

CITY OF GONZALES, TEXAS
SPECIAL CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
VIA TELEPHONE CONFERENCE
LIMITED IN PERSON ATTENDANCE AVAILABLE
AGENDA –MAY 6, 2021 12:00 P.M.

NOTICE is hereby given that, pursuant to Section 551.045 of the Texas Government Code and the March 16, 2020 order by the Governor of the State of Texas, the City Council will hold its special meeting on Thursday, May 6, 2021 at 12:00 p.m., via teleconference in accordance with Governor Abbott's order.

This meeting notice and agenda are posted online at www.gonzales.texas.gov.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings. The Governor has since clarified his intent and stated that citizens should be allowed to offer comments by other means.

A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Citizens wishing to offer comments on the posted agenda items may email their comments at least two hours prior to the start of the meeting and the comments will be read into the record during the time allocated for citizen comments. Emails may be sent to citysecretary@gonzales.texas.gov and must include the name of the citizen.

The public toll-free dial in number to participate in the telephone conference is hosted through FreeConferenceCall.com.

Toll-free call-in number: **1-844-854-2222**

When asked for an access code enter **348787#**

It is not necessary to announce yourself when you join the teleconference.

A recording of the telephone conference will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

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. Individuals not able to attend due to space limitations may email the City Secretary at least two (2) hours prior to the meeting.

ACTION ITEMS

- 1.1 Discuss, Consider & Possible Action on **Resolution #2021-28** Canvassing the Returns and Officially declaring the results of the May 1, 2021 City of Gonzales General & Special Election
- 1.2 Issuance of the Certificate of Election and Swearing in of the Council Member District 1: Joseph Kridler
- 1.3 Discuss, Consider & Possible Action on **Ordinance #2021-13** Ordering a Runoff Election
- 1.4 Discuss, Consider & Possible Action Authorizing the Mayor to Execute a Voting Machine Rental Service Agreement with Gonzales County for the Runoff Election
- 1.5 Discuss, Consider & Possible Action on **Resolution #2021-29** Approving the recommendation of the Gonzales Convention & Visitor Bureau for the expenditure of funds in the amount of \$20,000 to the Come and Take It Committee to assist in securing entertainment options for the 2021 Come and Take It Celebration

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 May 6, 2021, agenda of items to be considered by the Gonzales City Council was posted on the City Municipal Building bulletin board on the 3rd day of May, 2021 at 11:45 a.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 _____, 2021 at _____ am/pm. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.

Kristina Vega, City Secretary

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

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2021-28 Canvassing the Returns and Officially Declaring the Results of the May 1, 2021 City of Gonzales General & Special Election

DATE: May 6, 2021

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Election Code Section 67.003 states that each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the eleventh day after Election Day and not earlier than the third day after Election Day.

POLICY CONSIDERATIONS:

The Canvassing process is consistent with Texas Election Code Section 67.003.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2021-28

A RESOLUTION OF THE CITY OF GONZALES, TEXAS CANVASSING THE RETURNS AND OFFICIALLY DECLARING THE RESULTS OF THE MAY 1, 2021 CITY OF GONZALES GENERAL ELECTION FOR THE PURPOSE OF ELECTING COUNCILMEMBER DISTRICT 1, COUNCILMEMBER DISTRICT 2 AND SPECIAL ELECTION FOR THE PURPOSE OF AMENDMENTS TO THE CITY CHARTER; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Election Code Section 67.003 states that each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority’s presiding officer not later than the 11th day after election day and not earlier than the third day after election day; and

WHEREAS, on May 1, 2021 the said election was duly and legally held in conformity with the election laws of the state of Texas, and

WHEREAS, the City Council of the City of Gonzales, Texas canvassed the election returns on May 6, 2021 and hereby declare the result of such general and special election.

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

Section 1. The foregoing recitals and legislative findings are hereby incorporated and made an effective and enforceable part of this Resolution.

Section 2. A total of ballots cast for the general election during early voting were 159 by personal appearance or by mail ballots, and 165 votes were cast on Election Day. Total number of votes cast in this election was 324.

Section 3. The City Council of the City of Gonzales, Texas hereby finds that the results of the general election as set forth below reflect the reported votes, and the canvass of votes is hereby approved.

CANDIDATE	TOTAL VOTES
Sherri Tumlinson Koepp	62
James H. Lawrence	25
Johnnie R. Hunt	47
Total Votes Counted	134

Section 4. The City Council of the City of Gonzales, Texas hereby declares the canvass determined that, in the race for City Council District 2 no candidates received a majority of the votes cast, therefore requiring a Runoff Election to be held.

Section 5. The City Council of the City of Gonzales, Texas hereby finds that the results of the special election to amend the City of Gonzales Charter as set forth below reflect the reported votes, and the canvass of votes is hereby approved.

PROPOSITION A.	
For an amendment to the City’s home rule charter prohibiting the mayor and councilmembers from serving on a City appointed committee, commission, board or other City entity unless no other qualified citizen is available for appointment	255
Against an amendment to the City’s home rule charter prohibiting the mayor and councilmembers from serving on a City appointed committee, commission, board or other City entity unless no other qualified citizen is available for appointment	56
Majority FOR the proposed amendment.	

PROPOSITION B.	
For an amendment to the City’s home rule charter requiring an appointment to City Council to a vacancy in a City Council office if there are between 90 and 365 days remaining in the term of the vacant City Council office	237
Against an amendment to the City’s home rule charter requiring an appointment to City Council to a vacancy in a City Council office if there are between 90 and 365 days remaining in the term of the vacant City Council office.	72
Majority FOR the proposed amendment.	

PROPOSITION C.	
For an amendment to the City’s home rule charter deleting the requirement that the City Manager reside within the City limits during their term of office.	86
Against an amendment to the City’s home rule charter deleting the requirement that the City Manager reside within the City limits during	228

their term of office.	
Majority AGAINST the proposed amendment.	

PROPOSITION D.	
For an amendment to the City’s home rule charter deleting the requirement that the municipal judge be a qualified voter of the City.	90
Against an amendment to the City’s home rule charter deleting the requirement that the municipal judge be a qualified voter of the City.	218
Majority AGAINST the proposed amendment.	

PROPOSITION E.	
For an amendment to the City’s home rule charter requiring the City Council to select the most qualified individual to be City Attorney.	162
Against an amendment to the City’s home rule charter requiring the City Council to select the most qualified individual to be City Attorney.	150
Majority FOR the proposed amendment.	

PROPOSITION F.	
For an amendment to the City’s home rule charter authorizing the expenditure of economic development funds as authorized by state law.	174
Against an amendment to the City’s home rule charter authorizing the expenditure of economic development funds as authorized by state law.	135
Majority FOR the proposed amendment.	

Section 6. 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 7. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 8. 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 9. 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 10. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 6th day of May, 2021.

Mayor, Connie L. Kacir

ATTEST:

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Ordinance #2021-13 Calling A Runoff Election On June 1, 2021, For The Purpose Of Electing City Council District 2; Providing For Early Voting; Providing For Notice Of The Election

DATE: May 6, 2021

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

According to Election Code Chapter 2; Subchapter B. if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote, a runoff election for that office is required.

POLICY CONSIDERATIONS:

This procedure and action is consistent with Election Code Chapter 2 Subchapter B.

FISCAL IMPACT:

The Fiscal Year 2020-2021 Budget includes \$12,000 for election expenses. This was assuming half of the cost of the November 2020 election would be paid in the form of a deposit in FY 2019-2020 with the remainder being paid in this fiscal year. Gonzales County did not have the availability to pay a portion of the election in the previous year. As such, \$11,674.99 has been spent to date which includes the full amount of the November 2020 election and some costs associated with the General/Special Election. A budget amendment will be required as the costs are more clearly identified.

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Respectfully recommends approval of this Ordinance.

ORDINANCE 2021-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS CALLING A RUNOFF ELECTION ON JUNE 1, 2021, FOR THE PURPOSE OF ELECTING CITY COUNCIL DISTRICT 2; PROVIDING FOR EARLY VOTING; PROVIDING FOR NOTICE OF THE ELECTION; PROVIDING FOR OTHER RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Election Code Sec. 2.021 through 2.023, if no candidate for a place on City Council receives a majority of the vote a runoff election is required between the candidates who receive the highest and second highest number of votes; and

WHEREAS, pursuant to Section 5.05, Article V. Nomination and Elections of the City of Gonzales Home Rule Charter, in the absence of a majority of the votes cast for that position a run-off election shall be held in accordance with State law; and

WHEREAS, a canvassing of the returns and declaring the results of a General Election held on May 1, 2021 was approved by the City Council on May 6, 2021; and

WHEREAS, the canvass determined that, in the race for City Council District 2 no candidates received a majority of the votes cast; and

WHEREAS, the two candidates receiving the highest number of votes for the office of City Council District 2 were Sherri Tumlinson Koepp and Johnnie R. Hunt.

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

Section 1. The recitals set out above are hereby found to be true and correct and are incorporated within this resolution for all purposes.

Section 2. There is hereby ordered a Runoff Election to be held in the City of Gonzales, Texas, on the 1st day of June 2021, for the purpose of electing City Council District Two (2). It is further ordered as follows:

- (a) Election Day voting will be conducted on June 1, 2021 from 7:00 a.m. to 7:00 p.m., and the polling place shall be located at the Gonzales Municipal Building located at 820 St. Joseph Street, Gonzales, Texas, 78629; and
- (b) Early voting by personal appearance shall be conducted on May 20th - 21st, from 8:00 a.m. to 5:00 p.m., May 24th - 25th from 7:00 a.m. to 7 p.m. and May 26th - 28th from 8 a.m. to 5:and the polling place shall be located at 820 St. Joseph Street, Gonzales, Texas, 78629; and
- (c) Only qualified voters of the City of Gonzales District 2 shall be eligible to vote; and
- (d) The candidates receiving a majority of the votes cast for City Council District Two (2) shall be declared elected to such office.

Section 3. The Candidates for the Runoff Election shall be as follows:

City Council District Two (2): Sherri Tumlinson Koepp and Johnnie R. Hunt.

Section 4. The Runoff Election shall be conducted in accordance with the requirements of the Texas Election Code and the City Charter.

Section 5. The City Secretary is hereby directed and authorized as follows:

- (a) To provide post and publish notice of the Runoff Election in accordance with the terms of state law;
- (b) Procure and furnish and all necessary supplies to conduct the election; and
- (c) Serve as the custodian of records the Custodian of Records ("Custodian") and agent to the Council to perform the duties related to the conduct and maintenance of records of the Election as required under the Texas Election Code; and
- (d) Assume such other duties reasonably necessary to assure that the Runoff Election is conducted in compliance with the requirements of the City Charter and state law.

Section 6. Applications for ballot by mail shall be requested as follows:

- (a) Request for ballots by mail for City of Gonzales residents shall be mailed to: Kristina Vega, Early Voting Clerk, P.O. Box 547, Gonzales, Texas 78629. Applications for early voting ballot by mail must be received no later than the close of business on May 21, 2021.

Section 7. All ballots shall be prepared in accordance with Texas Election Code. Paper ballots shall be used for early voting by mail and for provisional ballots. The ExpressVote BMD with DS200 scanner shall be used for early voting by personal appearance and voting on Election Day. The City Council hereby adopts for use in early voting and Election Day voting the ExpressVote BMD with DS200 Scanner as approved by the Secretary of State. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials is hereby authorized.

Section 8. All ordinances, or part 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 ordained herein for the period of time stated.

Section 9. 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.

Section 10. 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.

Section 11. This ordinance shall become effective immediately upon its passage.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 6th DAY of May, 2021.

Mayor, Connie Kacir

ATTEST:

Kristina Vega, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Authorizing the Mayor to Execute a Voting Machine Rental Service Agreement with Gonzales County for the June 1, 2021 Runoff Election

DATE: May 6, 2021

TYPE AGENDA ITEM:

Action

BACKGROUND:

An agreement must be completed for the rental of Gonzales County's Electronic Voting System to be utilized for the June 1, 2021 Runoff Election. Once approved by City Council, the Commissioner's Court must approve the rental agreement and use of the equipment as well.

POLICY CONSIDERATIONS:

N/A

FISCAL IMPACT:

The Fiscal Year 2020-2021 Budget includes \$12,000 for election expenses. This was assuming half of the cost of the November 2020 election would be paid in the form of a deposit in FY 2019-2020 with the remainder being paid in this fiscal year. Gonzales County did not have the availability to pay a portion of the election in the previous year. As such, \$11,674.99 has been spent to date which includes the full amount of the November 2020 election and some costs associated with the General/Special Election. A budget amendment will be required as the costs are more clearly identified.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this agreement.

VOTING MACHINE RENTAL SERVICE AGREEMENT
CITY OF GONZALES, TEXAS and GONZALES COUNTY

Gonzales County, Texas, hereinafter designated as “the County”, represented in this agreement by the Gonzales County Judge, hereby agrees to rent the following voting machine(s) to the CITY OF GONZALES hereinafter designated as “Renter” on the terms stated below, for the use on Election Day Voting and Early Voting in the Runoff Election on June 1, 2021.

Name of School or City and address here: CITY OF GONZALES
820 St. Joseph Street,
Gonzales, TX 78629

- I. Renter has requested the rental of 3 ES&S Express Vote machines and 2 DS200 Precinct Scanner.
- II. The rental period of voting machine shall commence at 8am on May 11, 2021 and shall end no later 5pm on June 4, 2021.
- III. The said machine(s) will be delivered by the County on May 11, 2021 and picked up by the County at said place on June 4, 2021.
- IV. The County Commissioner’s Court has set a rate of \$75 per item of equipment per day/ per election. The contracting Officer must submit the actual cost for the contracted lease, pursuant to the Contract with the Renter no later than ten days after the election. The renter agrees to pay all the costs of the equipment within 15 days of receipt of the statement.
- V. Renter agrees to and will process as specified and in accordance with the County’s contract with ES&S in regard to layout, ordering and programming of ballots and audio programming for the voting machine(s). County will inform Renter of specified process to be used to assure timely receipt of ballots and programming for Early Voting and Election Day.
- VI. Only voting machine which the County believes to be in safe operating condition will be provided and the Renter agrees to hold the County harmless for any damages arising from the Renter’s use of the voting machine.
- VII. Renter agrees the voting machine(s) will remain in the same condition as when received, normal and considerate usage wear accepted. Renter agrees to reimburse the County for the costs to repair damages to the said machine(s) during such time as the County does not have control or custody of said machine(s).
- VIII. **Nontransferable Functions.** Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the election is to be filed, the place at which any function is to be carried out, the officers who conduct the official canvass of the election returns, the office to serve as custodian of the voted ballots or other election records, or any other nontransferable functions specified by section 31.096 of the Texas Election Code.
- IX. **Cancellation of Election.** If the renter cancels its election pursuant to Section 2.053 of the Texas Election code, the County shall be entitled to receive only the actual expenses incurred before the date of

cancellation in connection with the election. The County shall submit an invoice for such expenses as soon as reasonably possible after it receives notice of the cancellation.

X. **Representatives.** For purposes of implementing this contract and coordinating the activities it addresses, the Renter and the County shall designate the following individuals. Whenever the contract requires submission of Information or documents or notices to the Renter or the County, respectively, submission or notice shall be to these individuals:

VII. In the event of equipment failure or malfunction, the local contact name and phone number to be contacted between the hours of 7 a.m. and 7 p.m. for Election Day and between the hours of 8 a.m. and 5 p.m. for Early Voting is provided by County:

Name: Lona Ackman, County Clerk Phone: 830-672-2801

In witness of this Agreement, we the County and the Renter affix our signatures on this 6th day of May, 2021.

CITY OF GONZALES

GONZALES COUNTY

BY: _____
Connie L. Kacir, Mayor

BY: _____
Patrick C. Davis, County Judge

ATTEST:

Kristina Vega, City Secretary

ATTEST:

Lona Ackman, County Clerk

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider and Possible Action on Resolution #2021-29 Approving the recommendation of the Gonzales Convention & Visitor Bureau for the expenditure of funds in the amount of \$20,000 to the Come and Take It Committee to assist in securing entertainment options for the 2021 Come and Take It Celebration

DATE: May 6, 2021

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The City is required as per statute to use the local hotel occupancy taxes for promoting tourism and the convention and hotel industry in the City of Gonzales. The Come and Take It Celebration is Gonzales' premier annual event, hosted by the Come and Take It Committee. The festival commemorates the firing of the first shot of the Texas Revolution in 1835 and is held each year during the first weekend in October (with the exception of 2020 due to the pandemic). The event is reported to provide an economic impact of over \$1.2M annually to the destination, supporting lodging, dining, retail and service establishments.

This year's event will be the first since the start of the pandemic that has crippled the tourism industry globally. The Come and Take It Celebration will serve as a significant step forward in Gonzales' economic recovery. In an effort to secure entertainment options to provide more activities for families, the Gonzales Convention and Visitors Bureau Advisory Board respectfully requests the City Council's consideration of approval for \$20,000.00 in HOT funds to be provided to the Come and Take It Committee for the 2021 Come and Take It Celebration.

POLICY CONSIDERATIONS:

Enhancing the family entertainment options of the 2021 Come and Take It Celebration will result in an increase in both sales tax revenue and hotel occupancy tax revenue and is an approvable expense as per Chapter 351 of the Texas Tax Code.

FISCAL IMPACT:

The fiscal impact to the Hotel Motel Fund, if given final approval by the City Council, will be \$20,000.00. This amount will come from the fund balance of the Hotel Motel Fund. A budget amendment will be done at a later date.

STAFF RECOMMENDATION:

Staff respectfully requests approval of this request.

RESOLUTION NO. 2021-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING THE RECOMMENDATION OF THE GONZALES CONVENTION & VISITOR BUREAU FOR THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$20,000 TO THE COME AND TAKE IT COMMITTEE TO ASSIST IN SECURING ENTERTAINMENT OPTIONS FOR THE 2021 COME AND TAKE IT CELEBRATION, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to state statutes and its home rule charter, the City has adopted a municipal hotel occupancy tax on occupants of hotels within the City; and,

WHEREAS, the City is required to use such local hotel occupancy taxes for promoting tourism and the convention and hotel industry in the manner set forth in Chapter 351 of the Texas Tax Code; and,

WHEREAS, the City Council, on behalf of the City, may provide authorization to the Gonzales Convention and Visitors Bureau for the management or supervision of programs and activities funded with revenue from the hotel occupancy tax (HOT Funds); and,

WHEREAS, the Gonzales Convention and Visitors Bureau may provide funding assistance from the hotel occupancy taxes (HOT funds) in the amount of \$20,000.00 for the 2021 Come and Take It Celebration; and

WHEREAS, the amount of \$20,000.00 will be amended within the FY20-21 budget for the Gonzales Convention and Visitors Bureau and be funded by the hotel occupancy tax (HOT Funds) fund balance; and.

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

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 Gonzales Convention and Visitors Bureau to provide funding assistance to the Come and Take It Committee to be used for the purpose of securing entertainment options for the 2021 Come and Take It Celebration in the amount of \$20,000.00, to be expended in conformance with Texas Tax Code Section 351.001.

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

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

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

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

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

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

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

PASSED AND APPROVED this 6th day of May, 2021.

Mayor, Connie L. Kacir

ATTEST:

Kristina Vega, City Secretary