	692,478.22
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	850,468.00	9,565.01	157,989.78	18.58	0.00	692,478.22
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	26,282.00	62,508.68	58,062.34	220.92	0.00	(31,780.34)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2023

400-DSF GOVERNMENT ACTIVITIES

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

REVENUE SUMMARY						
400-DSF GOVERNMENT ACT.	828,200.00	0.00	59,147.06	7.14	0.00	769,052.94
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	828,200.00	0.00	59,147.06	7.14	0.00	769,052.94
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	815,200.00	0.00	500.00	0.06	0.00	814,700.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	815,200.00	0.00	500.00	0.06	0.00	814,700.00
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	13,000.00	0.00	58,647.06	451.13	0.00	(45,647.06)
	=====	=====	=====	=====	=====	=====

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

500-HOTEL/MOTEL FUND

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

REVENUE SUMMARY						
811-HOTEL/MOTEL	575,000.00	20,032.38	108,249.69	18.83	0.00	466,750.31
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
816-PEG FRANCHISE	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	575,000.00	20,032.38	108,249.69	18.83	0.00	466,750.31
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
811-HOTEL MOTEL	603,284.00	17,450.00	50,988.30	8.45	0.00	552,295.70
815-RLB	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	603,284.00	17,450.00	50,988.30	8.45	0.00	552,295.70
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	(28,284.00)	2,582.38	57,261.39	202.45-	0.00	(85,545.39)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2023

501-MEMORIAL MUSEUM FUND

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

REVENUE SUMMARY						
812-MEMORIAL MUSEUM	2,500.00	296.13	1,037.04	41.48	0.00	1,462.96
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	2,500.00	296.13	1,037.04	41.48	0.00	1,462.96
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
812-MEMORIAL MUSEUM	9,000.00	0.00	0.00	0.00	0.00	9,000.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	9,000.00	0.00	0.00	0.00	0.00	9,000.00
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES ** (6,500.00)	296.13	1,037.04	15.95-	0.00	(7,537.04)
	=====	=====	=====	=====	=====	=====

FINANCIAL STATEMENT

AS OF: DECEMBER 31ST, 2023

502-FORFEITURE FUND

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

REVENUE SUMMARY						
813-FORFEITURES	4,300.00	0.00	317.37	7.38	0.00	3,982.63
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	4,300.00	0.00	317.37	7.38	0.00	3,982.63
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
813-FORFEITURES	20,500.00	0.00	0.00	0.00	0.00	20,500.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	20,500.00	0.00	0.00	0.00	0.00	20,500.00
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	(16,200.00)	0.00	317.37	1.96-	0.00	(16,517.37)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2023

503-MUNICIPAL COURT

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
814-MUNICIPAL COURT	2,350.00	85.92	541.63	23.05	0.00	1,808.37
*** TOTAL REVENUES ***	2,350.00	85.92	541.63	23.05	0.00	1,808.37
EXPENDITURE SUMMARY						
814-MUNICIPAL COURT	8,000.00	47.65	3,566.47	44.58	0.00	4,433.53
*** TOTAL EXPENDITURES ***	8,000.00	47.65	3,566.47	44.58	0.00	4,433.53
** REVENUES OVER(UNDER) EXPENDITURES **	(5,650.00)	38.27	(3,024.84)	53.54	0.00	(2,625.16)

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2023

504-ROBERT LEE BROTHERS FUND

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

REVENUE SUMMARY						
815-ROBERT L BROTHERS	1,700.00	0.00	370.10	21.77	0.00	1,329.90
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,700.00	0.00	370.10	21.77	0.00	1,329.90
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
815-ROBERT LEE BROTHERS	30,600.00	61.01	11,380.29	37.19	0.00	19,219.71
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	30,600.00	61.01	11,380.29	37.19	0.00	19,219.71
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	(28,900.00)	(61.01)	(11,010.19)	38.10	0.00	(17,889.81)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2023

505-PEG FRANCHISE FUND

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

REVENUE SUMMARY						
816-PEG FRANCHISE	14,550.00	0.00	3,933.44	27.03	0.00	10,616.56
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	14,550.00	0.00	3,933.44	27.03	0.00	10,616.56
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
816-PEG FRANCHISE	75,000.00	0.00	0.00	0.00	0.00	75,000.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	75,000.00	0.00	0.00	0.00	0.00	75,000.00
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES **	(60,450.00)	0.00	3,933.44	6.51-	0.00	(64,383.44)
	=====	=====	=====	=====	=====	=====

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

700-GONZALES ECONOMIC DEV

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

REVENUE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,135,750.00	87,114.92	284,994.48	25.09	0.00	850,755.52
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	1,135,750.00	87,114.92	284,994.48	25.09	0.00	850,755.52
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	2,903,275.00	48,857.93	144,712.47	4.99	87.06	2,758,475.47
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	2,903,275.00	48,857.93	144,712.47	4.99	87.06	2,758,475.47
	=====	=====	=====	=====	=====	=====
** REVENUES OVER(UNDER) EXPENDITURES ** (1,767,525.00)		38,256.99	140,282.01	7.93-	(87.06)	(1,907,719.95)
	=====	=====	=====	=====	=====	=====

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>100-GENERAL FUND</u>			
=====			
<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	724,135.41	
100 1-001.501	CASH-GENERAL FUND RBFCU	0.00	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	140,085.36	
100 1-101.506	CASH- PEG FRANCHISE ACTIVITIES	0.00	

	TOTAL CASH	864,220.77	
<u>INVESTMENTS</u>			
100 1-103.409	RBFCU-SAVINGS ACCOUNT		0.00
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		0.00
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		64,297.72

	TOTAL INVESTMENTS		64,297.72
<u>POOLED INVESTMENTS</u>			
100 1-104.002	TEXPOOL- GENERAL FUND		2,798,819.53
100 1-104.003	TEXPOOL-CLFRF PART II - ARPA		0.00

	TOTAL POOLED INVESTMENTS		2,798,819.53
		-----	-----
	TOTAL 100-GENERAL FUND	864,220.77	2,863,117.25
<u>203-JB WELLS FUND</u>			
=====			
<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	(200,622.54)	

	TOTAL CASH	(200,622.54)	
		-----	-----
	TOTAL 203-JB WELLS PARK FUND	(200,622.54)	0.00
<u>210-ELECTRIC FUND</u>			
=====			
<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	(267,402.14)	
210 1-001.606	CASH CUSTOMER METER DEPOSIT	165,501.53	

	TOTAL CASH	(101,900.61)	

CASH & INVESTMENTS BY FUND

AS OF: DECEMBER 31ST, 2023 DECEMBER 31ST, 2023

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>INVESTMENTS</u>			
210 1-103.410	CERT OF DEP - SOUTH STAR BANK		0.00

	TOTAL INVESTMENTS		0.00
<u>POOLED INVESTMENTS</u>			
210 1-104.002	TEXPOOL- ELECTRIC FUND		2,137,802.49

	TOTAL POOLED INVESTMENTS		2,137,802.49

	TOTAL 210-ELECTRIC FUND	(101,900.61)	2,137,802.49
<hr/>			
220-WATER FUND			
=====			
<u>CASH</u>			
220 1-001.000	CASH - WATER FUND	391,748.95	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	26,514.00	

	TOTAL CASH	418,262.95	
<u>POOLED INVESTMENTS</u>			
220 1-104.002	TEXPOOL- WATER FUND		2,018,241.96
220 1-104.103	TEXPOOL - CO SERIES 2019		0.00

	TOTAL POOLED INVESTMENTS		2,018,241.96

	TOTAL 220-WATER FUND	418,262.95	2,018,241.96
<hr/>			
230-WASTEWATER FUND			
=====			
<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	413,338.13	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	300.00	

	TOTAL CASH	413,638.13	
<u>INVESTMENTS</u>			
230 1-103.411	CERT. OF DEP - SOUTH STAR BANK		0.00

	TOTAL INVESTMENTS		0.00
<u>POOLED INVESTMENTS</u>			
230 1-104.002	TEXPOOL- WASTEWATER FUND		1,250,754.85
230 1-104.003	TEXPOOL-CLFRF PART I -ARPA W/W		0.00
230 1-104.102	CASH - CO SERIES 2019		0.00

	TOTAL POOLED INVESTMENTS		1,250,754.85

	TOTAL 230-WASTEWATER FUND	413,638.13	1,250,754.85

CASH & INVESTMENTS BY FUND

AS OF: DECEMBER 31ST, 2023 DECEMBER 31ST, 2023

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<hr/>			
240-SOLID WASTE			
=====			
<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	155,234.42	

	TOTAL CASH	155,234.42	
		-----	-----
	TOTAL 240-SOLID WASTE FUND	155,234.42	0.00
<hr/>			
250-DSF PROPRIETARY			
=====			
<u>CASH</u>			
250 1-001.000	CASH-DSF PROPRIETARY	0.00	

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

	TOTAL CASH	0.00	
		-----	-----
	TOTAL 300-CAPITAL PROJECTS-BUSINESS	0.00	0.00
<hr/>			
400-DSF GOVERNMENTAL ACTI			
=====			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCOUNT	0.00	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	416,801.77	

	TOTAL CASH	416,801.77	
		-----	-----
	TOTAL 400-DSF GOVERNMENT ACTIVITIES	416,801.77	0.00
<hr/>			

CASH & INVESTMENTS BY FUND

AS OF: DECEMBER 31ST, 2023 DECEMBER 31ST, 2023

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
500-HOTEL/MOTEL FUND			
=====			
<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCOUNT	0.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	876,427.66	
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		876,427.66	
TOTAL 500-HOTEL/MOTEL FUND		876,427.66	0.00

501-MEMORIAL MUSEUM FUND

=====

<u>CASH</u>			
501 1-001.000	CASH - CONTROL ACCOUNT	0.00	
501 1-001.503	CASH - MUSEUM FUNDS	11,495.14	
TOTAL CASH		11,495.14	
TOTAL 501-MEMORIAL MUSEUM FUND		11,495.14	0.00

502-FORFEITURES

=====

<u>CASH</u>			
502 1-001.000	CASH - CONTROL ACCOUNT	0.00	
502 1-001.504	CASH - FORFEITURES FEDERAL	32,721.98	
502 1-001.505	CASH - FORFEITURES STATE	5,495.46	
TOTAL CASH		38,217.44	
TOTAL 502-FORFEITURE FUND		38,217.44	0.00

503-MUNICIPAL COURT

=====

<u>CASH</u>			
503 1-001.000	CASH - CONTROL ACCOUNT	0.00	
503 1-001.505	CASH - MUN CRT CHILD SAFETY	1,377.72	
503 1-001.506	CASH - MUN CRT SECURITY	20,005.31	
503 1-001.507	CASH - MUN CRT TECH	1,132.64	

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
503 1-001.508	CASH - SPECIAL EXPENSE	3,488.81	
TOTAL CASH		26,004.48	
TOTAL 503-MUNICIPAL COURT		26,004.48	0.00

504-ROBERT L. BROTHERS

CASH			
504 1-001.000	CASH - CONTROL ACCOUNT	0.00	
504 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	36,608.97	
TOTAL CASH		36,608.97	
TOTAL 504-ROBERT LEE BROTHERS FUND		36,608.97	0.00

505-PEG FRANCHISE FUND

CASH			
505 1-001.000	CASH - CONTROL ACCOUNT	0.00	
505 1-101.506	CASH- PEG FRANCHISE ACTIVITIES	147,244.39	
TOTAL CASH		147,244.39	
TOTAL 505-PEG FRANCHISE FUND		147,244.39	0.00

575-CAPITAL PROJECTS-GOV

CASH			
575 1-001.000	CASH - CONTROL ACCOUNT	0.00	
TOTAL CASH		0.00	
TOTAL 575-CAPITAL PROJECTS-GOV.		0.00	0.00

700-COMPONENT UNIT

CASH			
700 1-001.000	CASH - CONTROL ACCOUNT	(12,906.71)	
700 1-001.101	CASH - ECONOMIC DEV CORP	2,267,650.57	
TOTAL CASH		2,254,743.86	

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>INVESTMENTS</u>			
700 1-103.413	CERT OF DEPOSIT -FNB GONZALES		1,019,042.88
TOTAL INVESTMENTS			1,019,042.88
<u>POOLED INVESTMENTS</u>			
700 1-104.001	TEXPOOL - ECONOMIC DEVELOPMENT		516,791.98
TOTAL POOLED INVESTMENTS			516,791.98
TOTAL 700-GONZALES ECONOMIC DEV		2,254,743.86	1,535,834.86
FUND TOTAL OTHER INVESTMENTS			1,083,340.60
FUND TOTAL POOLED INVESTMENTS			8,722,410.81
TOTAL CASH AND INVESTMENTS		5,356,376.83	9,805,751.41
*** END OF REPORT ***			