

**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET  
AGENDA –OCTOBER 12, 2023 6:00 P.M.**

**CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE**

**CITY EVENTS AND ANNOUNCEMENTS**

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

**HEARING OF RESIDENTS**

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

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

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

**OTHER BUSINESS**

- 1.1 Domestic Violence Awareness Month 2023-October 2023
- 1.2 Presentation and Discussion regarding the Beautification Advisory Board Report, presented by Main Street Director, Tiffany Hutchinson-Padilla
- 1.3 Presentation and Discussion regarding water towers, pressure tanks, water wells and underground water presented by Barry Miller
- 1.4 Discuss, Consider and Possible Action Regarding the Disposition and Potential Sale of Surplus Real Property

**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 September 14, 2023 Regular Meeting

- 2.2 Discuss, Consider and Possible Action on **Resolution #2023-96** Approving a Type B Economic Development Project and Performance Agreement by and Between the GEDC and ButlerWood, Inc.-Second Reading
- 2.3 Discuss, Consider & Possible Action on **Resolution #2023-112** Approving the City of Gonzales 2024 Holiday Schedule
- 2.4 Discuss, Consider & Possible Action on **Resolution #2023-113** Authorizing the Use of Independence Square Including the Parking Lot for the Gonzales Master Gardener's Annual Spring Plant Sale on April 13, 2024
- 2.5 Discuss, Consider & Possible Action on **Resolution #2023-114** Authorizing the City Manager to Execute a License Agreement with the Texas Junior High Rodeo Association (TJHRA)
- 2.6 Discuss, Consider & Possible Action on **Resolution #2023-115** Authorizing JB Wells staff to organize and hold a Spooky Trail Event on Santa Anna Mound on October 28, 2023
- 2.7 Discuss, Consider & Possible Action on **Resolution #2023-116** Approving the 2023 Final Tax Roll for the City of Gonzales
- 2.8 Discuss, Consider & Possible Action on **Resolution #2023-117** Authorizing the City Manager to Execute Addendum Six to the Agreement with Guadalupe Valley Electric Cooperative for the Electric Utility Operations, Day-to-Day Maintenance Services

## **RESOLUTION**

- 3.1 Public Hearing, Discussion & Possible Action on **Resolution #2023-118** Authorizing the City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas General Land Office (GLO) for \$2,999,400 in CDBG-MIT grant funds for Infrastructure Improvements to Mitigate the Impact of Future Flooding Events
- 3.2 Discuss, Consider and Possible Action on **Resolution #2023-119** Authorizing the Nomination of Candidates for Positions to be Filled on the Gonzales Central Appraisal District Board of Directors
- 3.3 Discuss, Consider and Possible Action on **Resolution #2023-120** Rescheduling the January 11, 2024, Regular City Council Meeting to January 18, 2024
- 3.4 Discuss, Consider and Possible Action on **Resolution #2023-121** Authorizing the City Manager to Execute a Publicity and Tourism Agreement with the Chamber of Commerce for the hosting and operations of the Gonzales Chamber of Commerce
- 3.5 Discuss, Consider & Possible Action on **Resolution #2023-122** Authorizing the Appointments to the Airport Advisory Board, Gonzales Convention & Visitors Bureau, Museum Advisory Board, and Zoning Board of Adjustment & Sign Control Board

- 3.6 Discuss, Consider & Possible Action on **Resolution #2023-123** Authorizing the City Manager To Execute an Interlocal Cooperation Contract and Lease Agreement between Victoria College and the City of Gonzales
- 3.7 Discuss, Consider & Possible Action on **Resolution #2023-124** Approving Changes to the Current Position Classifications for Fiscal Year 2023-2024
- 3.8 Discuss, Consider & Possible Action on **Resolution #2023-125** Authorizing Amendments to the City of Gonzales Personnel Policy
- 3.9 Discuss, Consider & Possible Action on **Resolution #2023-126** Declaring Certain Electric Equipment as Surplus and Authorizing a Sale to Techline Construction, LLC Pursuant to the Existing Agreement in Place between the entities
- 3.10 Discuss, Consider & Possible Action on **Resolution #2023-127** Authorizing the City Manager to Execute a Contract with JET Development LLC in an amount not to exceed \$65,000 for grant administration services for the TXGLO MIT MOD allocation through the Golden Crescent Regional Planning Commission for funding to be administered through the General Land Office (GLO)

#### **STAFF/BOARD REPORTS**

- 4.1 Finance Director, Laura Zella will provide feedback on any questions regarding:
  - Financial Reports for funds as of September 30, 2023
  - Cash & Investment by Fund as of September 30, 2023
- 4.2 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**

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

#### **RETURN TO OPEN SESSION**

- 6.1 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 October 12, 2023, agenda of items to be considered by the Gonzales City Council was posted on the City Municipal Building bulletin board on the 9<sup>th</sup> day of October 2023 at 5:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting. I further certify that the above agenda was removed on \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_am/pm. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.

---

Kristina Vega, City Secretary

The meeting facility is wheelchair accessible and accessible parking spaces are available. 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.



# Proclamation

## Domestic Violence Awareness Month 2023

**WHEREAS**, the crime of domestic violence violates an individual's privacy and dignity, security and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse including abuse to children and the elderly; and

**WHEREAS**, the problems of domestic violence are not confined to any group or groups of people, but cut across all economic, racial and societal barriers, and are supported by societal indifferences; and

**WHEREAS**, the impact of domestic violence is wide ranging, directly effecting individuals and society as a whole, here in this community Guadalupe Valley Family Violence Shelter answered **992 crisis calls and provided 6398 services to survivors from September 2022 to July 2023** and

**WHEREAS**, women are not only targets; men, young children and the elderly also are victims, and sadly, emotional scars are often permanent, and domestic violence costs United States' companies at least \$3.5 billion in lost work time, increased health care costs, higher turnover, and lower productivity; and

**WHEREAS**, it is battered women themselves who have been in the forefront of efforts to bring peace and equality to the home.

**NOW, THEREFORE**, I, Steve Sucher, Mayor, of the City of Gonzales, Texas, do hereby proclaim the month of October as **"Domestic Violence Awareness Month"** and call all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our effort to prevent domestic violence, thereby strengthening the communities in which we live.

**Presented this 12th Day of October 2023**

---

Steve Sucher, Mayor

Attest:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Regarding the Disposition and Potential Sale  
of Surplus Real Property

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Discussion

### **BACKGROUND:**

In 2020, the Mayor requested a list of the properties that were owned by the City of Gonzales and that list was provided on November 5, 2020. In July of 2021 staff was asked to review all the properties to determine which have future value for the city and those remaining should be placed on the next council agenda to be listed for sale. Staff presented a compiled list of all real property owned by the City of Gonzales according to the Gonzales County Appraisal District along with pictures of each. The information that the Finance Director presented did not include unopened streets. After the presentation, staff was asked to review the list further and come up with a list of the parcels that they felt could be sold. In June of 2022, the City Council directed staff to dispose of two properties, but not the properties listed below. Staff has further reviewed the properties and has deemed the properties serve no purpose to the City and recommends they be sold or disposed of:

Parcel 12259 – 0.9195 acres of vacant property located behind Victoria College on St. Paul.

Parcel 12272 – 0.264 acres of vacant property located behind Victoria College on St. Paul.

Parcel 12273 – 0.264 acres of vacant property located behind Victoria College on St. Paul.

Parcel 24628 – 0.2293 acres of vacant property where old water tower was located on corner of St. Paul and E. Cone Street.

### **POLICY CONSIDERATIONS:**

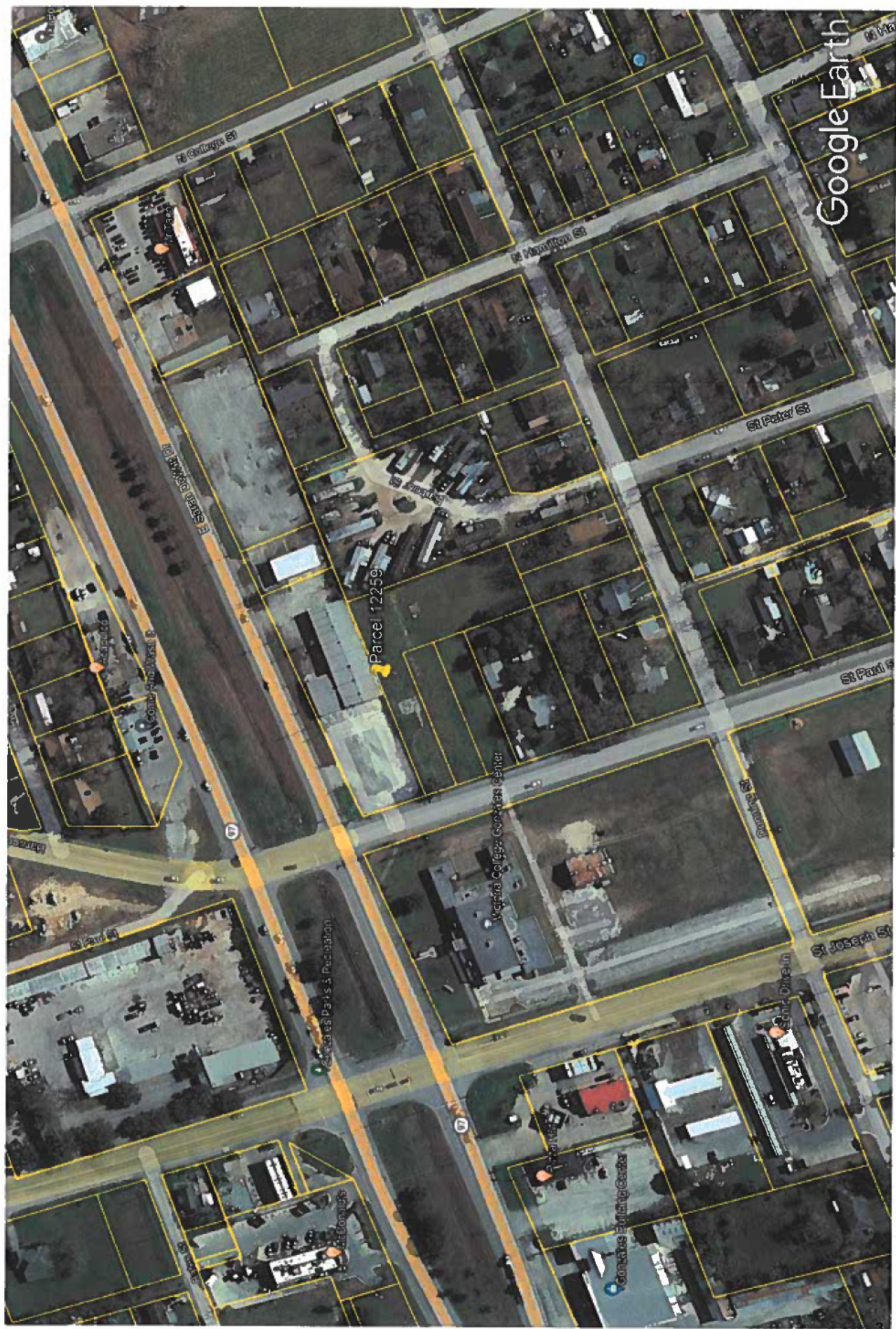
Per statute, the City must obtain fair market value for the property which can be done in several ways. Those being: 1) obtain an appraisal and sell the property for the appraised value; 2) sell by public auction or by sealed bid under Section [272.001](#) of the Local Government Code; or 3) contract with a broker to sell the real property under Section 253.014 of the Local Government Code. The governing body may sell a tract of real property under this section without complying with the public auction requirements prescribed by Section [253.008](#) or other law or the notice and bidding requirements prescribed by Section [272.001](#) or other law.

### **STAFF RECOMMENDATION:**

Staff is seeking City Council direction on this item.



PARCEL 12259 – 0.9195 ACRES – Vacant Property





PARCEL 12273 – 0.264 ACRES – Vacant Lot on St. Paul

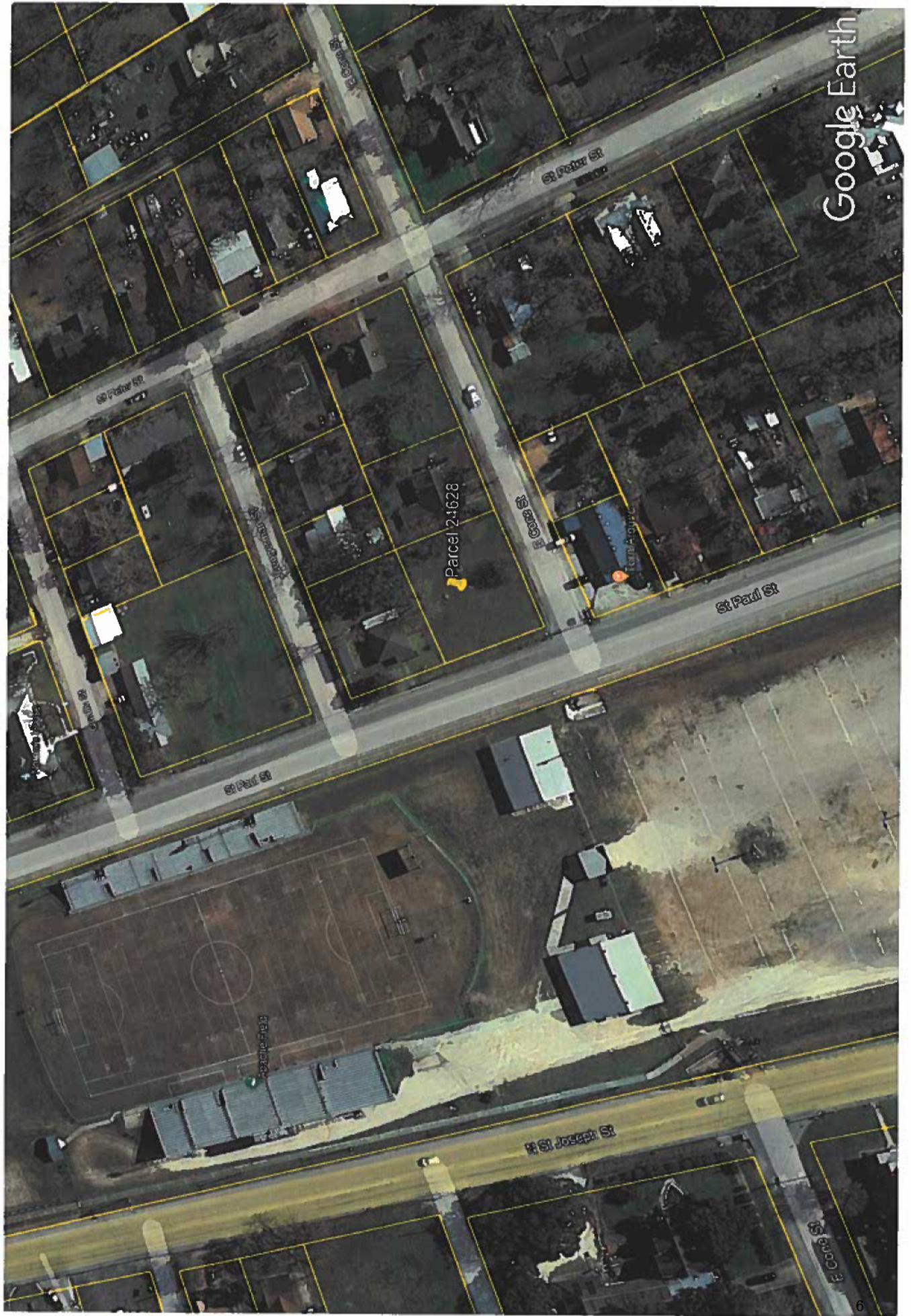








PARCEL 24628 -- 0.2293 ACRES -- vacant lot where water tower was previously located



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

The regular meeting of the City Council was held on **September 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](http://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.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Sherri Koepp	Council Member, District 2, Mayor Pro Tem	Present
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, Tammy West-Police Lt., Susan Sankey-Economic Development Director, Tiffany Hutchinson-Padilla-Main Street Director, & Marland Mercier-Water/Wastewater Superintendent.

**CITY EVENTS AND ANNOUNCEMENTS**

- Announcements of upcoming City Events-Mayor Sucher reminded the community of the upcoming events for the community.
- Announcements and recognitions by the City Manager- City Manager Crow commended the Police Chief for the job well done on securing the GPAWs agreement and on a job well done on the National Night Out project organization. City Manager Crow commended Ralph Camarillo and staff on the cleaning of the RV spots along the river along with Todd Remschel and staff on the tree trimming throughout the park and the city.
- Announcements and recognitions by the Mayor- Mayor Sucher acknowledged city employees and departments for their engagement and events within the community. Mayor Sucher honored the memory of Everett Deschner and Thomas “Tommy” Cox.
- Recognition of actions by City employees-None
- Recognition of actions by community volunteers- Mayor Sucher acknowledged community members that are involved in many positive community efforts.

**HEARING OF RESIDENTS**

Bob Burchard spoke regarding JB Wells Park profit versus loss information that he has gathered and gave handouts to City Council.

James Lawrence spoke in favor of the sale of the Lynn Theater.



Thomas Enriquez spoke regarding a job well done by the city staff for the upkeep of the city, and regarding the housing situation in the community.

Mayor Sucher gave applause to the city crews for their hard work around the city.

Mayor Sucher presented a proclamation to the Daughters of Republic, dedicating the week of September 17-23, 2023, as Constitution Week honoring the two hundred and thirty sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention.

## **BUDGET AND TAX RATE ITEMS**

- 1.1 Discuss, Consider & Possible Action on **Ordinance #2023-10** Approving the Operating Budget for the City of Gonzales and the Gonzales Economic Development Corporation for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; Renewing the City's Financial Policy, Investment Policy, and Budget Contingency Policy

### **ACTION: Item 1.1**

### **APPROVED**

Council Member Krider moved to approve **Ordinance #2023-10** Approving the Operating Budget for the City of Gonzales and the Gonzales Economic Development Corporation for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; Renewing the City's Financial Policy; Investment Policy, and Budget Contingency Policy. Council Member Koepp seconded the motion. Mayor Sucher called for a roll call vote. For: Kridler, Koepp, Hernandez, and Sucher. Against: Miller. The motion passes 4 to 1.

- 1.2 Discuss, Consider & Possible Action Approving **Resolution #2023-93** to Ratify the Property Tax Revenue Increase Reflected in the Fiscal Year 2023-2024 Budget as required by Texas Local Government Code Section 102.007 when adopting a budget that will require raising more revenues from property taxes than in the previous year.

### **ACTION: Item 1.2**

### **APPROVED**

Council Member Koepp moved to approve **Resolution #2023-93** to ratify that the property tax rate be increased by the adoption of a tax rate of 0.2938, which is effectively a 0.96 percent increase in the tax rate (Percentage by which the proposed tax rate exceeds the No-New Revenue tax rate). Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Kridler, Koepp, and Sucher. Against: Hernandez and Miller. The motion passes 3 to 2.

- 1.3 Discuss, Consider & Possible Action on **Ordinance #2023-11** Approving the 2023 Ad Valorem Tax Rate and Levy of Assessed Valuation of All Taxable Property Within the Corporate Limits of the City of Gonzales, Texas

### **ACTION: Item 1.3**

### **APPROVED**

Council Member Koepp moved to approve **Ordinance #2023-11** Approving an ad valorem tax rate of \$0.1635 on each \$100 of assessed valuation of taxable property for general city purposes and to pay the current maintenance and operations expenses of the City of Gonzales, for the fiscal year ending September 30, 2024, and to adopt Ordinance No. 2023-11, fixing and levying the same for a total tax of \$0.2938 on each \$100 of assessed valuation. I move that the property tax rate be increased by the adoption of a tax rate of



0.2938, which is effectively a 0.96 percent increase in the tax rate. (Percentage by which the proposed tax rate exceeds the No-New Revenue tax rate). I move to approve an ad valorem tax rate of \$0.1303 on each \$100 of assessed valuation of taxable property for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid and outstanding indebtedness, and related fees of the City of Gonzales, for the fiscal year ending September 30, 2024, and to adopt Ordinance No. 2023-11, fixing and levying the same for a total tax of \$0.2938 on each \$100 of assessed valuation. I move that the property tax rate be increased by the adoption of a tax rate of 0.2938, which is effectively a 0.96 percent increase in the tax rate. (Percentage by which the proposed tax rate exceeds the No-New Revenue tax rate). Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Kridler, Koepp, and Sucher. Against: Hernandez and Miller. The motion passes 3 to 2.

- 1.4 Discuss, Consider & Possible Action on **Resolution #2023-94** Authorizing and Adopting the Investment Policy for the City of Gonzales

**ACTION: Item 1.4**

**APPROVED**

Council Member Kridler moved to approve **Resolution #2023-94** Authorizing and Adopting the Investment Policy for the City of Gonzales. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passes 5 to 0.

- 1.5 Discuss, Consider & Possible Action on **Ordinance #2023-12** Adopting the City of Gonzales Rate and Fee Schedule and for various city services; consolidating those fees for convenience

**ACTION: Item 1.5**

**APPROVED**

Council Member Koepp moved to approve **Ordinance #2023-12** Adopting the City of Gonzales Rate and Fee Schedule and for various city services; consolidating those fees for convenience. Council member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Kridler, Koepp, Hernandez, and Sucher. Against: Miller. The motion passes 4 to 1.

**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 August 10, 2023 Regular Meeting, August 14, 2023 Workshop & September 7, 2027 Special Called Meeting
- 2.2 Discuss, Consider & Possible Action on **Resolution #2023-95** Declaring Certain City Property Surplus and Authorizing the Sale of Said Property in the manner most advantageous to the City of Gonzales
- 2.3 Discuss, Consider & Possible Action on **Resolution #2023-85** Approving Type B Economic Development Agreement between the Gonzales Economic Development Corporation and the City of Gonzales, Texas Authorized Pursuant to Section 505.158 of

the Texas Local Government Code for State Grant Matching Funds for the Airport Runway Lighting Project in the amount of \$145,000.00-Second Reading

- 2.4 Discuss, Consider & Possible Action on **Resolution #2023-96** Approving a Type B Economic Development Project and Performance Agreement by and Between the GEDC and ButlerWood, Inc.-First Reading
- 2.5 Discuss, Consider & Possible Action on **Resolution #2023-97** Authorizing the City Manager to Enter into an Agreement with Gonzales Paws and Whiskers, Inc.
- 2.6 Discuss, Consider & Possible Action on **Resolution #2023-98** Authorizing the City Manager to Enter into an Agreement with Gonzales Dog Adoptions
- 2.7 Discuss, Consider & Possible Action on **Resolution #2023-99** Authorizing the Expenditure in an amount not to exceed \$3,000.00 to Norma's House, Gonzales Regional Children's Advocacy Center, Inc. from the Restricted Use Municipal Court Child Safety Fund
- 2.8 Discuss, Consider & Possible Action on **Resolution #2023-100** Authorizing the City Manager to Execute an Agreement between the City of Gonzales and Gonzales County Senior Citizens Association, Inc.
- 2.9 Discuss, Consider & Possible Action on **Resolution #2023-101** Authorizing the City Manager to Execute an Agreement between the City of Gonzales and Preservation Gonzales, Inc. for Historical Preservation
- 2.10 Discuss, Consider & Possible Action on **Resolution #2023-102** Authorizing the City Manager to Execute an Agreement between the City of Gonzales and Gonzales Crystal Theater, Inc. for Historical Preservation and the Encouragement, Promotion, Improvement, and Application of the Arts
- 2.11 Discuss, Consider & Possible Action on **Resolution #2023-103** Authorizing the City Manager to Execute an Agreement between the City of Gonzales and The Edwards Association for Historical Preservation
- 2.12 Discuss, Consider & Possible Action on **Resolution #2023-104** Authorizing the City Manager to Execute an Agreement between the City of Gonzales and Gonzales County Restoration Association dba Gonzales Pioneer Village for Historical Preservation
- 2.13 Discuss, Consider & Possible Action on **Resolution #2023-105** Authorizing the City Manager to Execute an Agreement between the City of Gonzales and Gonzales Chapter Daughters of the Republic of Texas for Historical Preservation

**ACTION: Items 2.1 through 2.13**

**APPROVED**

Council Member Koepp moved to approve the consent agenda Items 2.1 through 2.13. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

## **RESOLUTION**

- 3.1 Discuss, Consider & Possible Action on **Resolution #2023-106** Approving an Administrative Services Agreement by and Between the GEDC and City of Gonzales, Texas

### **ACTION: Item 3.1**

### **APPROVED**

Council Member Miller moved to approve **Resolution #2023-106** approving an Administrative Services Agreement by and Between the GEDC and City of Gonzales, Texas. 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 & Possible Action on **Resolution #2023-107** Approving a Performance Agreement with HUB CITY Revitalization, LLC and Approving the Execution of a Commercial Contract – 510 St Paul

### **ACTION: Item 3.2**

### **APPROVED**

Council Member Miller moved to approve **Resolution #2023-107** Approving a Performance Agreement with HUB CITY Revitalization, LLC and Approving the Execution of a Commercial Contract – 510 St Paul. Council Member Koepp seconded the motion. Mayor Sucher called for a roll call vote. For: Miller, Koepp, Kridler and Sucher. Against: Hernandez. The motion passed 4 to 0.

- 3.3 Discuss, Consider & Possible Action on **Resolution #2023-108** Authorizing the Appointments and Reappointments to the Airport Advisory Board, Gonzales Convention & Visitors Bureau, Gonzales Economic Development Corporation, Gonzales Golf Course Advisory Board, JB Wells Park Advisory Board, Gonzales Library Board, Main Street Advisory Board, Museum Advisory Board, Planning & Zoning Commission, and Zoning Board of Adjustment & Sign Control Board

## **CONVENE INTO CLOSED SESSION:**

The Council convened into closed session at 6:36 p.m.

## **CLOSED SESSION**

The Council convened into closed session regarding agenda item 3.3 Board Appointments 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”, and 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.

## **RETURN TO OPEN SESSION**

The Council convened into open session at 6:58 p.m.

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

**ACTION: Item 3.3****APPROVED**

Council Member Koepp moved to approve **Resolution #2023-108** Authorizing the Appointments and Reappointments to the Airport Advisory Board, Gonzales Convention & Visitors Bureau, Gonzales Economic Development Corporation, Gonzales Golf Course Advisory Board, JB Wells Park Advisory Board, Gonzales Library Board, Main Street Advisory Board, Museum Advisory Board, Planning & Zoning Commission, and Zoning Board of Adjustment & Sign Control Board. Council Member 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 #2023-109** Authorizing the City Manager to Execute Addendum Two to the Agreement with Frontier Access, LLC (Frontier Waste Solutions) For Solid Waste Collection and Disposal Services Providing For a Residential, Commercial, and Industrial Unit Fuel Cost Adjustment Increase in the Amount of 5.7%

**ACTION: Item 3.4****APPROVED**

Council Member Miller moved to approve **Resolution #2023-109** Authorizing the City Manager to Execute Addendum Two to the Agreement with Frontier Access, LLC (Frontier Waste Solutions) For Solid Waste Collection and Disposal Services Providing For a Residential, Commercial, and Industrial Unit Fuel Cost Adjustment Increase in the Amount of 5.7%. Council Member Hernandez 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 #2023-110** Authorizing the Nomination of Candidates for Positions to be Filled on the Gonzales Central Appraisal District Board of Directors

**ACTION: Item 3.5****POSTPONED**

Council Member Kridler moved to postpone **Resolution #2023-110** Authorizing the Nomination of Candidates for Positions to be Filled on the Gonzales Central Appraisal District Board of Directors. Council Member Koepp seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.6 Discuss, Consider & Possible Action **Resolution #2023-111** Authorizing the City to waive certain costs associated with remedying a leak and bringing three properties into compliance under the City's Water and Wastewater Utilities

**ACTION: Item 3.6****APPROVED**

Council Member Koepp moved to approve **Resolution #2023-111** Authorizing the City to waive certain costs associated with remedying a leak and bringing three properties into compliance under the City's Water and Wastewater Utilities. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

**ORDINANCES**

- 4.1 Discuss, Consider & Possible Action on **Ordinance #2023-13** Approving the City of Gonzales' Texas Municipal Retirement System Benefits Authorizing: (1) An Increase to the Employee Contribution Rate; (2) Non-Retroactive Repeating COLAS, For Retirees and

Their Beneficiaries Pursuant to TMRS Act §853.404(f) and (f-1), AND (3) ANNUALLY ACCRUING UPDATED SERVICE CREDITS

**ACTION: Item 4.1**

**APPROVED**

Council Member Koepp moved to approve **Ordinance #2023-13** Approving the City of Gonzales' Texas Municipal Retirement System Benefits Authorizing: (1) An Increase to the Employee Contribution Rate; (2) Non-Retroactive Repeating COLAS, For Retirees and Their Beneficiaries Pursuant to TMRS Act §853.404(f) and (f-1), AND (3) ANNUALLY ACCRUING UPDATED SERVICE CREDITS. Council Member Kridler 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 #2023-14** Repealing Chapter 8 Offenses and Nuisances, Article 8.500 Curfew for Minors of the City of Gonzales Code of Ordinances

**ACTION: Item 4.2**

**APPROVED**

Council Member Miller moved to approve **Ordinance #2023-14** Repealing Chapter 8 Offenses and Nuisances, Article 8.500 Curfew for Minors of the City of Gonzales Code of Ordinances. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

**STAFF/BOARD REPORTS**

- 5.1 Finance Director provided feedback on any questions regarding:
- Financial Reports for funds as of August 31, 2023
  - Cash & Investment by Fund as of August 31, 2023
- 5.2 City Manager, Tim Crow provided a brief update to the City Council on the following:
- Timeline on Capital Improvement and Departmental Projects
    - Recently Completed Projects
    - Projects Currently in Process
    - Upcoming Projects

**CITY COUNCIL REQUESTS AND ANNOUNCEMENTS**

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

No requests or announcements were made.

**ADJOURN**

On a motion by Council Member Kridler and second by Council Member Koepp, the meeting was adjourned at 7:35 p.m.

Approved this 12<sup>th</sup> day of October, 2023.

---

Mayor, S.H. Sucher

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-96 Approving a Type B Economic Development Project and Performance Agreement by and Between the GEDC and ButlerWood, Inc.-Second Reading

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

On July 19, 2023, GEDC Executive Director Susan Sankey and EDC Administrative Assistant Alexis Cerda met with Jake and Bonnie Butler in regard to their Business Incentive Grant Application. The scope of work for the project is to install a natural gas line and three phase power, install a 12-cord kiln, install underground electrical lines, install gates and fences, pour two concrete slabs, and lay approximately 4.7-acres of base on the property.

The estimated cost of site improvements is \$724,000. ButlerWood anticipates it will add 4 full-time positions in the next 5 years with these associated improvements.

ButlerWood was established in 2004 and is in a unique industry of wood manufacturing, processing and distribution with a land clearing division, and welding fabrication. ButlerWood provides wood products, such as cooking wood, to many large storefronts and restaurants across the US.

At its August 28, 2023 meeting, the GEDC unanimously approved a \$270,000 reimbursable Business Incentive Grant to ButlerWood, Inc. for the improvements being made to 820 Oilpatch Ln.

As required by statute the first reading of the project was considered and approved at the September 14<sup>th</sup> City Council meeting.

### **POLICY CONSIDERATIONS:**

Sec 505.158 PROJECTS RELATED TO BUSINESS DEVELOPMENT IN CERTAIN SMALL MUNICIPALITIES. (b) A Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation's authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.

### **FISCAL IMPACT:**

The GEDC has funds available in the Business Development line item (7-700.716) for the 2022 – 23 FY.

**ATTACHMENTS:**

Performance Agreement

**STAFF RECOMMENDATIONS:**

Staff respectfully recommends the board take action as deemed necessary.



## RESOLUTION NO. 2023-96

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING A TYPE B ECONOMIC DEVELOPMENT PROJECT AND PERFORMANCE AGREEMENT BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION AND BUTLERWOOD, INC; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS,** the Gonzales Economic Development Corporation (hereinafter referred to as the “GEDC”) is a Type B economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended; and

**WHEREAS,** Section 501.101 of the Texas Local Government Code, in pertinent part, defines the term “project” to mean “land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements that are: (1) for the creation or retention of primary jobs; and (2) found by the board of directors to be required or suitable for the development, retention, or expansion of: (A) manufacturing and industrial facilities; (B) research and development facilities; (C) military facilities, including closed or realigned military bases; . . . (F) recycling facilities; . . . (I) distribution centers; (J) small warehouse facilities capable of serving as decentralized storage and distribution centers; (K) primary job training facilities for use by institutions of higher education; or (L) regional or national corporate headquarters facilities”; and

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

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

**WHEREAS,** the Board of Directors of the Gonzales Economic Development Corporation find and determine that the economic development assistance as specified in the Performance Agreement, attached hereto as *Exhibit A*, will promote new or expanded business development, and otherwise meets the definition of “project,” as that term is defined by Sections 501.101, 501.103, and 505.158 of the Texas Local Government Code, and hereby approves said Performance Agreement.

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

Section 1. The City Council of the City of Gonzales does hereby approve the Performance Agreement by and between the Gonzales Economic Development Corporation and ButlerWood, Inc., a copy of which is attached hereto as *Exhibit A*, and is incorporated herein for all purposes.

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

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

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

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

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

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

**PASSED AND APPROVED on FIRST READING this 14<sup>th</sup> day of September, 2023.**

---

Mayor, S.H Sucher

**ATTEST:**

---

Kristina Vega, City Secretary

**PASSED AND APPROVED on SECOND READING this 12<sup>th</sup> day of October, 2023.**

---

Mayor, S. H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

***Exhibit A***

[Performance Agreement]

## PERFORMANCE AGREEMENT

This **PERFORMANCE AGREEMENT** by and between the **GONZALES ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as the “GEDC”), and **BUTLER WOOD, INC.**, a Texas corporation (hereinafter referred to as “Developer”), is made and executed on the following recitals, terms and conditions.

**WHEREAS**, the Gonzales Economic Development Corporation (hereinafter referred to as the “GEDC”) is a Type B economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended; and

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

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

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

**WHEREAS**, Developer has applied to GEDC for financial assistance necessary to operate a firwood supply business generally located at 820 Oilpatch Lane, in the City of Gonzales, Texas; and

**WHEREAS**, GEDC’s Board of Directors have determined the financial assistance to be provided to the Developer for the Qualified Expenditures to be made to the Property is consistent with and meets the definition of “project” as that term is defined in Sections 501.103 and 505.158 of the Texas Local Government Code; and the definition of “cost” as that term is defined by Section 501.152 of the Texas Local Government Code; and

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

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

#### **SECTION 1. FINDINGS INCORPORATED.**

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

#### **SECTION 2. TERM.**

This Agreement shall be effective as of the Effective Date, as defined herein, and shall continue thereafter until **December 31, 2029**, unless terminated sooner under the provisions hereof.

#### **SECTION 3. DEFINITIONS.**

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

- (a) **Act.** The word “Act” means Chapters 501 to 505 of the Texas Local Government Code, as amended.
- (b) **Agreement.** The word “Agreement” means this Performance Agreement, together with all exhibits and schedules attached to this Agreement from time to time, if any.
- (c) **Developer.** The words “Developer” mean Butler Wood, Inc., a Texas corporation, its successors and assigns, whose address for the purposes of this Agreement is 820 Oilpatch Lane, Gonzales, Texas, 78628.
- (d) **Effective Date.** The words “Effective Date” mean the date of the later to execute this Agreement by and between the Developer and the GEDC.
- (e) **Event of Default.** The words “Event of Default” mean and include any of the Events of Default set forth below in the section entitled “Events of Default.”
- (f) **Full-Time Equivalent Employment Positions.** The words “Full-Time Equivalent Employment Position” or “Full-Time Equivalent Employment Positions” mean and include a job requiring a minimum of One Thousand Nine Hundred Twenty (1,920) hours of work averaged over a twelve (12) month period.

- (g) **GEDC.** The term “GEDC” means the Gonzales Economic Development Corporation, a Texas non-profit corporation, its successors and assigns, whose corporate address for the purposes of this Agreement is 820 Saint Joseph Street, Gonzales, Texas 78629.
- (h) **Property.** The word “Property” means the approximately 5.913 acre tract or tracts of land generally located at 195 and 820 Oilpatch Lane, City of Gonzales, Gonzales County, Texas, and as generally depicted in ***Exhibit A*** of this Agreement, which is attached hereto and incorporated herein for all purposes.
- (i) **Qualified Expenditures.** The words “Qualified Expenditures” mean those costs associated with the construction and or improvements to the Property consisting of the following: installation of electrical and gas improvements; installation of fencing and gates to the Property; concrete work; and landscaping work, and those other expenditures which meet the definition of “project” as that term is defined in Sections 501.103 and 505.158 of the Act, and meet the definition of “cost” as that term is defined in Section 501.152 of the Act.
- (j) **Term.** The word “Term” means the term of this Agreement as specified in Section 2 of this Agreement.

#### **SECTION 4. AFFIRMATIVE COVENANTS OF DEVELOPER.**

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

- (a) **Qualified Expenditures.** Developer covenants and agrees to submit to GEDC invoices, receipts, or other documentation in a form acceptable to GEDC for the Qualified Expenditures made to the Property in a minimum amount of **Five Hundred Forty-Three Thousand Two Hundred Sixty-Eight and No/100 Dollars (\$543,268.00) by June 30, 2024.**
- (b) **Certificate of Occupancy.** Developer covenants and agrees to obtain or cause to be obtained by **June 30, 2024**, a certificate of occupancy from the City of Gonzales, Texas, for a minimum of 257,875 square feet of commercial business space located on the Property.
- (c) **Operate Firewood Supply Business.** Developer covenants and agrees by **June 30, 2024**, and during the Term of this Agreement to keep open during normal operating hours the firewood supply business located on the Property.
- (d) **Job Creation and Retention.** Developer covenants and agrees by **June 30, 2024**, and during the Term of this Agreement to employ and maintain a minimum of **four (4)** Full-Time Equivalent Employment Positions working at the Property. Developer covenants and agrees beginning on **September 1, 2024**, and during the Term of this Agreement,

Developer shall deliver to GEDC an annual compliance verification signed by a duly authorized representative of Developer that shall certify the number of Full-Time Equivalent Employment Positions, and shall disclose and certify the average wage for all Full-Time Equivalent Employment Positions (the “Annual Compliance Verification”). The Developer covenants and agrees beginning on **September 1, 2024**, and annually thereafter during the Term of this Agreement, there will be a total of **six (6)** Annual Compliance Verifications due and submitted to GEDC covering the Full-Time Equivalent Employment Positions created and maintained during the Term of this Agreement. All Annual Compliance Verifications shall include quarterly IRS 941 returns, or Texas Workforce Commission Employer Quarterly Reports.

- (e) **Performance Conditions.** Developer agrees to make, execute and deliver to GEDC such other promissory notes, instruments, documents and other agreements as GEDC or its attorneys may reasonably request to evidence this Agreement.
- (f) **Performance.** Developer agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements between Developer and GEDC.

## **SECTION 5. AFFIRMATIVE COVENANTS OF GEDC.**

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

- (a) **Reimbursement for Qualified Expenditures.** GEDC covenants and agrees to submit reimbursement for Qualified Expenditures made by the Developer pursuant to Section 4(a) of this Agreement, in an amount not to exceed the lesser of **Two Hundred Seventy Thousand and No/100 Dollars (\$270,000.00)** or the aggregate amount of said invoices, receipts, or other documentation submitted by the Developer to GEDC within thirty (30) days of receipt of said paid documentation in the minimum amount of **Five Hundred Forty-Three Thousand Two Hundred Sixty-Eight and No/100 Dollars (\$543,268.00)** consistent with Section 4(a) of this Agreement.
- (b) **Performance.** GEDC agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements between Developer and GEDC.

## **SECTION 6. CESSATION OF ADVANCES.**

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



## SECTION 7. EVENTS OF DEFAULT.

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

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

## SECTION 8. EFFECT OF AN EVENT OF DEFAULT.

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

- (a) if the Event of Default occurs between the Effective Date and **December 31, 2024**, Developer shall immediately repay to the GEDC the sum of **Two Hundred Seventy Thousand and No/100 Dollars (\$270,000.00)**;
- (b) if the Event of Default occurs between the **January 1, 2025** and **December 31, 2025**, Developer shall immediately repay to the GEDC the sum of **Two Hundred Twenty-Five Thousand and No/100 Dollars (\$225,000.00)**;

- (c) if the Event of Default occurs between the **January 1, 2026**, and **December 31, 2026**, Developer shall immediately repay to the GEDC the sum of **One Hundred Eighty Thousand and No/100 Dollars (\$180,000.00)**;
- (d) if the Event of Default occurs between the **January 1, 2027**, and **December 31, 2027**, Developer shall immediately repay to the GEDC the sum of **One Hundred Thirty-Five Thousand and No/100 Dollars (\$135,000.00)**;
- (e) if the Event of Default occurs between the **January 1, 2028**, and **December 31, 2028**, Developer shall immediately repay to the GEDC the sum of **Ninety Thousand and No/100 Dollars (\$90,000.00)**; and
- (f) if the Event of Default occurs between the **January 1, 2029** and **December 31, 2029**, Developer shall immediately repay to the GEDC the sum of **Forty-Five Thousand and No/100 Dollars (\$45,000.00)**.

## **SECTION 9. INDEMNIFICATION.**

**TO THE EXTENT ALLOWED BY LAW, EACH PARTY AGREES TO RELEASE, DEFEND, INDEMNIFY, AND HOLD HARMLESS THE OTHER (AND ITS OFFICERS, AGENTS, AND EMPLOYEES) FROM AND AGAINST ALL CLAIMS OR CAUSES OF ACTION FOR INJURIES (INCLUDING DEATH), PROPERTY DAMAGES (INCLUDING LOSS OF USE), AND ANY OTHER LOSSES, DEMAND, SUITS, JUDGMENTS AND COSTS, INCLUDING REASONABLE ATTORNEYS' FEES AND EXPENSES, IN ANY WAY ARISING OUT OF, RELATED TO OR RESULTING FROM ITS PERFORMANCE UNDER THIS AGREEMENT, OR CAUSED BY ITS NEGLIGENT ACTS OR OMISSIONS (OR THOSE OF ITS RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, OR ANY OTHER THIRD PARTIES FOR WHOM IT IS LEGALLY RESPONSIBLE) IN CONNECTION WITH PERFORMING THIS AGREEMENT.**

## **SECTION 10. MISCELLANEOUS PROVISIONS.**

The following miscellaneous provisions are a part of this Agreement:

- (a) **Amendments.** This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- (b) **Applicable Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Gonzales County, Texas. Venue for any action arising under this Agreement shall lie in the state district courts of Gonzales County, Texas.

- (c) **Assignment.** This Agreement may not be assigned without the express written consent of the other party.
- (d) **Binding Obligation.** This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. Developer warrants and represents that the individual or individuals executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. GEDC warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind it to the same.
- (e) **Caption Headings.** Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.
- (f) **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.
- (g) **Notices.** Any notice or other communication required or permitted by this Agreement (hereinafter referred to as the "Notice") is effective when in writing and (i) personally delivered either by facsimile (with electronic information and a mailed copy to follow) or by hand or (ii) three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified with return receipt requested, and addressed as follows:

if to GEDC:

Gonzales Economic Development Corporation  
820 Saint Joseph Street  
Gonzales, Texas 78629  
Attn: Susan Sankey, Executive Director  
Telephone: (830) 672-2815

if to Developer:

Butler Wood, Inc.  
12527 F.M. 466  
Seguin, Texas 78155-8242  
Attn: John Austin Butler  
Telephone: 512-797-6106

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

- (j) **Undocumented Workers.** Developer certifies that the Developer does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, Developer is convicted of a violation under 8 U.S.C. § 1324a(f), Developer shall repay the amount of the public subsidy provided under this Agreement plus interest, at the rate of eight percent (8%), not later than the 120<sup>th</sup> day after the date the GEDC notifies Developer of the violation.

**[The Remainder of this Page Intentionally Left Blank]**

**DEVELOPER ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS PERFORMANCE AGREEMENT, AND DEVELOPER AGREES TO ITS TERMS. THIS AGREEMENT IS EFFECTIVE AS OF THE EFFECTIVE DATE AS IS PROVIDED HEREIN.**

**GEDC:**

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

By: \_\_\_\_\_  
Ken Morrow, President  
Date Signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Elmer Avellaneda, Secretary

**DEVELOPER:**

***BUTLER WOOD, INC.,***  
a Texas corporation,

By: \_\_\_\_\_  
John Austin Butler  
Title: \_\_\_\_\_  
Date Signed: \_\_\_\_\_

***Exhibit A***

Legal Description and/or Depiction of the Property

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on  
Resolution #2023-112 Approving the City of  
Gonzales 2024 Holiday Schedule

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

Annually the City of Gonzales request recognition of the annual City holidays for the upcoming year. Section 7.01 of the Personnel Policy states the following:

“The City provides paid holidays to introductory, regular full-time and regular part-time employees. All other employees are extended official holidays without pay. The following official holidays will be observed:

New Year's Day  
Dr. Martin Luther King's Birthday  
Presidents Day  
Texas Independence Day  
Good Friday  
Memorial Day  
Emancipation Day  
Independence Day  
Labor Day

Come & Take It  
Columbus Day  
Veterans Day  
Thanksgiving Day  
Day After Thanksgiving  
Christmas Eve Day  
Christmas Day  
Floating Holiday

The "floating" holiday may be taken at any time the employee desires (for example: Birthday, 9-11 Remembrance Day), and may be used in conjunction with other personal or vacation leave. The City Council has discretion to change or amend these holidays and any such changes are hereby incorporated by reference based on City Council action.” This Holiday Schedule reflects the observation of three additional holidays to match the current holiday schedule observed by Gonzales County.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

There is no additional fiscal impact observing the previously observed holidays.

### **ATTACHMENTS:**

2024 Holiday Schedule

**STAFF RECOMMENDATION:**

Staff respectfully recommend council take the action they deem necessary.



## **RESOLUTION NO. 2023-112**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING THE CITY OF GONZALES 2024 HOLIDAY SCHEDULE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City Gonzales, Texas desires to honor the dates most important to honoring the cultural and historic development of the community; and

**WHEREAS**, in general, it shall be the policy of the City of Gonzales to officially close, when possible, all offices on each of the following paid holidays during each year; and

**WHEREAS**, the attached dates are the proposed Holiday Schedule for Calendar Year 2024; and

**WHEREAS**, each employee will receive one Floating Holiday to be used annually at their discretion; and

**WHEREAS**, the City Council finds that approving the City of Gonzales 2024 Holiday Schedule as described herein is in the best interest of the City.

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

Section 1. The City Council of the City of Gonzales, Texas hereby approves the 2024 Holiday Schedule as set forth in Exhibit “A” to be observed during calendar year 2024 for City Employees.

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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

**Exhibit “A”**

<b><u>CITY OF GONZALES 2024 HOLIDAY SCHEDULE</u></b>		
<b><u>Holiday Observed</u></b>	<b><u>Date of Holiday</u></b>	<b><u>Date Holiday is Observed</u></b>
<b>New Year's Day</b>	<b>Monday, January 1, 2024</b>	<b>Monday, January 1, 2024</b>
<b>Dr. Martin Luther King's Birthday</b>	<b>Monday, January 15, 2024</b>	<b>Monday, January 15, 2024</b>
<b>Presidents Day</b>	<b>Monday, February 19, 2024</b>	<b>Monday, February 19, 2024</b>
<b>Texas Independence Day</b>	<b>Saturday, March 2, 2024</b>	<b>Friday, March 1, 2024</b>
<b>Good Friday</b>	<b>Friday, March 29, 2024</b>	<b>Friday, March 29, 2024</b>
<b>Memorial Day</b>	<b>Monday, May 27, 2024</b>	<b>Monday, May 27, 2024</b>
<b>Emancipation Day</b>	<b>Wednesday, June 19, 2024</b>	<b>Wednesday, June 19, 2024</b>
<b>Independence Day</b>	<b>Thursday, July 4, 2024</b>	<b>Thursday, July 4, 2024</b>
<b>Labor Day</b>	<b>Monday, September 2, 2024</b>	<b>Monday, September 2, 2024</b>
<b>Come &amp; Take It</b>	<b>Friday, October 4, 2024</b>	<b>Friday, October 4, 2024</b>
<b>Columbus Day</b>	<b>Monday, October 14, 2024</b>	<b>Monday, October 14, 2024</b>
<b>Veterans Day</b>	<b>Monday, November 11, 2024</b>	<b>Monday, November 11, 2024</b>
<b>Thanksgiving Day</b>	<b>Thursday, November 28, 2024</b>	<b>Thursday, November 28, 2024</b>
<b>Day After Thanksgiving</b>	<b>Friday, November 29, 2024</b>	<b>Friday, November 29, 2024</b>
<b>Christmas Eve</b>	<b>Tuesday, December 24, 2024</b>	<b>Tuesday, December 24, 2024</b>
<b>Christmas Day</b>	<b>Wednesday, December 25, 2024</b>	<b>Wednesday, December 25, 2024</b>
<b>Floating Holiday</b>	<b>Employee Choice</b>	<b>Employee Choice</b>

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-113 Authorizing the Use of Independence Square Including the Parking Lot for the Gonzales Master Gardener's Annual Spring Plant Sale on April 13, 2024

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The Gonzales Master Gardeners are preparing for their annual Spring Plant Sale on April 13, 2024. They are requesting the use of Independence Square, including the parking lot. They intend on setting up Friday, April 12, 2024 at 10:00 a.m. and will take down at 1:00 p.m. on Sunday, April 14, 2024. The event will be held from 8:30 a.m. until 2:00 p.m. on Saturday, April 13, 2024. There will be an approximate attendance of 300 people and is open to the public.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

The fiscal impact to the city would be the labor cost for city staff to deliver the trash receptacles requested and the cost to pick up the cans and the trash after the event concludes (1 hr x \$25.00/hr x 2 employees=\$50.00).

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution.

## **RESOLUTION NO. 2023-113**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE USE OF INDEPENDENCE SQUARE INCLUDING THE PARKING LOT FOR THE GONZALES MASTER GARDENER'S ANNUAL SPRING PLANT SALE ON APRIL 13, 2024; AND ESTABLISHING AN EFFECTIVE DATE.**

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

**WHEREAS**, the event will be held from 8:30 a.m. until 2:00 p.m. on April 13, 2024 and will have an approximate attendance of 300 people; and,

**WHEREAS**, set up for the event will be 10:00 a.m. on Friday, April 12, 2024 with take down at 1:00 p.m. on Sunday, April 14, 2024; and

**WHEREAS**, the fiscal impact to the City is an approximate in-kind cost of \$50.00 for the delivery and pick up of the trash cans for the event; and

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

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

Section 1. The City Council of the City of Gonzales, Texas hereby authorizes the use of Independence Square including the parking lot for the Gonzales Master Gardener's Annual Spring Plant Sale on April 12 through April 14, 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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

# GONZALES EVENT INFORMATION SHEET

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

★  
CIRCLE AND TAKE IT

★  
CIRCLE AND TAKE IT

EVENT NAME Master Gardeners' Spring Plant Sale  
HOST ORGANIZATION Gonzales Master Gardeners  
CONTACT NAME Shirley Frazier  
CONTACT CELL PHONE [REDACTED]  
EVENT DATE April 12 - April 14, 2024  
EVENT START TIME Apr. 12, 8:30 a.m. EVENT END TIME Apr. 14 2:00 p.m.  
EVENT LOCATION Independence Square  
HOLIDAY CELEBRATED Y ☐ N ☒ HOLIDAY: \_\_\_\_\_  
CITY COUNCIL APPROVAL REQUIRED Y ☐ N ☐ MEETING DATE: \_\_\_\_\_

## POLICE/FIRE/EMS DEPARTMENT

ATTENDANCE ESTIMATE 300  
MUSIC Y ☐ N ☒ LIVE ☐ DJ ☐  
FOOD Y ☐ N ☒  
ALCOHOL Y ☐ N ☒ RESPONSIBLE PARTY \_\_\_\_\_  
MOTORIZED VEHICLES Y ☐ N ☒ PARADE ☐ SHOW ☐  
PUBLIC OR PRIVATE EVENT Public  
SECURITY Y ☐ N ☒ # OFFICERS NEEDED \_\_\_\_\_  
(Call 672-8686 for costs)

## ELECTRIC DEPARTMENT

ADDITIONAL LIGHTING Y ☐ N ☒  
NUMBER OF OUTLETS NEEDED none  
AMPS/WATTS NEEDED NA  
TENT Y ☐ N ☒  
TENT SIZE: \_\_\_\_\_ SET UP DAY/TIME NA  
TAKE DOWN DAY/TIM NA

## STREETS DEPARTMENT

STREETS AFFECTED Y ☐ N ☒  
BARRICADES NEEDED (max 12) Y ☐ N ☒  
CONES NEEDED (max 48) Y ☐ N ☒  
STREETS TO BE CLOSED Y ☐ N ☒  
SET UP TIME NA  
TAKE DOWN TIME NA

## COMMUNITY SERVICES DEPARTMENT

(Contingent upon availability)

NUMBER OF CHAIRS @ \$0.50 each none (max 500)  
NO. OF ROUND TABLES @ \$2.00 each none (max 15)  
NO. OF 8 FOOT TABLES @ \$2.00 each none (max 50)  
NUMBER OF TRASH CANS 4 (max 25)  
SET UP TIME April 12, 2024 10:00 AM  
TAKE DOWN TIME April 14, 2024 1:00 pm.

## FOR INFORMATION CONTACT

(830) 672-2815- City Hall

(830) 672-2813- Fax

## CITY SECRETARY'S OFFICE

[citysecretary@gonzales.texas.gov](mailto:citysecretary@gonzales.texas.gov)

## Insurance

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

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

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

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

The following types and amount of insurance are required:

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

## Indemnity

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

## Notification

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



AUTHORIZED SIGNATURE



## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-114 Authorizing the City Manager to Execute a License Agreement with the Texas Junior High Rodeo Association (TJHRA)

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City of Gonzales has hosted the Texas Junior High Rodeo State Finals for 17 years since 2005. The Texas Junior High Rodeo Association (TJHRA) attracts approximately 3,000 attendees and in return provides a positive economic impact on sales tax, municipal hotel occupancy tax and retail sales revenue each year.

The TJHRA Board of Directors met in May of 2023 and voted the proposal that the City of Gonzales presented. The terms of the agreement will be fulfilled with a five-year obligation for the Texas Junior High Rodeo Association (TJHRA) State Finals to be held at J.B. Wells Park. An additional two-year extension will be available at the end of the five-year term. Other stipulations of the agreement are set forth in the attached agreement. Staff will be present to answer any questions that the City Council may have.

### **POLICY CONSIDERATIONS:**

The expenditure of public funds for a private enterprise requires specific approval by the City Council and must serve a public purpose. The TJHRA events result in an increase in both sales tax revenue and hotel occupancy tax revenue during the events. Sales tax revenue and hotel occupancy tax revenue are the primary sources of revenue pledged to pay the bond debt associated with J.B. Wells Park.

### **FISCAL IMPACT:**

The funds associated with this agreement have been included in the JB Wells budget and will be included in the future budgets for the term of the agreement, subject to City Council appropriation of those funds.

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution.

## **RESOLUTION NO. 2023-114**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH TEXAS JUNIOR HIGH RODEO ASSOCIATION (TJHRA); AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gonzales has hosted the Texas Junior High Rodeo State Finals for 17 years since 2005; and,

**WHEREAS**, the Texas Junior High Rodeo Association (TJHRA) attracts approximately 3,000 attendees and in return provides a positive economic impact on sales tax, municipal hotel occupancy tax and retail sales revenue each year; and,

**WHEREAS**, the terms of this agreement for the Texas Junior High Rodeo Association (TJHRA) State Finals to be held at J.B. Wells Park will be fulfilled with a five-year obligation with an additional two-year extension option available; and,

**WHEREAS**, TJHRA events result in significant sales tax and hotel occupancy tax revenue for the City on an annual basis; and,

**WHEREAS**, the City Council hereby finds that entering into said agreement and expending the funds contemplated therein is in the best interest of the City and its citizens, 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 having found a public purpose for the contemplated expenditure of funds, hereby authorizes the City Manager to execute the Agreement attached hereto as Exhibit A, and further authorizes them to make any non-substantive changes after review by TJHRA. The City Council reserves the right to review any funding obligations on an annual basis, consistent with the Texas Constitution and City Charter.

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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

**THE STATE OF TEXAS     §**  
**§**  
**COUNTY OF GONZALES   §**

**AGREEMENT TO USE CITY OF GONZALES FACILITIES**

THIS AGREEMENT is entered into by and between the City of Gonzales, a Texas Home-Rule Municipal Corporation, and political subdivision, ("City") acting by and through its City Manager, and the Texas Junior High Rodeo Association, ("TJHRA"), acting by and through its President;

**WITNESSETH:**

**WHEREAS**, TJHRA provides athletic opportunities for the youth of the City of Gonzales and the state through the promotion and operation of youth rodeo programs and competitions; and

**WHEREAS**, the City finds the services provided by TJHRA promotes the health, safety morals and or general welfare of the residents of the City; and

**WHEREAS**, the City has developed a parks and recreation facility with rodeo facilities known as JB Wells Park (the "Facility") with Hotel/Motel taxes pursuant to Texas Tax Code Section 351.1066 and Economic Development sales tax revenue pursuant to Texas Local Government Code Chapters 501 and 505, to substantially enhance motel and hotel activity and encourage tourism; and

**WHEREAS**, TJHRA has requested and the City has offered, the use of the Facility for its youth rodeo programs and the City has developed a facility use methodology so that the Facility is also available to the general public; and

**WHEREAS**, pursuant to Resolution No. 2023-114, passed and approved on October 12, 2023 the City Council approved a License Agreement between the City and TJHRA and, the City Council authorized the execution of this Agreement with TJHRA October 12, 2023;

**NOW THEREFORE:**

For and in consideration of the following mutual promises and obligations, and for the benefit of the City of Gonzales and health, safety, morals and/or general welfare of its residents, the parties agree as follows:

**I. DEFINITIONS**

- 1.1 City means the City of Gonzales, Texas.
- 1.2 City Manager means the City Manager appointed by the City Council for the City

of Gonzales.

- 1.3 TJHRA means Texas Junior High Rodeo Association.
- 1.4 Program means youth rodeo programs provided by TJHRA.
- 1.5 Facility means the areas and facilities within JB Wells Park depicted on Exhibit "A".
- 1.6 Property means the real property located in Gonzales, County, Texas, on which the Facility is located as described on Exhibit "A".
- 1.7 Premises means the Facility.

## II. USE OF PREMISES BY TJHRA

- 2.1 Provided TJHRA maintains its non-profit status and operates an organized rodeo association, City, for and in consideration of the mutual benefits to City and TJHRA and the observance of the terms and conditions set forth in this Agreement, grants to TJHRA permission to enter and use, the Premises described in **EXHIBIT "A"**, during the term of this Agreement.
- 2.2 The permission to enter and use the Premises under this Agreement shall be non-exclusive, and City reserves the right to conduct other events, on its own behalf or through a third party and or to rent the Facility to the general public during such times as the Facility is not in use, either in whole or in part, by TJHRA. In that regard, TJHRA acknowledges that the acquisition, design and construction and maintenance costs for the Facility was be paid, in whole or part from Local Hotel Occupancy Tax funds pursuant to Tex. Tax Code Ann. §351.1066(b), which authorizes the use of such funds for *"the construction, enlarging, equipping, improvement, maintenance, repairing, and operation of a recreational facility to substantially enhance hotel activity and encourage tourism."* Consequently, the primary purpose of the Facility shall be to promote the use of the Facility for regional and state events that result in a substantial number of overnight hotel stays. The City reserves the right to amend or modify the terms of this Agreement to the extent, but only to such extent, necessary to conform the use of the Facility with the requirements of Tex. Tax Code Ann. §351.1066(b).
- 2.3 The Premises shall be occupied by TJHRA for recreational purposes including but not necessarily limited to organized youth rodeo activities and food and beverage concessions. TJHRA agrees that the provisions of this Agreement do not grant to TJHRA any interest or estate in the Premises but is a mere personal privilege to do certain acts of a temporary character upon the Premises, and that City retains dominion, possession and control of the Premises, including access at all times. City

reserves the right to impose and enforce all necessary and proper rules for the management and operation of the Premises.

- 2.4 TJHRA agrees that its members and any other individuals under its control shall abide by, conform to and comply with all applicable municipal, state and federal laws, ordinances, rules and regulations and that it will not do or permit to be done anything in violation hereof. If the attention of TJHRA is called to any such violation, TJHRA or those under its control will immediately desist from and correct such violation.
- 2.5 TJHRA acknowledges and agrees that it has been informed that it has obligations to the general public under the terms of the Americans with Disability Act of 1990 as codified in 42 U.S.C. §12101(a)(1) and (2) and as amended from time to time. TJHRA covenants and agrees that it will comply with all the terms and obligations, and, as part of its indemnification of the City, indemnify, hold harmless and defend City from all claims which might arise from TJHRA's activities under this Agreement.
- 2.6 TJHRA is authorized to establish fees and charges for admission and coordinate such collection and distribution of fees pursuant to the attached Exhibit B.
- 2.7 TJHRA understands that City pursuant to Texas Tax Code §351.1066, shall use, or has used, revenue delivered from Hotel Occupancy Tax, for the construction, enlarging, equipping, improvement, maintenance, repairing, and operation of the Premises as a recreational facility; and that pursuant to §351.1066(b) (2) the purpose of this investment by the City is to enhance hotel activity and encourage tourism. In that regard, the City shall retain the right to promote any rodeo events to be held at the Premises, and which shall enhance hotel activity and encourage tourism in Gonzales and the surrounding community.

### **III. TERM OF AGREEMENT/EFFECTIVE DATE**

- 3.1 The term of this Agreement is for a term of five (5) years beginning on October 12, 2023, ("Commencement Date"), and expiring on October 12, 2028, if not earlier terminated according to the terms of this Agreement.
- 3.2 TJHRA's right of use of the Facility shall be as stated in the attached Exhibit B during which period TJHRA's right to use the Facility depicted in Exhibit A shall be exclusive. During all other times and in all other areas not designated, the City shall have the sole right and authority to schedule events at the Facility.
- 3.3 This Agreement may be extended by agreement of the parties for an additional two year term at the conclusion of the five year term.

### **IV. ACCEPTANCE AND CONDITIONS OF FACILITY**

- 4.1 TJHRA has been afforded sufficient time and opportunity to examine the Facility and to acknowledge that there is in and about them nothing dangerous to life, limb, or health and hereby waives any claim for damages that may arise from defects of that character after occupancy. TJHRA's taking possession of the Facility shall be conclusive evidence of TJHRA's acceptance of the Facility in good satisfactory order in its present condition AS IS, WHERE IS AND WITH ALL FAULTS as suitable for the purpose for which licensed. City specifically disclaims any warranty of suitability for intended purposes of TJHRA.
- 4.2 TJHRA agrees that no representations respecting the condition of the Facility and no promises to decorate, alter, repair, or improve the Facility, either before or after the execution, have been made by City or its agents to TJHRA unless the same are contained herein.

## **V. OBLIGATIONS AND DUTIES (SEE EXHIBIT B)**

### **VI. UTILITIES**

- 6.1 Electricity shall be provided to the Facility at City's expense.

### **VII. CONCESSIONS**

- 7.1 During the Term of this Agreement
  - 7.1.1 Concessions shall be managed by City through a separate independently contracted concessionaire.

### **IX. IMPROVEMENTS**

- 9.1. TJHRA may, subject to having first obtained the written approval of the City Manager, install and/or construct temporary facilities and improvements within the Facility suitable for rodeo activities; said facilities and improvements to include, but not necessarily be limited to concession stands, utilities, fencing, and parking areas. During any period of construction or installation, TJHRA, its members, employees, agents, and TJHRA shall ensure that the performance of the construction or installation does not cause or result in damage to City property or adjoining property.
- 9.2 Any improvements installed by TJHRA which can be removed without damage to the Facility may be removed at the sole expense of TJHRA at the termination of this

Agreement without payment being made by City. If the improvements are not removable without damage to the Facility, then the improvements will become the property of the City. Temporary structures, if present, shall be removed from the Facility at the sole expense of TJHRA at the termination of this Agreement without payment being made by City. In the event that TJHRA removes temporary structure(s) prior to the termination of this Agreement, the underlying property may, at the election of the City, become excluded from the licensed Facility.

## **X. DEFAULTS AND TERMINATION RIGHTS**

10.1 Default by TJHRA: Any of the following events shall constitute default by TJHRA under this Agreement:

10.1.1 TJHRA shall fail to maintain its non-profit status and operate a statewide organized youth rodeo activities; or

10.1.2 TJHRA shall fail to keep, observe, or perform any material covenant, agreement, term, or provision of this Agreement to be kept, observed, or performed by TJHRA, and such default shall continue after notice by City to TJHRA, or if such default cannot be cured within a reasonable period provided that TJHRA has commenced to cure such default.

10.2 Remedies of City: Upon the occurrence of an event of default by TJHRA as specified in this Agreement, City shall be entitled to terminate this Agreement. After such termination, TJHRA shall have no further rights to access the Premises, shall immediately cease all activities thereon and City shall have no further obligation under the terms of this Agreement.

10.3 Default by City: City shall be in default under this Agreement if City fails to keep, observe, or perform any material covenant, agreement, term, or provision of this Agreement to be kept, observed, or performed by City, and such default shall continue for a period of thirty (30) days after notice thereof by TJHRA to City, or if such default cannot be cured within thirty (30) days, then such additional period as shall be reasonably provided that City has commenced to cure such default.

10.4 Remedies of TJHRA: Upon the occurrence of an event of default as specified in this Agreement hereof, TJHRA shall be entitled to terminate this Agreement and shall have such other rights at law or equity to which it may be entitled.

10.5 Either City or TJHRA, with or without cause, may cancel this Agreement by giving six (6) months written notice thereof to the other party.

10.6 A determination by the City Council that it cannot allocate funding for the Agreement in a future fiscal year shall not be deemed an event of default.



## **XI. INDEMNIFICATION**

- 11.1 TJHRA covenants and agrees to FULLY INDEMNIFY, DEFEND and HOLD HARMLESS, the City and the elected officials, employees, officers, City Managers, volunteers and representatives of the City, individually and collectively, from and against any and all costs, claims, liens, damages, losses, expenses, fees, fines, penalties, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including but not limited to, personal or bodily injury, death and property damage, made upon the City directly or indirectly arising out of, resulting from or related to TJHRA's activities under this Agreement, including any acts or omissions of TJHRA, any agent, officer, City Manager, representative, or employee, of TJHRA, and their respective officers, agents employees, City Managers and representatives while in the exercise of the rights or performance of the duties under this Agreement. The indemnity provided for in this paragraph shall not apply to any liability resulting from the negligence of City, its officers or employees, in instances where such negligence causes personal injury, death, or property damage. IN THE EVENT TJHRA AND CITY ARE FOUND JOINTLY LIABLE BY A COURT OF COMPETENT JURISDICTION, LIABILITY SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS FOR THE STATE OF TEXAS, WITHOUT, HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW.**
- 11.2 The provisions of this INDEMNITY are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. TJHRA shall advise the City in writing within 24 hours of any claim or demand against the City or TJHRA known to TJHRA related to or arising out of TJHRA's activities under this Agreement and shall see to the investigation and defense of such claim or demand at TJHRA's cost. The City shall have the right, at its option and at its own expense, to participate in such defense without relieving TJHRA of any of its obligations under this paragraph.

## **XII. INSURANCE REQUIREMENTS**

- 12.1 (intentionally left blank)
- 12.2 Commercial general liability insurance, including contractual liability insurance coverage, covering TJHRA's operations within the Premises, with combined single limits of not less than \$1,000,000 per occurrence for bodily injury or property damage, naming City as additional insured.

12.3 In the event TJHRA hires employees to work at the Facility, TJHRA shall carry worker's compensation insurance in the statutory required amount (\$500,000 /\$500,000/\$500,000) with a waiver of subrogation in favor of City.

12.4 As they apply to the limits required by the City, the City shall be entitled, upon request and without expense, to receive copies of the policies, declaration page, and all endorsements thereto and may require the deletion, revision, or modification of particular policy terms, conditions, limitations, or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any such policies). TJHRA shall be required to comply with any such requests and shall submit a copy of the replacement certificate of insurance to City at the address provided below within 10 days of the requested change. TJHRA shall pay any costs incurred resulting from said changes.

City of Gonzales

Attn: Timothy L. Crow, City Manager

PO Box 547, Gonzales, Texas 78629

12.5 TJHRA agrees that with respect to the above required insurance, all insurance policies are to contain or be endorsed to contain the following provisions:

- Name the City, its officers, officials, employees, volunteers, and elected representatives as additional insureds by endorsement, as respects operations and activities of, or on behalf of, the named insured performed under contract with the City, with the exception of the workers' compensation and professional liability policies;
- Provide for an endorsement that the "other insurance" clause shall not apply to the City of Gonzales where the City is an additional insured shown on the policy;
- Workers' compensation, employers' liability, general liability and automobile liability policies will provide a waiver of subrogation in favor of the City.
- Provide advance written notice directly to City of any suspension, cancellation, non-renewal or material change in coverage, and not less than ten (10) calendar days advance notice for nonpayment of premium.

12.7 Within five (5) calendar days of a suspension, cancellation or non-renewal of coverage, TJHRA shall provide a replacement Certificate of Insurance and applicable endorsements to City. City shall have the option to suspend TJHRA's performance should there be a lapse in coverage at any time during this contract. Failure to

provide and to maintain the required insurance shall constitute a material breach of this Agreement.

### **XIII. REPORTS**

13.1 TJHRA must provide to City the number of participants and their ages for the TJHRA's previous Program Period.

13.1.1 On or before May 1<sup>st</sup> each year, TJHRA must provide to City the number and description of events conducted at the Premises, which shall include a list of all participants and home town and state of each participant.

13.2 TJHRA is obligated to inform City within fifteen (15) days of a change in the following:

13.2.1 Changes in officers of the TJHRA: the name, position, and contact information must be provided.

13.2.2 Amendments to TJHRA's constitution, by-laws, and/or articles of incorporation: copies of the amended documents must be provided to City along with the notification.

13.3 If requested by City, TJHRA will provide all or a portion of the following information within fifteen (15) days after receipt of written request from City.

13.3.1 Starting and ending date of TJHRA activity;

13.3.2 Description of special events;

13.3.3 Gross receipts from each of the following: a) Concession Revenue, as defined in 7.1; b) advertising; c) cash donations, and all other sources of TJHRA revenue.

### **XIV. SIGNS**

14.1 TJHRA hereby agrees not to install or display any sign(s) within the Facility without prior written approval of said sign(s) by the City Manager or designee. TJHRA further agrees to comply with such design criteria as may be established and amended from time to time by the City and to comply with established sign review procedures for proposed new signs.

14.2 TJHRA may place temporary Sponsor Banners within the Premises during the TJHRA's Scheduled Season at locations agreed upon by the City Manager or designee, provided that the advertising copy is appropriate for a youth sports setting. TJHRA shall not allow advertising copy that is political in nature. At the conclusion of the

TJHRA's Scheduled Season, TJHRA shall remove all Sponsor Banners and restore and repair any damage caused to the Premises by the placement of the Sponsor Banners.

#### **XV. ASSIGNMENT**

- 15.1 This Agreement is personal to TJHRA. It is non-assignable, and any attempt to assign this Agreement will terminate all privileges granted to TJHRA.

#### **XVI. RELATIONSHIP OF PARTIES**

- 16.1 Nothing contained herein shall be deemed or construed by the parties hereto, or by any third party, as creating the relationship of principal and agent, partners, joint ventures, or any other similar such relationship between parties hereto. It is understood and agreed that no provision contained in this Agreement nor any acts of the parties create a relationship other than the relationship of Licensor and Licensee.

#### **XVII. SEVERABILITY**

- 17.1 The parties agree that if any clause or provision of this Agreement is determined to be illegal, invalid or unenforceable under any present or future federal, state, or local law, including, but not limited to, the City Code, or City ordinances of the City of Gonzales, Texas, effective during the term of this Agreement, then and in that event it is the intention of the parties hereto that the remainder of this Agreement shall not be affected, and it is also the intention of the parties to this Agreement that in lieu of each clause or provision of this Agreement that is illegal, invalid or unenforceable, there be added as a part of this Agreement a clause or provision as similar in terms to such illegal, invalid or unenforceable clause or provision as may be possible and be legal, valid and enforceable.

#### **XVIII. NOTICES**

- 18.1 Notices to City required or appropriate under this Agreement shall be deemed sufficient if in writing and hand delivered or mailed, registered or certified mail, postage prepaid, addressed to:

City of Gonzales  
Attn: Timothy L. Crow, City Manager  
PO Box 547  
Gonzales, Texas 78629

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

or to such other address as may have been designated in writing by City from time to time. Notices to TJHRA shall be deemed sufficient if in writing and hand delivered or mailed, registered or certified mail, postage prepaid, addressed to TJHRA at:

TJHRA

Attn: Casey Armstrong TJHRA President

#### **XIX. TEXAS LAW TO APPLY**

- 19.1 **THIS AGREEMENT SHALL BE CONSTRUED UNDER AND IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, AND ALL OBLIGATIONS OF THE PARTIES CREATED HEREUNDER ARE PERFORMABLE IN GONZALES COUNTY, TEXAS.**

#### **XXI GENDER**

- 20.1 Words of any gender used in this Agreement shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, unless the context otherwise requires.

#### **XXII. NON-DISCRIMINATION**

- 21.1 TJHRA covenants that it, or its agents, employees or anyone under its control, will not discriminate against any individual or group on account of race, color, sex, age, religion, national origin, or handicap, in employment practices or in the use of or admission to the Premises, which said discrimination TJHRA acknowledges is prohibited.

#### **XXIII. CAPTIONS**

- 22.1 The captions contained in this Agreement are for convenience or reference only and in no way limit or enlarge the terms and conditions of this Agreement.

#### **XXIV. HOLDING OVER**

- 23.1 TJHRA shall have no right to hold over after the end of the term of this License Agreement.

#### **XXV. ENTIRE AGREEMENT/AMENDMENT**

- 24.1 This Agreement, together with its attached exhibits and the authorizing ordinance, in writing, constitutes the entire Agreement between the parties, any other written or parole agreement with City being expressly waived by TJHRA.
- 24.2 No amendment, modification or alteration of the terms of this Agreement shall be binding unless the same be in writing, dated subsequent to the date hereof and duly executed by the parties.
- 24.3 Any amendment, modification or alteration of the terms of this Agreement shall not be binding on the City unless approved by City Council as evidenced by ordinance or resolution.

## **XXVI. AUTHORITY**

- 25.1 The signer of this License Agreement for TJHRA hereby represents and warrants that he or she has full authority to execute this Agreement on behalf of TJHRA.

IN WITNESS WHEREOF, we have affirmed our signatures this \_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY:**

**CITY OF GONZALES,**  
a Texas municipal corporation

\_\_\_\_\_  
Timothy L. Crow, City Manager

**ATTEST:**

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

**TJHRA:**

**TJHRA,**  
a Texas Non-Profit Corporation

By: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT B**  
**OBLIGATIONS AND DUTIES**

**The City of Gonzales is responsible for:**

1. The City of Gonzales shall provide the following economic incentives to the TJHRA in exchange for the exclusive right to host the Texas Junior High Rodeo Association finals for a period of five years:

a. an economic incentive payment to TJHRA in the amount of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) no later than the end of the final performance of the TJHRA Finals each year.

b. the waiver of fees for the use of the J.B. Wells Park Facilities for the entire week of the TJHRA Finals

c. discounted site rental fees for RV sites of an amount not exceed \$150 per week and the TJHRA will be allowed the use of up to 15 RV spaces at no charge (rental proceeds retained by the City)

d. discounted stall rental fees of \$150 for the week (rental proceeds to be split \$130.00 to City and \$20.00 to TJHRA) and the TJHRA will be allowed the use of up to 25 stalls at no charge

e. the provision of EMS during each rodeo performance

f. the provision and scheduling of security personnel during TJHRA Finals – performances at the expense of TJHRA

g. the provision of up to 20 complimentary hotel rooms for TJHRA personnel

h. the provision of a Directors Welcoming - Lunch

i. the provision of a NJHRA Finals Contestant Orientation Reception – 250 people  
(not to exceed \$3,000.00)

j. the use of the City owned shooting range for the shooting competition at no charge to TJHRA - does not include lunch. ( not to exceed \$500.00 )

k. the provision of an employee crew as required for sound, electricity, welding, etc.

l. the provision of adequate air-conditioned vendor space at the Expo Hall on premises

- m. the provision of wood shavings on grounds for contestants to purchase
- n. the provision of two tractors and drags
- o. the provision of on duty employees during all events
- p. the provision of emergency contact phone numbers
- q. the provision of one secured room with air conditioning adjacent to rodeo arena and an additional Meeting Room of 1,000 square feet for the duration of finals
- r. the provision, in the performance arena, of rodeo dirt at minimum 18", maintained by TJHRA standards; lighted arena; bucking chutes; timed event chutes; holding pens; officials platform; sound system; barrel and poles set by laser
- s. the provision, in the jackpot practice arena, with rodeo dirt at minimum of 18" deep, maintained by TJHRA standards; lighted arena and chute areas; timed event chutes; holding pens; officials platform and sound system
- t. the provision of stock holding pens accessible to designated arena; water available at pens; shaded holding pens
- u. the provision of utility cost; water for arenas; regulation poles and barrels; dedicated Wifi for Live Feed

**TJHRA is Responsible for:**

- 1. TJHRA in exchange for certain economic incentives, shall provide the following:
  - a. grant the exclusive right to host the Texas Junior High Rodeo Association finals for a period of five years to the City of Gonzales
  - b. the provision of tractor drivers to maintain the dirt during the event, with the assistance of the City, as needed
  - c. the provision, securing, and management of event vendors
  - d. the provision of event registration personnel
  - e. the provision of event tickets, ticket sellers, ticket takers and ushers
  - f. the provision, securing and management of event stock through a stock contract, including all stock, pick up men, chute help, feed for livestock and labor for feeding
  - g. the provision, securing and management of all bullfighters, judges, secretaries and time keepers



h. the provision of music and entertainment for opening dance - at expense of TJHRA

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-115 Authorizing JB Wells staff to organize and hold a Spooky Trail Event on Santa Anna Mound on October 28, 2023

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

JB Well Park would like the City Council's permission to plan and organizer a Spooky Trail on the Santa Anna Mound on October 28, 2023. City staff will be organizing the event but will have local citizens, school students and youth 4-H volunteers to help put this event on. The event will begin at dark around 6:00 pm to 11:00pm. Those that desire to participate in the event will walk up to the center of the Santa Anna Mound through scary decorations, kids dressed to scare people along the way. There will be one entry onto the mound and only on way out. This is the first year to organize this event.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

The total fiscal impact is unknown at this time, however JB Wells Park. will solicit donations for promotion of the event and to cover costs. The City would also like to charge a \$5.00 fee for entry to the trail which will offset the cost to put this event on, plus the number of volunteers that will participate will limit the number of employees and hours needed to organize the event. The fiscal impact for the City would include the cost for the city staff to work the event in the event that there are not enough volunteers to do so. Approximate cost to the city if this were to occur would be for preparation and cleaning up after the event if 3 employees are needed during the event would be as follows: (7 hrs. x \$25.00/hr. x 3 employees x 1 days=\$525.00).

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution.

## **RESOLUTION NO. 2023-115**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING JB WELLS STAFF TO ORGANIZE AND HOLD A SPOOKY TRAIL EVENT ON SANTA ANNA MOUND ON OCTOBER 28, 2023; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, JB Well Park would like the City Council's permission to plan and organize a Spooky Trail on the Santa Anna Mound from 6:00 p.m. until 11:00 p.m. on October 28, 2023; and

**WHEREAS**, city staff anticipates an approximate attendance of 200 people or more over the course of three days; and

**WHEREAS**, a \$5.00 fee will be charged for entry to offset the costs of the spooky decorated trail, where volunteers are dressed to scare those that enter; and

**WHEREAS**, the fiscal impact for the City would include the cost for the city staff to work the event in the event that there are not enough volunteers to do so, with an approximate cost to the city for three employees needed during the event being 7 hrs. x \$25.00/hr. x 3 employees x 1 days=\$525.00; and

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

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

Section 1. The City Council of the City of Gonzales, Texas hereby authorizes JB Wells staff to organize and hold a spooky trail event on Santa Anna Mound on October 28, 2023 as 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 12<sup>th</sup> day of October 2023.**

---





Mayor, S. H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

# GONZALES EVENT INFORMATION SHEET

  <small>COME AND TAKE IT</small>	<b>THIS INFORMATION IS TO BE PROVIDED TO THE CITY OF GONZALES AT          LEAST 30 DAYS PRIOR TO ALL PUBLIC AND PRIVATE EVENTS HELD ON CITY          PROPERTY</b>	  <small>COME AND TAKE IT</small>
<b>EVENT NAME</b>	<hr/>	
<b>HOST ORGANIZATION</b>	<hr/>	
<b>CONTACT NAME</b>	<hr/>	
<b>CONTACT CELL PHONE</b>	<div style="background-color: black; width: 100px; height: 1.2em; display: inline-block;"></div> <hr/>	
<b>EVENT DATE</b>	<hr/>	
<b>EVENT START TIME</b>	<b>EVENT END TIME</b>	<hr/>
<b>EVENT LOCATION</b>	<hr/>	
<b>HOLIDAY CELEBRATED</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<b>HOLIDAY:</b> <hr/>
<b>CITY COUNCIL APPROVAL REQUIRED</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<b>MEETING DATE:</b> <hr/>
<b><u>POLICE/FIRE/EMS DEPARTMENT</u></b>		
<b>ATTENDANCE ESTIMATE</b>	<hr/>	
<b>MUSIC</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<b>LIVE</b> <input type="checkbox"/> <b>DJ</b> <input type="checkbox"/>
<b>FOOD</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	
<b>ALCOHOL</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<b>RESPONSIBLE PARTY</b> <hr/>
<b>MOTORIZED VEHICLES</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<b>PARADE</b> <input type="checkbox"/> <b>SHOW</b> <input type="checkbox"/>
<b>PUBLIC OR PRIVATE EVENT</b>	<hr/>	
<b>SECURITY</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<b># OFFICERS NEEDED</b> (Call 672-8686 for costs) <hr/>
<b><u>ELECTRIC DEPARTMENT</u></b>		
<b>ADDITIONAL LIGHTING</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	
<b>NUMBER OF OUTLETS NEEDED</b>	<hr/>	
<b>AMPS/WATTS NEEDED</b>	<hr/>	
<b>TENT</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<b>SET UP DAY/TIME</b> <hr/>
<b>TENT SIZE:</b>		<b>TAKE DOWN DAY/TIME</b> <hr/>
<b><u>STREETS DEPARTMENT</u></b>		
<b>STREETS AFFECTED</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<hr/>
<b>BARRICADES NEEDED (max 12)</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<hr/>
<b>CONES NEEDED (max 48)</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<hr/>
<b>STREETS TO BE CLOSED</b>	Y <input type="checkbox"/> N <input type="checkbox"/>	<hr/>
	<b>SET UP TIME</b>	<hr/>
	<b>TAKE DOWN TIME</b>	<hr/>
<b><u>COMMUNITY SERVICES DEPARTMENT</u> (Contingent upon availability)</b>		
<b>NUMBER OF TRASH CANS</b>	<hr/> (max 25)	
<b>SET UP TIME</b>	<hr/>	
<b>TAKE DOWN TIME</b>	<hr/>	
<b>FOR INFORMATION CONTACT</b>	<b>Kristina Vega, CITY SECRETARY</b>	
<b>(830) 672-2815- City Hall</b>	<a href="mailto:citysecretary@gonzales.texas.gov">citysecretary@gonzales.texas.gov</a>	
<b>(830) 672-2813- Fax</b>		

## Insurance

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

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

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

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

The following types and amount of insurance are required:

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

## Indemnity

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

## Notification

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

---

AUTHORIZED SIGNATURE

## COUNCIL AGENDA ITEM BRIEFING DATA



## AGENDA ITEM

Discuss, Consider & Possible Action on  
Resolution #2023-116 Approving the 2023  
Final Tax Roll for the City of Gonzales

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

According to Section 26.09(e) of the Texas Property Tax Code; the City of Gonzales must approve the 2023 Final Tax Roll for the City of Gonzales from the Gonzales County Tax Assessor-Collector.

### **POLICY CONSIDERATIONS:**

As per the Texas Property Tax Code the governing body for the unit must approve the unit's tax roll.

### **FISCAL IMPACT:**

The levy fund totals are as follows:

Levy Fund	Tax Rate	Total Taxes Owed
Interest & Sinking	0.13030000	854,153.64
Maintenance & Operations	0.16350000	1,071,789.72
Personal Late Rendition Penalty		737.92
Personal Late Rendition Penalty Admin Fee		38.87
	Total	1,926,720.15

### **ATTACHMENTS:**

Final Roll Report for 2023

### **STAFF RECOMMENDATION:**

Respectfully request approval of the final Roll Report for Tax Year 2023 as provided by the Tax Assessor-Collector.

## **RESOLUTION NO. 2023-116**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING THE 2023 FINAL TAX ROLL FOR THE CITY OF GONZALES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, according to Section 26.09(e) of the Texas Property Tax Code the assessor shall submit to the governing body of the unit for approval, the amount of tax determined in the appraisal roll; and

**WHEREAS**, the appraisal roll with amounts of tax entered as approved by the governing body constitutes the unit's tax roll; and

**WHEREAS**, the taxes have been levied in accordance with the adopted 2023-2024 budget as required by state law; and

**WHEREAS**, the City Council hereby finds that the final roll report for tax year 2023 as provided by the Tax Assessor-Collector shall be approved in accordance with Section 26.09 (e) of the Texas Property Tax Code.

### **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 final roll report for tax year 2023 in accordance with the Section 26.09(e) of the Texas Property Tax Code.

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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

# Final Roll Report

Date: 09/26/2023

Tax Year: 2023

Roll Group: Roll Group 1

Taxing Unit Totals - MAIN Tax Cycle									
Taxing Unit	Number of Properties	Total Assessed Value	Exemptions Number of Properties	Total Amount	Total Taxable Value	Tax Rate	Total Taxes Owed	Credit Adjustments Number of Properties	Total Credit Total Freeze
CGO	4,224	691,753,150	1,468	3,207,510	688,545,640	0.29380000	1,925,943.36	518	(97,004.59)
									138270.5100

Levy Fund Totals			
Taxing Unit	Levy Fund	Tax Rate	Total Taxes Owed
CGO	Interest & Sinking	0.13030000	854,153.64
	Maintenance & Operations	0.16350000	1,071,789.72
	Personal Late Rendition Penalty		737.92
	Personal Late Rendition Penalty Admin Fee		38.87
Total:			1,926,720.15

Special Assessment Totals		
Special Assessment	Number of Properties	Total Amount Owed
Personal Late Rendition Penalty	84	737.92
Personal Late Rendition Penalty Admin Fee	84	38.87
Total	168	776.79

Tax Cycle & Special Assessment Grand Totals	
Tax Cycle	Total Amount Owed
Special Assessments	776.79
MAIN	1,925,943.36
Total	1,926,720.15

Property Counts	
Tax Cycle	Property Count
MAIN	4,224
Total	4,224

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-117 Authorizing the City Manager to Execute Addendum Six to the Agreement with Guadalupe Valley Electric Cooperative for the Electric Utility Operations, Day-to-Day Maintenance Services.

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

City Staff is requesting Council decision regarding the Electric Utility Operations, Day-to-Day Maintenance Services and Meter Data Collection with GVEC. GVEC is requesting a 2% increase on the Operations & Maintenance Agreement due to significant inflation that is occurring in the market right now. This increase is based on the (CPI-U) Consumer Price Index Urban Index Scale or 2% whichever is the lowest. If the CPI urban Index Scale is less than 2% then GVEC will adjust the number down as needed. This would go into effect starting October 1, 2023.

### **POLICY CONSIDERATIONS:**

If accepted the agreement will outsource a function of the Electric Department that to date has been performed by GVEC employees for the last 3 years.

### **FISCAL IMPACT:**

\$470,994.96 yearly for O&M Agreement (increase of 2%, last year's cost \$461,759.76). A budget amendment will have to be presented at a later time.

### **ATTACHMENTS:**

Operation and Maintenance Agreement Addendum Six

### **STAFF RECOMMENDATION:**

Staff respectfully recommends Council approve the increase in the O&M agreement with GVEC.

## **RESOLUTION NO. 2023-117**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE ADDENDUM SIX TO THE AGREEMENT WITH GUADALUPE VALLEY ELECTRIC COOPERATIVE FOR THE ELECTRIC UTILITY OPERATIONS, DAY-TO-DAY MAINTENANCE SERVICES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gonzales (“City”) and Guadalupe Valley Electric Cooperative (“GVEC”) previously entered into an Operation and Maintenance Agreement (“Agreement”) the terms of which require a yearly renewal 90 days prior to expiration; and,

**WHEREAS**, the Parties agree that it is in the best interest of the City to contract with GVEC for O&M services; and,

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

**WHEREAS**, the Operation & Maintenance Agreement will increase from \$461,759.76 to \$470,994.96 based on a two percent increase of the Consumer Price Index for all Urban Consumers; and

**WHEREAS**, the City Council has determined that the execution of addendum six to the agreement with Guadalupe Valley Electric Cooperative is in the best interest of the City and its citizens.

**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 Addendum Six to the agreement with Guadalupe Valley Electric Cooperative for the electric utility operations, day-to-day maintenance services 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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## OPERATION AND MAINTENANCE AGREEMENT ADDENDUM SIX

**THIS OPERATION AND MAINTENANCE AGREEMENT ADDENDUM SIX** (“Addendum”) is made and entered into on the \_\_\_\_ day of \_\_\_\_\_, 2023 following all necessary approval by the governing bodies of the Parties (the “Execution Date”) to be effective as of October 1, 2023 (the “Effective Date”) by and between the City of Gonzales, a Texas home rule municipal corporation (“Owner”), and Guadalupe Valley Electric Cooperative, Inc., a Texas corporation (“Operator”) (each a “Party” and collectively the “Parties”).

### RECITALS

WHEREAS, Owner provides electric services to residents within the City of Gonzales and community of Harwood through its municipally owned electric utility and desires to contract for operation and maintenance of the Project (as defined in the Agreement);

WHEREAS, Operator provides operation and maintenance services for electric distribution facilities and has agreed to provide those services for the Project on the terms and conditions set forth in the Agreement;

WHEREAS, the Parties have determined that it is in the best interest of the Owner to contract with the Operator for operation and maintenance services;

WHEREAS, the Parties entered into the certain Operation and Maintenance Agreement executed September 19, 2018 and effective October 1, 2018 (the “Agreement”); and

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

NOW THEREFORE, in consideration of the mutual covenants, undertakings and conditions set forth below, the receipt and sufficiency of which are hereby acknowledged, the parties, pursuant to Section 14.4 Amendments, of the Agreement, hereby agree as follows:

### **I. Amendments Constituting Addendum Six to the Operation and Maintenance Agreement**

1. Section 5.2 - *Annual Operating Fee* is hereby amended to read as follows:

For the Contract Year and each subsequent Contract Year, Owner shall pay to Operator the sum of **\$39,249.58 per month** of the Contract Year, for an annual fee of **\$470,994.96** (the “Annual Operating Fee”). Beginning on the first day of the next Contract Year and on the first day of each Contract Year thereafter, the Annual Operating Fee (and the corresponding monthly operating fee) shall be adjusted to reflect changes not to exceed the lesser of (i) 2% or (ii) the annual Consumer

Price Index for all Urban Consumers (CPI-U), Table 1, “All items” expenditure category, as published by the U.S. Department of Labor’s Bureau of Labor Statistics.

2. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Addendum through their duly authorized officers as of the date set forth in the preamble to this Addendum.

**Operator:     Guadalupe Valley Electric Cooperative, Inc.**

By:

---

Darren Schauer  
General Manager and Chief Executive Officer

**Owner:         City of Gonzales, Texas**

By:

---

Timothy L. Crow  
City Manager

## **COUNCIL AGENDA ITEM BRIEFING DATA**



**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The Department of Housing and Urban Development (HUD) approved the Texas General Land Office's (GLO) amended plan for Community Development Block Grant Mitigation (CDBG-MIT) grant funds to be allocated through the Golden Crescent Regional Planning Commission, to the City of Gonzales, in the amount of \$2,999,400. Half (50%) of the allocated funds must be used to benefit low to moderate income areas of the City.

Public comment on the City of Gonzales' application for these funds was taken from September 21, 2023 through October 6, 2023. Any comments and responses received during the public comment period or at this public hearing will be incorporated into the grant application. The grant application is due to the General Land Office on October 20, 2023.

### **POLICY CONSIDERATIONS:**

This is consistent with current policy.

### **FISCAL IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution.

## **AGENDA ITEM**

Conduct a Public Hearing to Discuss, Consider & Possible Action on Resolution #2023-118 Authorizing the City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas General Land Office (GLO) for \$2,999,400 in CDBG-MIT grant funds for Infrastructure Improvements to Mitigate the Impact of Future Flooding Events



## **RESOLUTION NO. 2023-118**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT FROM THE GENERAL LAND OFFICE (GLO), THROUGH THE METHOD OF DISTRIBUTION (MOD) OF THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION (GPRPC), IN THE AMOUNT OF \$2,999,400, 50% OF WHICH MUST BE USED TO BENEFIT LOW TO MODERATE INCOME AREAS, FOR THE INFRASTRUCTURE IMPROVEMENTS TO MITIGATE FUTURE FLOODING EVENTS; DESIGNATING AUTHORIZED SIGNATORIES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City supports the application for and acceptance of CDBG-MIT MOD grant funds from the Department of Housing and Urban Development (HUD) through the State of Texas General Land Office (GLO) for infrastructure and drainage improvements to mitigate the effects future flooding events around Tinsley Creek; and

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

**WHEREAS**, the City Council desires to designate the City Manager as the City's authorized official to accept, reject, alter, or terminate the grant on behalf of the City.

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

Section 1. The City Council of the City of Gonzales, Texas hereby authorizes the City Manager to apply for and accept if awarded, CDBG-MIT grant funding from the General Land Office (GLO) for infrastructure improvements to mitigate the effects of future flooding events.

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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-119 Authorizing the Nomination of Candidates for Positions to be Filled on the Gonzales Central Appraisal District Board of Directors

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

A letter was received from the Gonzales Central Appraisal District dated August 25, 2023 requesting the City Council to submit nominations for the election for the board of directors for the term of office beginning January 1, 2024, and ending December 31, 2025. Each taxing unit may nominate one candidate for each position to be filled on the board of directors. Each taxing unit may nominate one to five candidates.

Each entity has a percentage of calculated voting entitlements for a total of 5,000 votes. The City of Gonzales holds 2.97 percent of the total tax levy for the total number of 149 votes. In the past years the Council has not nominated a candidate for a place on the ballot but has decided to cast their votes for a candidate that has been placed on the ballot.

The current Board of Directors are:

Lauren Clampit  
Frank "Bud" Box  
Craig Hines  
Sandra Gordon  
Sue Gottwald

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully requests City Council action deemed appropriate

## **RESOLUTION NO. 2023-119**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE NOMINATION OF CANDIDATES FOR POSITIONS TO BE FILLED ON THE GONZALES CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council met in open session to discuss nominations for election to the board of directors of the Gonzales Central Appraisal District; and,

**WHEREAS**, nominations are required by Sec. 6.03 of the Texas Property Tax code; and,

**WHEREAS**, each taxing unit may nominate one candidate for each position to be filled on the board of directors and may nominate from one to five candidates; and,

**WHEREAS**, the appointment will be for a two-year term beginning January 1, 2024, and ending December 31, 2025; and,

**WHEREAS**, the City Council hereby nominates candidates for the election to the Gonzales Central Appraisal District Board of Directors.

### **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 nominates Lauren Clampit, Frank “Bud” Box, Craig Hines, Sandra Gordon and Sue Gottwald for the election to the Gonzales Central Appraisal District Board of Directors.

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 12<sup>th</sup> day of October 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary



P.O. Box 867  
1709 E. Sarah Dewitt Dr., Unit B  
Gonzales, Texas 78629-0867

Office: (830) 672-2879  
Fax: (830) 672-8345  
Email: gonzcad@gvec.net  
www.gonzalescad.org

August 25, 2023

Tim Crow, City Manager  
City of Gonzales  
P O Drawer 547  
Gonzales, Texas 78629

Dear Mr. Crow:

Enclosed herewith is the calculation of voting entitlements for the election of Gonzales Central Appraisal District directors for the term of office beginning January 1, 2024 and ending December 31, 2025.

Each voting taxing unit may nominate one candidate for each position to be filled on the board of directors. These nominations must be made by resolution. Each taxing unit may nominate one to five candidates.

Once each voting taxing unit has completed the nomination, the presiding officer of each voting unit's governing body submits the names of the nominees to the chief appraiser. These nominations should be submitted to the chief appraiser by written resolution before October 15, 2023. The presiding officer should include addresses of the nominees.

Before October 30, 2023, the chief appraiser must prepare a ballot listing the nominees. A copy of this ballot will be delivered to the presiding officer of the governing body of each voting unit.

Each voting unit must vote in open meeting, report its vote by written resolution, and submit it to the chief appraiser before December 15, 2023. The unit may cast all its vote for one candidate or distribute the votes among any number of candidates.

A voting unit must cast its votes for a person nominated and named on the ballot. There is no provision for write-in candidates. The chief appraiser may not count votes cast for someone not listed on the official ballot.

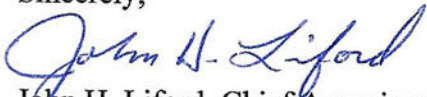
The chief appraiser must count the votes and declare the candidates who received the largest vote totals before December 31, 2023. The chief appraiser notifies all taxing units (voting and non-voting) and all candidates (winners and losers) of the outcome.

If a tie occurs, the chief appraiser must resolve it through any method of chance. Methods of chance include such actions as flipping a coin, drawing straws, and so forth.

I have attached a copy of "Eligibility Requirements" which was copied from the last publication we received from the State Comptroller's office which addressed this issue. I would appreciate your reading this attachment before making your nominations.

If you have any questions concerning the calculation of voting entitlements, director's qualifications, or the election process, please feel free to contact me at (830)672-2879.

Sincerely,

A handwritten signature in blue ink that reads "John H. Liford". The signature is fluid and cursive, with the first name "John" being more prominent.

John H. Liford, Chief Appraiser  
Gonzales Central Appraisal District

JL:sc

Enclosure

ENTITY	2022 TAX LEVY	PERCENTAGE OF TOTAL TAX LEVY	VOTES
GONZALES COUNTY	\$14,362,513.00	22.83	1141
CITY OF GONZALES	1,870,245.00	2.97	149
CITY OF NIXON	248,128.00	0.39	20
CITY OF WAELDER	91,857.00	0.15	8
CITY OF SMILEY	47,250.00	0.08	4
GONZALES ISD	21,713,102.00	34.51	1725
WAELDER ISD	2,385,253.00	3.79	190
MOULTON ISD	2,193,832.00	3.49	174
CUERO ISD	1,988,760.00	3.16	158
NIXON-SMILEY CISD	14,698,678.00	23.36	1168
SHINER ISD	2,192,705.00	3.49	174
YOAKUM ISD	1,122,461.00	1.78	89



## Eligibility Requirements

**Eligibility:** To be eligible to serve on a board of directors, an individual must be a resident of the CAD and must have resided in the CAD for at least two years immediately preceding the date of taking office. This residency requirement does not apply to a county TAC serving as a nonvoting director.

An employee of a taxing unit that participates in the CAD is not eligible to serve on the board of directors, unless that individual also is a member of the governing body of the taxing unit or an elected official of a taxing unit. Membership on the governing body of a taxing unit does not make an otherwise eligible individual ineligible to serve on the board of directors.

Owing delinquent property taxes disqualifies a person from serving on the CAD board of directors. The person is ineligible if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency. This disqualification does not apply if the person is paying the delinquent taxes and any penalties and interest under an installment payment agreement or has deferred or abated a suit to collect the delinquent taxes.

A person who has appraised property for compensation for use in proceedings or represented property owners for compensation in proceedings in the CAD at any time within the preceding five years is ineligible to serve on the board of directors.

### Degrees of Consanguinity and Affinity

#### 1<sup>st</sup> DEGREE

**By Consanguinity**

- Parents
- Children

**By Affinity**

- Spouses of relatives listed under consanguinity
- Spouse
- Spouse's parents
- Spouse's children
- Stepparents
- Stepchildren

#### 2<sup>nd</sup> DEGREE

**By Consanguinity**

- Grandparents
- Grandchildren
- Brothers & sisters

**By Affinity**

- Spouses of relatives listed by consanguinity
- Spouse's grandparents
- Spouse's grandchildren
- Spouse's brothers & sisters

#### 3<sup>rd</sup> DEGREE

**By Consanguinity**

- Great grandparents
- Great grandchildren
- Nieces & nephews
- Aunts & uncles

A person is ineligible to serve on the board of directors if the individual is related within the second degree of consanguinity (blood) or affinity (marriage) to the following:

- an appraiser who appraises property for use in a proceeding under the Tax Code; or
- a person who represents property owners for compensation in proceedings under the Tax Code in the CAD.

A director who continues to hold office knowing he or she is related in this manner to the above named persons commits a Class B misdemeanor offense.

An individual is not eligible to be appointed to or to serve on the board of directors if an individual has a substantial interest in a business entity that is party to a contract or the individual is a party to a contract with the CAD. This prohibition also applies to contracts with a taxing unit that participates in the CAD if the contract relates to the performance of an activity governed by the Tax Code. A CAD may not enter into a contract with a board member or with a business entity in which a board member has a substantial interest. A taxing unit may not enter into a contract relating to the performance of an activity governed by the Tax Code with a board member in which the taxing unit participates or with a business entity in which a board member has a substantial interest.

An individual has substantial interest in a business entity if:

- the combined ownership of the director and the director's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- the director or director's spouse is a partner, limited partner or officer of the business entity.

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-120 Rescheduling the January 11, 2024 Regular City Council Meeting to January 18, 2024

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City Council's regular meetings are scheduled for the second Thursday of each month. However, there is a potential scheduling conflict on January 11<sup>th</sup>, 2024, due to Election Law Training for staff. Therefore staff is seeking to change the January regular meeting date from January 11<sup>th</sup> to January 18, 2024 or another date that Council is available.

### **POLICY CONSIDERATIONS:**

Adopting this resolution will change the January regular city council meeting for the month.

### **FISCAL IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution.

## **RESOLUTION NO. 2023-120**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS RESCHEDULING THE JANUARY 11, 2024 REGULAR CITY COUNCIL MEETING TO JANUARY 18, 2024; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gonzales Charter states in Section 3.09 Meeting of the City Council that the City Council shall hold at least one regular meeting in each month at a time to be fixed by it for such regular meetings; and,

**WHEREAS**, the City Council would like to reschedule the January 11, 2024 City Council meeting to January 18, 2024.

### **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 reschedules the January 11, 2024 Regular City Council Meeting to January 18, 2024.

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

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

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

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

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

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

**PASSED AND APPROVED this 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider and Possible Action on Resolution #2023-121 Authorizing the City Manager to Execute a Publicity and Tourism Agreement with the Chamber of Commerce for the hosting and operations of the Gonzales Chamber of Commerce

**DATE: October 12, 2023**

### **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 City engaged in an agreement for the Tourism related responsibilities as well as the hosting and operations of the Gonzales Visitor Information Center. The contract is being presented for City Council consideration for the current fiscal year. The Visitor Information Center is requesting \$183,000.00 for the hosting and operation of the Visitor Information Center and the additional duties of providing for all responsibilities of a Tourism Coordinator and the related duties. The City Council, on behalf of the City, by contract, may delegate to the Chamber, the management or supervision of programs and activities funded with revenue from the hotel occupancy tax (HOT Funds). The City Council, in writing, must approve in advance the annual budget of the Chamber and must require the Chamber to make periodic reports to the City Council at least quarterly listing the expenditures made by the Chamber with HOT Funds. The HOT funds must be maintained in a separate account established for that purpose and may not commingle the revenue with any other money.

### **POLICY CONSIDERATIONS:**

The agreement with the Chamber of Commerce for hosting and operation of the Visitor Information Center 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 funding for the Visitor Information Center, if given final approval by the City Council, will be funded from the following budgeted line item: 7-811.412 (Visitor Center). The disbursement of the funds will be monthly, beginning October 1, 2023.

### **ATTACHMENTS:**

Proposed agreement with the Chamber of Commerce

### **STAFF RECOMMENDATION:**

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

**RESOLUTION NO. 2023-121**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE CHAMBER OF COMMERCE FOR THE HOSTING AND OPERATIONS OF THE GONZALES VISITOR INFORMATION CENTER; 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, by contract, may delegate to the Chamber, the management or supervision of programs and activities funded with revenue from the hotel occupancy tax (HOT Funds); and,

**WHEREAS**, the City Council, in writing, must approve in advance the annual budget of the Chamber and must require the Chamber to make periodic reports to the City Council at least quarterly listing the expenditures made by the Chamber with HOT Funds; and,

**WHEREAS**, the Chamber must maintain HOT Funds in a separate account established for that purpose and may not commingle that revenue with any other money; and,

**WHEREAS**, the City may not delegate the management or supervision of its convention and visitor programs and activities funded with HOT Funds other than by contract as provided by law; and,

**WHEREAS**, the approval by the City Council of the annual budget of the Chamber creates a fiduciary duty in the Chamber with respect to the HOT Funds; 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 City Manager to Execute a contract with the Chamber of Commerce for the hosting and operations of the Gonzales Visitor Information Center as attached in Exhibit "A" in the amount of \$183,000.00 for advertising and other costs to be expended in conformance with Texas Tax Code Section 351.001.

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. 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 4. The Gonzales Chamber of Commerce shall refund the City of Gonzales any Hotel Occupancy Tax funds determined by the State Comptroller, the Secretary of State or other state agency to be an unauthorized expenditure under Texas Tax Code Section 351.001.

Section 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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary





## **EXHIBIT “A”**

### **BUDGET AND DISBURSEMENT SCHEDULE FOR FY 2023-2024**

**The Budget for FY2023-24 reflects anticipated expenditures of \$183,000.00 in the manner delineated below and with the following disbursement schedule in conjunction with quarterly reports submitted to the City Council;**

October 1, 2023	\$15,250.00
November 1, 2023	\$15,250.00
December 1, 2023	\$15,250.00
January 1, 2024	\$15,250.00
February 1, 2024	\$15,250.00
March 1, 2024	\$15,250.00
April 1, 2024	\$15,250.00
May 1, 2024	\$15,250.00
June 1, 2024	\$15,250.00
July 1, 2024	\$15,250.00
August 1, 2024	\$15,250.00
September 1, 2024	\$15,250.00

STATE OF TEXAS           §  
                                     §  
COUNTY OF GONZALES   §

KNOWN ALL MEN BY THESE PRESENT:

## **PUBLICITY AND TOURISM AGREEMENT**

This **PUBLICITY AND TOURISM AGREEMENT** dated October 1, 2023 (the "Agreement"), is entered into between the **CITY OF GONZALES, TEXAS**, a home rule city (the "City"), and the **GONZALES CHAMBER OF COMMERCE**, a Texas nonprofit corporation (the "Chamber").

### **RECITALS:**

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, by contract, may delegate to the Chamber, the management or supervision of programs and activities funded with revenue from the hotel occupancy tax (HOT Funds); and,

WHEREAS, the City Council, in writing, must approve in advance the annual budget of the allocated HOT Funds of the Chamber and must require the Chamber to make periodic reports to the City Council at least quarterly listing the expenditures made by the Chamber with HOT Funds; and,

WHEREAS, the Chamber must maintain HOT Funds in a separate account established for that purpose and may not commingle that revenue with any other money; and,

WHEREAS, the City may not delegate the management or supervision of its convention and visitor programs and activities funded with HOT Funds other than by contract as provided by law; and,

WHEREAS, the approval by the City Council of the annual budget of the Chamber creates a fiduciary duty in the Chamber with respect to the HOT Funds.

### **AGREEMENT:**

For and in consideration of the mutual promises, covenants, benefits, and obligations hereafter set forth, the City and the Chamber hereby agree and contract as follows:

## **ARTICLE I**

A. The City hereby agrees that in consideration for advertising, promoting tourism and the convention and hotel industry in the City, the City will pay to the Chamber a portion of the HOT Funds collected.

B. The Chamber agrees that any HOT Funds entrusted to it by the City shall be used only as permitted in Section 351.101 of the Texas Tax Code, as amended, and such entrustment creates a fiduciary duty in the Chamber for the appropriate use of the HOT Funds.

C. The Chamber agrees to conduct a continuing program of advertising and promotion for the purpose of attracting visitors, tourists, and conventions to the City by providing the following services:

- (1) Participating with state and regional agencies in tourist development programs of benefit to the local area and to the City; and
- (2) Using all appropriate means to increase the traveling public's awareness of the resort and recreational advantages of the local area and the City.
- (3) Fully staffing and administering Visitor Information Center (7) days a week, Monday thru Friday 8:00 A.M. until 5:00 P.M., Saturday 9:00 A.M. until 4:00 P. M. and Sunday 1:00 P.M. until 4:00 P.M.. Holiday hours will be 9:00 A.M. until 3:30 P.M..
- (4) Greeting visitors to the City in person, online and by telephone, to answer their questions and provide information on Gonzales lodging, restaurants, shops, visitor services and area tourist destinations and sends visitor information packets by mail when requested and is responsible for answering any leads from printed advertising.
- (5) Providing an employee who shall serve as the Gonzales Tourism Coordinator.
- (6) The Gonzales Tourism Coordinator shall attend all CVB board meetings to provide input and support and serve as the CVB Board liaison for the Chamber and City. As such, the Gonzales Tourism Coordinator will coordinate the appropriate posting of CVB Board meeting agendas with the Board Chair and City Secretary
- (7) Provide building/location
- (8) Keeps all accounting records and maintains a separate banking/checking account for all expenditures of Hotel/Motel Tax funds (no co-mingling of funds, no bookkeeping or accounting services to be provided by the City). If receipts for services rendered are submitted in arrears, upon approval of the receipts by the City confirming expenses are allowable under state

statutes, quarterly payments can be distributed to the Chamber directly without the utilization of a separate banking/checking account. In the event any HOT funds received exceed the amount of the expenditures for the quarter upon which receipts for reimbursement have been submitted, the remaining balance of HOT funds allocated for said quarter will be held in a separate account as required by law.

- (9) Submit in advance, the annual budget of the allocated HOT Funds of the Chamber, in writing, for approval by the City Council, with respect to HOT Funds and projected expenditures.
- (10) Presents a quarterly report to the City Council with an itemized breakdown for the usage of all Hotel/Motel Tax Funds, appropriately categorized by function and purpose.
- (11) Ensure that the Visitor Center staff maintain visitor records/logs, as required by the State of Texas Department of Transportation Travel Division and report, quarterly and annually (more often if required) to be a part of the Texas Travel Literature Program) and to be recognized by the State as Gonzales' official Travel Information Center
- (12) Prepare and provide a business plan outlining the Chamber's approach to providing a high-quality visitor experience.
- (13) Ensure that the Visitor's Center carries an inventory of souvenirs promoting Gonzales to be sold on all Open days and accept payment of cash and credit cards during all hours of operation.
- (14) Ensure that staff and volunteers have access to telephones and souvenirs during all hours of operations
- (15) Ensure that the Visitors Center is Open for the following holidays:
  - a. Texas Independence Day
  - b. Memorial Day
  - c. July 4<sup>th</sup>
  - d. Labor Day
  - e. Veterans Day
  - f. MLK Day
  - g. President's Day
  - h. Columbus Day

D. The Chamber further agrees that it will seek to achieve economic benefit for the City through all of such activities, that it will provide tourist-related information about the City upon request, and that it will serve as an advisory body to the City, on request, in matters related to expanding the tourist-derived economy.

## **ARTICLE II.**

It is expressly understood and agreed by and between the parties that the Chamber is hired and engaged as an independent contractor and is not an officer, agent, or employee of the City.

## **ARTICLE III.**

The Chamber shall secure enough employees to accomplish this Agreement. The Chamber shall further provide such office space, equipment, supplies and other materials as may be necessary to accomplish the purposes of this Agreement.

## **ARTICLE IV.**

A. The Chamber shall provide to the City, prior to obtaining any local hotel occupancy tax funds, a proposed budget outlining the utilization of the HOT Funds for the upcoming year. Said budget shall include maximum dollar amounts for both the services and products separately.

B. It is understood and agreed by and between the parties that, upon approval of this Agreement by the City, a fiduciary duty is created in the Chamber with respect to expenditure of revenue provided.

C. The City of Gonzales shall make payment to the Chamber for services (e.g., operations of visitor's center) rendered on a monthly basis.

D. Chamber shall provide to the City quarterly reports on the activities that are conducted to benefit the City. These reports shall be presented to the City Council.

E. The Chamber may spend hotel occupancy tax funds for day-to-day operations including supplies, salaries, office rental, travel expenses, and other administrative costs, if such expenditures have been previously approved in the budget and if directly related to the promotion of tourism.

## **ARTICLE V**

This Agreement shall be effective upon approval by the City Council. This Agreement shall be for a period of one (1) fiscal year beginning with FY2023-2024. The Chamber and City shall review this Agreement annually as part of the budget process and adoption. Either party may terminate this Agreement at any time by providing the other party thirty days written notice prior to the beginning of the next fiscal year.

## **ARTICLE VI**

A. Each fiscal year, as a part of the annual budget process, the Chamber shall submit the budget for that fiscal year, along with a schedule of quarterly payments. The Budget and Disbursement Schedule for FY 2023-2024 is attached as Exhibit A.

B. Each fiscal year, a Budget and Disbursement Schedule shall be submitted for approval and attached hereto as an Exhibit.

## **ARTICLE VII**

Any notice necessary or appropriate relative to this Agreement shall be effective when deposited in the United States mail. Such notice must be sent certified mail, return receipt requested or registered mail as follows ·

If to the City:

City of Gonzales, Texas  
820 N. Joseph Street Gonzales, Texas 78629  
Attention: Timothy L. Crow, City Manager

If to the Chamber:

Gonzales Chamber of Commerce  
414 St Lawrence Street Gonzales, Texas 78629  
Attention: Executive Director

## **ARTICLE VIII**

No part of the Agreement may be assigned or delegated without the prior written consent of the other party. Any attempted assignment of benefits or rights or delegation of duties or obligations shall be a breach of this Agreement. However, nothing in this Agreement shall prohibit the Chamber from participating with regional or state tourism programs or to contract for joint promotion with other agencies.

## **ARTICLE IX**

This Agreement shall be subject to the laws and statutes of the State of Texas and venue for any cause of action arising hereunder shall be Gonzales County.

## **ARTICLE X**

The Chamber of Commerce and Visitor Center agrees to and shall indemnify and hold harmless and defend the City of Gonzales, Texas, its officers, agents, and employees from any and all claims, losses, causes of action and damages, suits, and liability of every kind including all expenses of litigation, court costs, and attorney fees, for injury to or death to any person, or for damage to any property, arising from or in connection with the operations of the Gonzales Chamber of Commerce and Visitor Center, its officers,

agents and employees carried out in furtherance of this Agreement.

#### **ARTICLE XI**

The provisions of this Agreement are severable, and if any word, phrase, clause, sentence, paragraph, section or other part of this Agreement or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason. The remainder of this Agreement and the application of such word, phrase, clause, sentence, paragraph, section or other part of this Agreement to the other persons or circumstances shall not be affected thereby.

#### **ARTICLE XII**

This Agreement shall be amended only by the mutual written consent of the parties to this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date and year first above written.

#### **City of Gonzales**

By: \_\_\_\_\_  
Timothy L. Crow, City Manager

#### **Gonzales Chamber of Commerce and Visitor Center**

By: \_\_\_\_\_  
Wayne Baker, President

By: \_\_\_\_\_  
\_\_\_\_\_, Executive Director



## **EXHIBIT A**

### **BUDGET AND DISBURSEMENT SCHEDULE FOR FY 2023-2024**

**The Budget for FY2023-24 reflects anticipated expenditures of \$183,000.00 in the manner delineated below and with the following disbursement schedule in conjunction with quarterly reports submitted to the City Council;**

October 1, 2023	\$15,250.00
November 1, 2023	\$15,250.00
December 1, 2023	\$15,250.00
January 1, 2024	\$15,250.00
February 1, 2024	\$15,250.00
March 1, 2024	\$15,250.00
April 1, 2024	\$15,250.00
May 1, 2024	\$15,250.00
June 1, 2024	\$15,250.00
July 1, 2024	\$15,250.00
August 1, 2024	\$15,250.00
September 1, 2024	\$15,250.00

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-122 Authorizing the Appointments to the Airport Advisory Board, Gonzales Convention & Visitors Bureau, Museum Advisory Board, and Zoning Board of Adjustment & Sign Control Board

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

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

During the September 14, 2023 City Council meeting the City Council appointed individuals to all of the boards and commissions. However, since that meeting there are still vacancies for the Airport Advisory, CVB, Museum and the ZBOA. The deadline to submit application for appointment has been extended. Applications were received from Monica Helkey and Britney Jones Caka to serve on the CVB.

The City Council will be provided with a ballot to be completed for each board. This ballot will indicate names of the applicants that wish to serve on the board, and number of vacancies that exist for each board. Applications for the Council to review will also be included in the packet. The ballots will need to be completed and provided to City staff early within the meeting to allow time for staff to compile the City Council's choices, which will be provided to the City Council for final consideration during the actual agenda item. Please be sure to note on the top of the board summary exhibit that some boards have residency requirements that must be followed, such as the Zoning Board of Adjustment, Planning & Zoning Commission, and the GEDC which are adopted within the City's Code of Ordinances.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully requests City Council action deemed appropriate.

## **RESOLUTION NO. 2023-122**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE APPOINTMENT TO THE CITY OF GONZALES BOARDS AND COMMISSIONS: AIRPORT ADVISORY BOARD; GONZALES CONVENTION & VISITORS BUREAU; MUSEUM ADVISORY BOARD; AND ZONING BOARD OF ADJUSTMENT & SIGN CONTROL BOARD; ESTABLISHING AN EFFECTIVE DATE.**

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

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

**WHEREAS**, the uniform appointment month is September of each year; and

**WHEREAS**, the City Council hereby appoints the members to the Boards & Commissions as attached hereto as Exhibit A.

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

Section 1. The City Council of the City of Gonzales, Texas hereby appoints the Board and Commission members for the terms to the boards set out in the attached Exhibit A.

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

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

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

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

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

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

**PASSED AND APPROVED this 13<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **EXHIBIT “A”**

### **A. Airport Advisory Board**

The following members are appointed to the Airport Advisory Board for a two-year term beginning October 12, 2023 and ending September 30, 2025:

- 1.

### **B. Gonzales Convention & Visitors Bureau**

The following members are appointed to the Gonzales Convention & Visitors Bureau for a two-year term beginning October 12, 2023 and ending September 30, 2025:

- 1.
- 2.

### **C. Museum Advisory Board**

The following members are appointed to the Main Street Advisory Board for a two-year term beginning October 12, 2023 and ending September 30, 2025:

- 1.

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

The following members are appointed to the Zoning Board of Adjustment & Sign Control Board for a two-year term beginning October 12, 2023 and ending September 30, 2025:

- 1.
- 2.
- 3.
- 4.



COME AND TAKE IT

# CITY OF GONZALES

## BOARDS, COMMITTEES, AND COMMISSIONS

### APPLICATION

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

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

Name: Monica Helkey

Mailing Address: [REDACTED]

City, State & Zip: Gonzales

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

Email: [REDACTED]

Employer: Belle Oaks Inn

Occupation: Innkeeper/manager

Business Address: 222 Saint Peter St

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

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

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

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

If yes, which one(s)? [REDACTED]

How long? [REDACTED]

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

If so, who? [REDACTED]

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

If so, what type? [REDACTED]

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

☐ Y ☒ N

If so, what type? \_\_\_\_\_

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

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

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

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

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

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

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

ADVISORY BOARDS, COMMITTEES, OR COMMISSIONS

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

DECISION MAKING/QUASIJUDICIAL BOARDS, COMMITTEES, OR COMMISSIONS

<input type="checkbox"/> Planning and Zoning Commission	<input type="checkbox"/> Board of Adjustment/Sign Control Board
---------------------------------------------------------	-----------------------------------------------------------------

SEPARATE LEGAL ENTITIES/NON-PROFIT CORPORATIONS

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

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

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

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

DATE: 01/28/2023

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



CITY OF GONZALES



COME AND TAKE IT

## CITY OF GONZALES BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

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

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

Name:

Britney Jones Caba

Mailing Address:

City, State & Zip:

Phone Number:

(Other)

Email:

Employer:

Texas Farm Bureau Ins.

Occupation:

Agent

Business Address:

1731 Seydler St Gonzales, TX 78629

Are you a resident of Gonzales?

Y ☒ N

If yes, how long? Gonzales County

Qualified voter of the City of Gonzales?

Y ☒ N

Voted in the most recent City election? Y N

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

☒ Y N

If yes, which one(s)?

Main Street

How long?

4 years

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

Y ☒ N

If so, who?

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

Y ☒ N

If so, what type?

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

Y ☒ N

If so, what type?

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

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

Please contact the City Secretary (CitySecretary@gonzales.texas.gov) if you have questions about this process. Revised 3/23

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

Please See attachments.

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

I want to make a positive impact on the community of Gonzales through my involvement on the CVB. I have a strong desire to increase tourism and events in Gonzales.

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

Amy Peeler  
Holly Danz  
Barbara Crozier

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

ADVISORY BOARDS, COMMITTEES, OR COMMISSIONS

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

DECISION MAKING/QUASIJUDICIAL BOARDS, COMMITTEES, OR COMMISSIONS

- |                                                         |                                                                 |
|---------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Planning and Zoning Commission | <input type="checkbox"/> Board of Adjustment/Sign Control Board |
|---------------------------------------------------------|-----------------------------------------------------------------|

SEPARATE LEGAL ENTITIES/NON-PROFIT CORPORATIONS

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

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

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

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

Please contact the City Secretary (CitySecretary@gonzales.texas.gov) if you have questions about this process. Revised 3/23

I, the undersigned, hereby request consideration for the appointment to a board, committee or commission of the City of Gonzales, Texas. I affirm that all information contained in this application is true and complete and that any misrepresentation, falsification, or omission shall be cause for relinquishing my role as a volunteer for the City of Gonzales. I have read and understand the City of Gonzales Code of Ethics and Conduct (Article 9.500 of the Code of Ordinances).

Blake

07/20/2023

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

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-123 Authorizing the City Manager to Execute an Interlocal Cooperation Agreement and Lease Agreement with Victoria College

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The five-year agreement with the Victoria College expired August 31, 2023. The City Manager has met with staff from Victoria College and both parties have come to an agreement regarding the terms of the new lease. City Staff proposes a five-year agreement with the following modified terms from the last existing agreement:

### **POLICY CONSIDERATIONS:**

N/A

### **FISCAL IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the council take action they deem appropriate.

## **RESOLUTION NO. 2023-123**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL COOPERATION CONTRACT AND LEASE AGREEMENT BETWEEN VICTORIA COLLEGE AND THE CITY OF GONZALES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, community efforts from the school board and the city established the college over 15 years ago; and,

**WHEREAS**, the College currently operates Victoria College Gonzales Center using the land and buildings located at 424 E. Sarah Dewitt, 604 E. Sarah Dewitt, 1710 St. Paul and 1828 St. Paul; and,

**WHEREAS**, the most recent Interlocal Cooperation Contract and Lease Agreement between Victoria College Gonzales Center and the City of Gonzales was executed in August of 2018 and is in need of renewal; and,

**WHEREAS**, the original lease with Victoria College was executed on September 1, 2006 and was renewed multiple times, with the most recent lease agreement expiring on August 31, 2023; and,

**WHEREAS**, the City Manager has engaged in discussions with Victoria College staff and come to an agreement regarding the modified terms; and

**WHEREAS**, the City Council hereby finds that entering into an Interlocal Cooperation Contract and Lease Agreement between Victoria College and the City of Gonzales is in the best interest of the City and its citizens.

**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 authorizes the City Manager to execute an Interlocal Cooperation Contract and Lease Agreement between Victoria College and the City of Gonzales 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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-124 Approving Changes to the Current Position Classification for Fiscal Year 2023-2024

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The Golf Course department is in need of a part-time grounds keeper to eliminate departmental overtime. The job description already exists; however, it is not listed within the current position classification.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

This will not change any numbers budgetarily, it will just allow the Golf Course manager to hire a part time employee to assist in maintaining the grounds, and in turn assist in the elimination of departmental overtime for the Golf Course manager and Full-Time Grounds Keeper.

### **ATTACHMENTS:**

Position classification.

### **STAFF RECOMMENDATIONS:**

City staff respectfully recommends the approval of this resolution.

## **RESOLUTION NO. 2023-124**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING CHANGES TO THE 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 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 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 the changes to the current Position Classifications 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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

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	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 #2023-125 Authorizing  
Amendments to the City of Gonzales  
Personnel Policy

**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

There are a few minor changes that need to be made to the City's Personnel Policy. The changes are as follows:

Section 3.11 does not allow the City Manager's discretion regarding exceptions to the carpooling requirement for mileage reimbursement for special circumstances. Verbiage is added to allow that discretion.

Section 6.04 requires the amendment from 5% to 6% in the TMRS contribution amount.

Section 7.01 will be amended if the City Council approves the holiday schedule provided for approval. If the new holiday schedule is not approved at this meeting then the changes will not be necessary and removed from the exhibit.

Section 7.11 was added to adopt a mental health policy for peace officers as a result of the last Legislative Session in 2021. During the Texas Legislature's 88<sup>th</sup> Regular Session, legislation passed to include telecommunicators in the mental health policy. This required change was effective September 1, 2023.

### **POLICY CONSIDERATIONS:**

This Resolution will amend the current version of the Personnel Policy.

### **FISCAL IMPACT:**

This is difficult to determine since it will depend on if employees utilize the mental health leave policy due to a traumatic event.

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution

## **RESOLUTION NO. 2023-125**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING AMENDMENTS TO THE CITY OF GONZALES PERSONNEL POLICY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City desires to provide a set of guidelines intended to create and maintain understanding and cooperation among the employees of the City and to set forth results and procedures to enhance the services of the City to its citizens; and

**WHEREAS**, state and federal rules and regulations set certain provisions regarding City employees, some of which must be set forth in writing, and

**WHEREAS**, the City Manager and Council agree that it is in the best interest of the City and its employees to adopt a written personnel policy to establish a safe, efficient, and cooperative working environment, to establish the responsibilities and level of performance expected of all City employees, and to explain benefits provided to City employees, and

**WHEREAS**, the City Council and City Manager have reviewed the proposed amendments to the Personnel Policy and determined that the amendments should be adopted.

### **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 authorizes the amendments to City of Gonzales Personnel Policy set forth in the attached Exhibit A and directs the City Manager or designee to distribute the amendments to each employee.

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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

## Exhibit "A"

### SECTION 3.11 TRAVEL

Reasonable and necessary expenses incurred while traveling on City- related business will be paid/reimbursed in accordance with this policy. This policy applies to all City employees and employees of other City entities such as the GEDC.

#### D. MEALS

The City will provide for reasonable expenses for meals while an employee is traveling on City business. The City will provide a per diem for meals as follows: \$10 per day for breakfast, \$15 per day for lunch, and \$25 per day for dinner. Employees will not have to provide receipts for these per diem expenditures. No meal charges will be permitted on the City purchasing card. (City Manager may authorize exceptions on a case-by-case basis). The per diem applies to overnight travel only. For day travel or partial day travel the employee shall provide receipts for meals. If meals are provided in the overnight travel, a per diem will not apply.

#### I. TRAVEL TO TRAINING OR OTHER CITY BUSINESS

The maximum current mileage reimbursement rate as determined by the Internal Revenue Service will be paid to employees who must use their personal vehicles to travel to a training destination further than their designated work location or other City locations and/or facilities. Reimbursement will be made only for the difference in miles from the normal work location to the training location. Mileage will be reimbursed from the Gonzales City Hall to the hotel where the employee will be staying. Under no circumstances will the City reimburse an employee for other mileage such as travel to and from meals. Proof of mileage shall be provided by MapQuest printout. Employees traveling to the same location are required to carpool. Use of personal vehicles if not carpooling will not be reimbursed for mileage, unless approved by the City Manager. When possible and available with authorization of the City Manager or his/her designee, use of City vehicles are required.

### SECTION 6.04 RETIREMENT

The City participates in the Texas Municipal Retirement System (TMRS), which provides retirement benefits to eligible employees. A ~~56~~% deduction from the employee's gross salary is required by all full-time regular employees and part-time employees who meet TMRS criteria. All amendments and additions to such system enacted by the City Council are continued in full force and effect, and



are incorporated herein by reference. Copies are on file in the office of the City Secretary.

The City participates in the Federal Medicare and Social Security program. The City matches the deduction from the employee's salary for these benefits. Participation by every employee is a condition of employment.

## **SECTION 7.01      HOLIDAYS**

The City provides paid holidays to introductory, regular full-time and regular part-time employees. All other employees are extended official holidays without pay. The following official holidays will be observed:

**New Year's Day**  
**Dr. Martin Luther King's Birthday**  
**Presidents Day**  
**Texas Independence Day**  
**Good Friday**  
**Memorial Day**  
**Emancipation Day**  
**Independence Day**  
**Labor Day**  
**Come & Take It**  
**Columbus Day**  
**Veterans Day**  
**Thanksgiving Day**  
**Day After Thanksgiving**  
**Christmas Eve Day**  
**Christmas Day**  
**Floating Holiday**

The "floating" holiday may be taken at any time the employee desires (for example: Birthday, 9-11 Remembrance Day), and may be used in conjunction with other personal or vacation leave. The City Council has discretion to change or amend these holidays and any such changes are hereby incorporated by reference based on City Council action.

## **SECTION 7.05      MENTAL HEALTH LEAVE FOR PEACE OFFICERS**

The purpose of this policy is to provide guidance regarding the use of mental health leave for authorized peace officers and telecommunications employed by law enforcement agencies. Mental health leave will support staff in maintaining a healthy state of mind while at work and at home. The City of Gonzales recognizes that mental health is just as important as maintaining physical health. The City supports

establishing a workplace that is comfortable, healthy, safe and supportive. The City acknowledges that workplace trauma is a health and safety issue and that by creating a Mental Health Leave Policy for Peace Officers and telecommunicators to address employees experiencing a traumatic event we can improve the well-being of the organization.

This policy applies to all appropriately licensed peace officers and telecommunicators employed by the City of Gonzales. The Police/Fire Department management will be responsible for communicating and implementing this policy as applicable.

#### Definitions

- Examples of a Traumatic event - an event, series of events, incident, or set of circumstances that is experienced by the employee, during the scope of employment, as physically harmful, emotionally harmful, or life threatening and that has the potential to cause lasting adverse effects on the employee's functioning and mental, physical, social, or emotional well-being outside of the typical setting for the position.
- These examples are not comprehensive, the Chief may evaluate requests for leave to determine if mental health leave is applicable.

#### Eligibility and Applicability

- This policy is applicable to employees who are employed for the purpose of acting as peace officers as defined by Code of Criminal Procedure Article 2.12 and telecommunicators as defined by Section 1701.405 of the Occupations Code,
- This policy allows the use of mental health leave for those eligible employees who experience a traumatic event in the scope of employment.
- Employees who meet all eligibility requirements are entitled to up to two calendar weeks of mental health leave, per traumatic event, which can be extended up to two additional weeks, per occurrence, provided such need for leave is substantiated in writing by the employee's assigned medical professional.
- Mental health leave beyond four weeks may be approved by the Director of Human Resources or City Manager in consulting with the assigned mental health professional and requested and approved as authorized under the applicable leave of absence or other extended leave policies in the personnel policy manual.
- Approved leave will be paid leave that does not utilize accruals or cause a deduction in salary.
- An employee using mental health leave may not work a second job, including self-employment or participate in volunteer work.

## **COUNCIL AGENDA ITEM BRIEFING DATA**



**DATE: October 12, 2023**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City of Gonzales is eligible for an award of \$2,999,400 through the Department of Housing and Urban Development (HUD) approved the Texas General Land Office's (GLO) amended plan for Community Development Block Grant Mitigation (CDBG-MIT) grant funds to be allocated through the Golden Crescent Regional Planning Commission, to the City of Gonzales. The contract for Grant Administration Services for this grant was awarded on February 9, 2023 under Resolution #2023-27. The successful proposal for grant administration services from JET Development was in the amount of \$43,000 to administer funding of \$1,327,800. Due to regional reallocations, the funding amount available to the City of Gonzales is now \$2,999,400 so the contract amount for grant administration services will be \$65,000 to be reimbursed through the grant according to grant milestones.

### **POLICY CONSIDERATIONS:**

This is consistent with current policy.

### **FISCAL IMPACT:**

Grant writing services not reimbursed by the grant will be billed at \$50 per hour.

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution and associated documents.

## **AGENDA ITEM**

Discuss, Consider & Possible Action on Resolution #2023-127 Authorizing the City Manager to Execute a Contract with JET Development LLC in an amount not to exceed \$65,000 for grant administration services for the TXGLO MIT MOD allocation through the Golden Crescent Regional Planning Commission for funding to be administered through the General Land Office (GLO)

**RESOLUTION NO. 2023-127**

**A RESOLUTION OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR GRANT ADMINISTRATION SERVICES, IN THE AMOUNT OF \$65,000, FOR THE TEXAS GENERAL LAND OFFICE PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION (CDBG-MIT) GRANT FUND TO BE ALLOCATED THROUGH THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION TO THE CITY OF GONZALES; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Gonzales awarded a grant administration contract to JET Development LLC on February 9, 2023 under Resolution 2023-27 to apply for and administer Community Development Block Grant Mitigation (CDBG-MIT) funding to be allocated through the Golden Crescent Regional Planning Commission (GCRPC) through the Texas General Land Office (GLO) for project to mitigate the impact of future flooding events; and

**WHEREAS,** JET Development LLC's proposal to administer grant funding in the amount of \$1,327,800 was \$43,000; and

**WHEREAS,** the grant award has increased to \$2,999,400, thereby increasing the scope of the project; and

**WHEREAS,** JET Development LLC agrees to administer the increased grant award of \$2,999,400 for \$65,000 to be reimbursed by the grant by contract milestones to be stated in the GLO grant award; and

**WHEREAS,** the \$65,000 cost of grant administration services to be provided by JET Development LLC is still under the next highest proposal of \$289,000; and

**WHEREAS,** the City of Gonzales finds that entering into an agreement for grant administration services with JET Development LLC is in the best interest of the City and its citizens and will further promote the public health, safety, and general welfare of the City.

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

Section 1. The City Council of the City of Gonzales hereby authorizes the City Manager to execute an agreement for grant administration services with JET Development, LLC in the amount of \$65,000.

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 12<sup>th</sup> day of October, 2023.**

---

Mayor, S.H. Sucher

ATTEST:

---

Kristina Vega, City Secretary

FINANCIAL REPORTS FOR FUNDS AS OF 09/30/2023

CASH & INVESTMENT BY FUND AS OF 09/30/2023

GRANT REIMBURSEMENTS PENDING UPDATE:

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

\$985.00 on the Edwards Association grant project

\$87,634.85 on the Tinsley Creek mitigation grant project

\$7,993.32 on the Lone Star Operation grant project

**\$404,553.85 TOTAL**

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 2023

## 100-GENERAL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
401-TAX REVENUE	2,949,856.00	169,238.07	3,120,607.89	105.79	0.00	( 170,751.89)
402-FRANCHISE REVENUE	1,995,900.00	154.46	1,520,942.97	76.20	0.00	474,957.03
403-LICENSE/FEE/PERMITS	92,270.00	13,553.81	107,702.38	116.73	0.00	( 15,432.38)
404-PARKS FEES REVENUE	293,310.00	25,475.45	390,566.23	133.16	0.00	( 97,256.23)
405-MUNICIPAL COURT REVEN	58,075.00	4,877.04	48,677.78	83.82	0.00	9,397.22
406-MISCELLANEOUS REVENUE	787,958.00	30,987.95	1,123,521.21	142.59	0.00	( 335,563.21)
407-STREET ASSESSMENT INC	0.00	0.00	( 1,132.60)	0.00	0.00	1,132.60
408-INTEREST REVENUES	47,199.01	14,418.54	181,912.93	385.42	0.00	( 134,713.92)
409-OTHER FINANCING REVEN	2,054,426.99	35,468.32	242,054.76	11.78	0.00	1,812,372.23
410-TRANSFERS	2,832,618.00	205,718.24	2,709,711.00	95.66	0.00	122,907.00
*** TOTAL REVENUES ***	11,111,613.00	499,891.88	9,444,564.55	85.00	0.00	1,667,048.45
EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTME	84,966.00	7,653.84	66,575.89	78.36	0.00	18,390.11
102-CITY MANAGER DEPART	198,872.50	19,808.18	163,257.76	82.09	0.00	35,614.74
103-COMMUNITY DEVELOPMENT	159,291.00	( 6,592.51)	111,218.49	69.82	0.00	48,072.51
104-NON-DEPARTMENTAL	1,059,037.82	38,437.11	626,771.84	59.56	3,967.00	428,298.98
105-MAIN STREET DEPARTMEN	119,785.00	9,321.66	116,802.50	97.51	0.00	2,982.50
107-BUILDING MAINTENANCE	280,421.00	23,721.83	259,148.51	92.41	0.00	21,272.49
108-CITY SECRETARY DEP	186,150.00	17,389.08	171,512.93	92.14	0.00	14,637.07
109-FINANCE DEPARTMENT	311,672.50	25,262.47	299,888.27	97.95	5,400.00	6,384.23
201-PARKS DEPARTMENT	730,292.00	52,787.49	688,232.78	94.24	0.01	42,059.21
202-SWIMMING POOL DEPARTM	28,425.00	8.09	24,075.62	84.70	0.00	4,349.38
204-RECREATION DEPARTMENT	18,314.00	1.60	12,273.02	67.01	0.00	6,040.98
206-INDEPENDENCE GOLF CO	301,199.00	38,196.08	291,269.33	96.70	0.00	9,929.67
301-FIRE DEPARTMENT	1,579,550.00	174,803.07	1,329,495.26	90.42	98,692.92	151,361.82
501-POLICE DEPARTMENT	2,898,138.00	260,927.32	2,647,382.89	92.75	40,778.50	209,976.61
504-ANIMAL CONTROL DEPART	200,498.64	16,410.69	176,477.73	88.02	0.00	24,020.91
550-MUNICIPAL COURT DEPT.	113,216.00	7,759.48	106,111.17	93.72	0.00	7,104.83
602-AIRPORT DEPARTMENT	130,820.00	23,365.48	91,844.25	70.21	0.00	38,975.75
603-STREETS DEPARTMENT	2,425,296.17	56,944.53	2,076,389.91	85.63	297.82	348,608.44
650-LIBRARY DEPARTMENT	310,366.00	26,596.55	299,344.94	96.45	0.00	11,021.06
660-MUSEUM DEPARTMENT	97,835.00	12,268.46	104,152.85	106.46	0.00	( 6,317.85)
*** TOTAL EXPENDITURES ***	11,234,145.63	805,070.50	9,662,225.94	87.34	149,136.25	1,422,783.44
** REVENUES OVER (UNDER) EXPENDITURES **	( 122,532.63)	( 305,178.62)	( 217,661.39)	299.35	( 149,136.25)	244,265.01

C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 2023

203-JB WELLS PARK FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
404-PARKS FEES REVENUE	754,150.00	47,815.00	666,142.17	88.33	0.00	88,007.83
406-MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	754,150.00	47,815.00	666,142.17	88.33	0.00	88,007.83
EXPENDITURE SUMMARY						
203-JB WELLS PARK	935,649.00	60,515.08	833,880.69	89.12	( 0.01)	101,768.32
*** TOTAL EXPENDITURES ***	935,649.00	60,515.08	833,880.69	89.12	( 0.01)	101,768.32
** REVENUES OVER (UNDER) EXPENDITURES **	( 181,499.00)	( 12,700.08)	( 167,738.52)	92.42	0.01	( 13,760.49)



C I T Y O F G O N Z A L E S  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 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	10,880,143.00	1,174,020.55	10,568,729.91	97.14	0.00	311,413.09
750-REVENUE COLLECTION	279,802.00	1,641.06	240,371.86	85.91	0.00	39,430.14
809-HYDRO PLANT CONST.	0.00	0.00	0.00	0.00	0.00	0.00
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	11,159,945.00	1,175,661.61	10,809,101.77	96.86	0.00	350,843.23
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	11,387,727.00	234,114.90	10,156,650.94	94.91	651,045.61	580,030.45
750-REVENUE COLLECTIONS	304,792.00	26,053.91	284,318.57	93.28	0.00	20,473.43
809-HYDRO PLANT CONST.	146,000.00	0.00	146,300.00	100.21	0.00	( 300.00)
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	11,838,519.00	260,168.81	10,587,269.51	94.93	651,045.61	600,203.88
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES ** ( 678,574.00)	-----	-----	-----	-----	-----	-----

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 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	3,108,450.00	308,819.82	2,848,765.50	91.65	0.00	259,684.50
*** TOTAL REVENUES ***	3,108,450.00	308,819.82	2,848,765.50	91.65	0.00	259,684.50
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	3,492,038.34	146,728.91	2,734,548.26	78.65	11,932.96	745,557.12
*** TOTAL EXPENDITURES ***	3,492,038.34	146,728.91	2,734,548.26	78.65	11,932.96	745,557.12
** REVENUES OVER (UNDER) EXPENDITURES **	( 383,588.34)	162,090.91	114,217.24	26.67-	( 11,932.96)	( 485,872.62)

C I T Y O F G O N Z A L E S  
F I N A N C I A L S T A T E M E N T  
A S O F : S E P T E M B E R 3 0 T H , 2 0 2 3

## 230-WASTEWATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
730-WASTEWATER COLLECTION	1,775,500.00	130,608.43	1,590,984.24	89.61	0.00	184,515.76
731-W/W GRANT PROJECTS	0.00	0.00	126,476.34	0.00	0.00	( 126,476.34)
*** TOTAL REVENUES ***	1,775,500.00	130,608.43	1,717,460.58	96.73	0.00	58,039.42
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,663,508.00	77,487.63	1,270,351.29	76.76	6,500.00	386,656.71
731-W/W GRANT PROJECTS	0.00	0.00	516,054.74	0.00	0.00	( 516,054.74)
*** TOTAL EXPENDITURES ***	1,663,508.00	77,487.63	1,786,406.03	107.78	6,500.00	( 129,398.03)
** REVENUES OVER (UNDER) EXPENDITURES **	111,992.00	53,120.80	( 68,945.45)	67.37-	( 6,500.00)	187,437.45

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 2023

## 240-SOLID WASTE FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
740-SOLID WASTE DEPARTMEN	832,350.00	70,584.11	844,536.71	101.46	0.00	( 12,186.71)
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	832,350.00	70,584.11	844,536.71	101.46	0.00	( 12,186.71)
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	832,217.00	64,969.29	822,546.07	98.84	0.00	9,670.93
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	832,217.00	64,969.29	822,546.07	98.84	0.00	9,670.93
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	133.00	5,614.82	21,990.64	534.32	0.00	( 21,857.64)
	=====	=====	=====	=====	=====	=====

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 2023

## 400-DSF GOVERNMENT ACTIVITIES

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
400-DSF GOVERNMENT ACT.	818,613.00	5,655.59	892,674.59	109.05	0.00	( 74,061.59)
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	818,613.00	5,655.59	892,674.59	109.05	0.00	( 74,061.59)
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	815,613.00	0.00	815,612.50	100.00	0.00	0.50
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	815,613.00	0.00	815,612.50	100.00	0.00	0.50
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	3,000.00	5,655.59	77,062.09	568.74	0.00	( 74,062.09)
	=====	=====	=====	=====	=====	=====

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 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	354,400.00	33,296.89	445,357.54	125.67	0.00	( 90,957.54)
812-MEMORIAL MUSEUM	0.00	0.00	0.00	0.00	0.00	0.00
813-FORFEITURES	0.00	0.00	0.00	0.00	0.00	0.00
814-MUNICIPAL COURT	0.00	0.00	0.00	0.00	0.00	0.00
815-ROBERT L BROTHERS	0.00	0.00	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 ***	354,400.00	33,296.89	445,357.54	125.67	0.00	( 90,957.54)
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
811-HOTEL MOTEL	524,026.00	28,172.79	393,987.41	75.18	0.00	130,038.59
	=====	=====	=====	=====	=====	=====
*** TOTAL EXPENDITURES ***	524,026.00	28,172.79	393,987.41	75.18	0.00	130,038.59
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	( 169,626.00)	5,124.10	51,370.13	30.28-	0.00	( 220,996.13)
	=====	=====	=====	=====	=====	=====

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 2023

## 501-MEMORIAL MUSEUM FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
-----						
REVENUE SUMMARY						
812-MEMORIAL MUSEUM	2,400.00	44.36	3,701.29	154.22	0.00	( 1,301.29)
	-----	-----	-----	-----	-----	-----
*** TOTAL REVENUES ***	2,400.00	44.36	3,701.29	154.22	0.00	( 1,301.29)
	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
812-MEMORIAL MUSEUM	4,000.00	0.00	0.00	0.00	0.00	4,000.00
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	4,000.00	0.00	0.00	0.00	0.00	4,000.00
	=====	=====	=====	=====	=====	=====
** REVENUES OVER (UNDER) EXPENDITURES **	( 1,600.00)	44.36	3,701.29	231.33-	0.00	( 5,301.29)
	=====	=====	=====	=====	=====	=====

C I T Y O F G O N Z A L E S  
 FINANCIAL STATEMENT  
 AS OF: SEPTEMBER 30TH, 2023

## 502-FORFEITURE FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
813-FORFEITURES	110.00	3,360.51	20,008.64	189.67	0.00	( 19,898.64)
*** TOTAL REVENUES ***	110.00	3,360.51	20,008.64	189.67	0.00	( 19,898.64)
EXPENDITURE SUMMARY						
813-FORFEITURES	20,500.00	0.00	6,614.04	43.86	2,377.34	11,508.62
*** TOTAL EXPENDITURES ***	20,500.00	0.00	6,614.04	43.86	2,377.34	11,508.62
** REVENUES OVER (UNDER) EXPENDITURES **	( 20,390.00)	3,360.51	13,394.60	54.03-	( 2,377.34)	( 31,407.26)



CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 2023

503-MUNICIPAL COURT

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
814-MUNICIPAL COURT	1,720.00	188.37	2,708.66	157.48	0.00	( 988.66)
*** TOTAL REVENUES ***	1,720.00	188.37	2,708.66	157.48	0.00	( 988.66)
EXPENDITURE SUMMARY						
814-MUNICIPAL COURT	14,927.00	47.65	11,373.61	76.19	0.00	3,553.39
*** TOTAL EXPENDITURES ***	14,927.00	47.65	11,373.61	76.19	0.00	3,553.39
** REVENUES OVER (UNDER) EXPENDITURES **	( 13,207.00)	140.72	( 8,664.95)	65.61	0.00	( 4,542.05)

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 2023

504-ROBERT LEE BROTHERS FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
815-ROBERT L BROTHERS	380.00	206.77	7,624.51	6.45	0.00	( 7,244.51)
*** TOTAL REVENUES ***	380.00	206.77	7,624.51	6.45	0.00	( 7,244.51)
EXPENDITURE SUMMARY						
815-ROBERT LEE BROTHERS	52,200.00	511.85	29,188.02	55.92	0.00	23,011.98
*** TOTAL EXPENDITURES ***	52,200.00	511.85	29,188.02	55.92	0.00	23,011.98
** REVENUES OVER(UNDER) EXPENDITURES **	( 51,820.00)	( 305.08)	( 21,563.51)	41.61	0.00	( 30,256.49)

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 2023

505-PEG FRANCHISE FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
916-PEG FRANCHISE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	0.00	0.00	0.00	0.00	0.00	0.00
EXPENDITURE SUMMARY						
816-PEG FRANCHISE	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL EXPENDITURES ***	0.00	0.00	0.00	0.00	0.00	0.00
** REVENUES OVER (UNDER) EXPENDITURES **	0.00	0.00	0.00	0.00	0.00	0.00

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: SEPTEMBER 30TH, 2023

700-GONZALES ECONOMIC DEV

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,000,795.00	91,281.84	1,192,524.25	119.16	0.00	( 191,729.25)
*** TOTAL REVENUES ***	1,000,795.00	91,281.84	1,192,524.25	119.16	0.00	( 191,729.25)
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	2,083,488.00	64,979.03	1,266,339.63	60.78	0.00	817,148.37
*** TOTAL EXPENDITURES ***	2,083,488.00	64,979.03	1,266,339.63	60.78	0.00	817,148.37
** REVENUES OVER (UNDER) EXPENDITURES **	( 1,082,693.00)	26,302.81	( 73,815.38)	6.82	0.00	( 1,008,877.62)

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>100-GENERAL FUND</u>			
=====			
<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	622,761.00	
100 1-001.501	CASH-GENERAL FUND RBFCU	0.00	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	130,398.96	
100 1-101.506	CASH- PEG FRANCHISE ACTIVITIES	143,310.95	
		-----	
	TOTAL CASH	896,470.91	
<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		46,245.19
			-----
	TOTAL INVESTMENTS		46,245.19
<u>POOLED INVESTMENTS</u>			
100 1-104.002	TEXPOOL- GENERAL FUND		2,773,890.22
100 1-104.003	TEXPOOL-CLFRF PART II - ARPA		201,646.78
			-----
	TOTAL POOLED INVESTMENTS		2,975,537.00
		-----	-----
	TOTAL 100-GENERAL FUND	896,470.91	3,021,782.19

203-JB WELLS FUND  
=====

<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	( 180,696.62)	
		-----	
	TOTAL CASH	( 180,696.62)	
		-----	-----
	TOTAL 203-JB WELLS PARK FUND	( 180,696.62)	0.00

210-ELECTRIC FUND  
=====

<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	( 83,463.97)	
210 1-001.606	CASH CUSTOMER METER DEPOSIT	166,800.76	
		-----	
	TOTAL CASH	83,336.79	

## CASH &amp; INVESTMENTS BY FUND

AS OF: SEPTEMBER 30TH, 2023 SEPTEMBER 30TH, 2023

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

INVESTMENTS

210 1-103.410	CERT OF DEP - SOUTH STAR BANK		0.00
---------------	-------------------------------	--	------

TOTAL INVESTMENTS			0.00
-------------------	--	--	------

POOLED INVESTMENTS

210 1-104.002	TEXPOOL- ELECTRIC FUND		2,118,760.96
---------------	------------------------	--	--------------

TOTAL POOLED INVESTMENTS			2,118,760.96
--------------------------	--	--	--------------

TOTAL 210-ELECTRIC FUND		83,336.79	2,118,760.96
-------------------------	--	-----------	--------------

220-WATER FUND

=====

CASH

220 1-001.000	CASH - WATER FUND	465,315.48	
---------------	-------------------	------------	--

220 1-001.606	CASH CUSTOMER METER DEPOSITS	28,664.00	
---------------	------------------------------	-----------	--

TOTAL CASH		493,979.48	
------------	--	------------	--

POOLED INVESTMENTS

220 1-104.002	TEXPOOL- WATER FUND		2,000,265.41
---------------	---------------------	--	--------------

220 1-104.103	TEXPOOL - CO SERIES 2019		0.00
---------------	--------------------------	--	------

TOTAL POOLED INVESTMENTS			2,000,265.41
--------------------------	--	--	--------------

TOTAL 220-WATER FUND		493,979.48	2,000,265.41
----------------------	--	------------	--------------

230-WASTEWATER FUND

=====

CASH

230 1-001.000	CASH - WASTEWATER FUND	383,257.79	
---------------	------------------------	------------	--

230 1-001.606	CASH CUSTOMER METER DEPOSIT	300.00	
---------------	-----------------------------	--------	--

TOTAL CASH		383,557.79	
------------	--	------------	--

INVESTMENTS

230 1-103.411	CERT. OF DEP - SOUTH STAR BANK		0.00
---------------	--------------------------------	--	------

TOTAL INVESTMENTS			0.00
-------------------	--	--	------

POOLED INVESTMENTS

230 1-104.002	TEXPOOL- WASTEWATER FUND		1,239,614.30
---------------	--------------------------	--	--------------

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			1,239,614.30
--------------------------	--	--	--------------

TOTAL 230-WASTEWATER FUND		383,557.79	1,239,614.30
---------------------------	--	------------	--------------

## CASH &amp; INVESTMENTS BY FUND

AS OF: SEPTEMBER 30TH, 2023 SEPTEMBER 30TH, 2023

FUND-ACCT, NO, ACCOUNT NAME	CASH	INVESTMENTS
<hr/>		
240-SOLID WASTE		
=====		
CASH		
240 1-001.000 CASH - SOLID WASTE FUND	159,314.23	
	-----	
TOTAL CASH	159,314.23	
	-----	-----
TOTAL 240-SOLID WASTE FUND	159,314.23	0.00
<hr/>		
250-DSF PROPRIETARY		
=====		
CASH		
250 1-001.000 CASH-DSF PROPRIETARY	0.00	
	-----	
TOTAL CASH	0.00	
	-----	-----
TOTAL 250-DSF PROPRIETARY	0.00	0.00
<hr/>		
300-CAPITAL PROJECTS-BUS		
=====		
CASH		
300 1-001.000 CASH - CONTROL 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		
=====		
CASH		
400 1-001.000 CASH - CONTROL ACCOUNT	0.00	
400 1-001.101 CASH-DSF GOV. ACTIVITIES	358,154.71	
	-----	
TOTAL CASH	358,154.71	
	-----	-----
TOTAL 400-DSF GOVERNMENT ACTIVITIES	358,154.71	0.00
<hr/>		

## CASH &amp; INVESTMENTS BY FUND

AS OF: SEPTEMBER 30TH, 2023 SEPTEMBER 30TH, 2023

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

<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCOUNT	( 5,922.50)	
500 1-001.502	CASH - HOTEL MOTEL TAX	857,588.77	
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		851,666.27	
		-----	
TOTAL 500-HOTEL/MOTEL FUND		851,666.27	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	10,458.10	
		-----	
TOTAL CASH		10,458.10	
		-----	
TOTAL 501-MEMORIAL MUSEUM FUND		10,458.10	0.00

## 502-FORFEITURES

=====

<u>CASH</u>			
502 1-001.000	CASH - CONTROL ACCOUNT	0.00	
502 1-001.504	CASH - FORFEITURES FEDERAL	32,450.25	
502 1-001.505	CASH - FORFEITURES STATE	5,449.82	
		-----	
TOTAL CASH		37,900.07	
		-----	
TOTAL 502-FORFEITURE FUND		37,900.07	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	4,130.69	
503 1-001.506	CASH - MUN CRT SECURITY	20,359.98	
503 1-001.507	CASH - MUN CRT TECH	1,072.54	



## CASH &amp; INVESTMENTS BY FUND

AS OF: SEPTEMBER 30TH, 2023 SEPTEMBER 30TH, 2023

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
503 1-001.508	CASH - SPECIAL EXPENSE	3,466.11	
TOTAL CASH		29,029.32	
TOTAL 503-MUNICIPAL COURT		29,029.32	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	49,095.93	
TOTAL CASH		49,095.93	
TOTAL 504-ROBERT LEE BROTHERS FUND		49,095.93	0.00

## 505-PEG FRANCHISE FUND

=====

CASH			
505 1-001.000	CASH - CONTROL ACCOUNT	0.00	
505 1-101.506	CASH- PEG FRANCHISE ACTIVITIES	0.00	
TOTAL CASH		0.00	
TOTAL 505-PEG FRANCHISE FUND		0.00	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	( 4,170.36)	
700 1-001.101	CASH - ECONOMIC DEV CORP	2,123,584.38	
TOTAL CASH		2,119,414.02	

## CASH &amp; INVESTMENTS BY FUND

AS OF: SEPTEMBER 30TH, 2023 SEPTEMBER 30TH, 2023

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		509,958.30
			-----
TOTAL POOLED INVESTMENTS			509,958.30
		-----	-----
TOTAL 700-GONZALES ECONOMIC DEV		2,119,414.02	1,529,001.18
		-----	-----
FUND TOTAL OTHER INVESTMENTS			1,065,288.07
FUND TOTAL POOLED INVESTMENTS			8,844,135.97
		-----	-----
TOTAL CASH AND INVESTMENTS		5,291,681.00	9,909,424.04
		=====	=====

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