

**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET  
AGENDA – JULY 12, 2018 6:00 P.M.**

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

**HEARING OF RESIDENTS**

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

**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 Swearing in Police Officer Marisol Sanchez

**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 Regular Meeting of June 14, 2018
- 2.2 Discuss, Consider & Possible Action Approving **Resolution #2018-64** Authorizing the City Manager to Execute a Substation Maintenance Agreement-Gonzales/Harwood Substation with the Lower Colorado River Authority (LCRA)
- 2.3 Discuss, Consider & Possible Action Approving **Resolution #2018-65** Ratifying the Agreement with United States Department of Justice, Drug Enforcement Administration ("DEA")
- 2.4 Discuss, Consider & Possible Action Approving **Resolution #2018-66** Approving a First Amendment to Loan Agreement by and Between the Gonzales Economic Development Corporation and Winbin Ventures, Inc., for Economic Development Purposes
- 2.5 Discuss, Consider & Possible Action Approving **Resolution #2018-67** Authorizing the City Manager to Execute a License Agreement with the Texas Junior High Rodeo Association (TJHRA)

**REGULAR AGENDA ITEMS**

**RESOLUTIONS**

- 3.1 Discuss, Consider & Possible Action Approving **Resolution #2018-68** Authorizing the Execution of the Employment Agreement with Tim Patek for Employment as City Manager for the City of Gonzales, Texas
- 3.2 Discuss, Consider & Possible Action Approving **Resolution #2018-69** Authorizing the City Manager to Execute an Oil, Gas and Mineral Lease with 2BZ, Inc. for 4.099 acres

- 3.3 Discuss, Consider & Possible Action Approving **Resolution #2018-70** Accepting an offer to purchase an Amended Easement from the Lower Colorado River Authority (LCRA) for an existing electric transmission line, and authorizing the City Manager to execute any and all necessary documents to complete the transaction
- 3.4 Discuss, Consider & Possible Action Approving **Resolution #2018-71** Authorizing the Appointment of two Council Members to the Golden Crescent Regional Planning Commission General Assembly for the term September 1, 2018 through August 31, 2019
- 3.5 Discuss, Consider & Possible Action Approving **Resolution #2018-72** Appointing Five Citizens to the Charter Review Commission to be empaneled from August 1, 2018 through January 31, 2019 as required by Section 11.11 of the City of Gonzales Charter
- 3.6 Discuss, Consider & Possible Action Approving **Resolution #2018-73** Regarding the selection of a submission in the Request for Proposals Process for the provision of Electric Utility Operations & Day-to-Day Maintenance Services; authorizing the negotiation of final terms
- 3.7 Discuss, Consider & Possible Action Approving **Resolution #2018-74** Authorizing the City Manager to Negotiate and Execute an Agreement for Administrative Services between the City of Gonzales and the Gonzales Economic Development Corporation

#### **ORDINANCES**

- 4.1 Discuss, Consider & Possible Action Approving **Ordinance #2018-19** Amending Article 4.800 Garage Sales of the Gonzales Code of Ordinances
- 4.2 Discuss, Consider & Possible Action Approving **Ordinance #2018-20** Closing and Abandoning to the Abutting Property Owners Portions of Certain Unimproved Streets
- 4.3 Discuss, Consider & Possible Action Approving **Ordinance #2018-21** Amending Chapter 6, Health and Sanitation, Article 6.300 Unsanitary and Unsightly Conditions on Private Premises, Section 6.301 Designation of Prohibited Conditions, Section 6.302 Notice to Owner to Remedy or Remove Condition and Section 6.303 Correction or Removal of Conditions by City; Adding New Section 6.306 Enforcement And Penalties
- 4.4 Discuss, Consider & Possible Action Approving **Ordinance #2018-22** Amending The Code Of Ordinances Of The City Of Gonzales, Texas, Chapter 8, Offenses And Nuisances, Article 8.200 Junked Vehicles
- 4.5 Discuss, Consider & Possible Action Approving **Ordinance #2018-23** Approving a Budget Amendment Amending the Organizational Staffing Structure in the Police Department by Eliminating the Cadet Position

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

- 5.1 Financial Report for the Month of June 2018 & Investment Report for Second Quarter 2018
- 5.2 Interim City Manager, Tim Patek will update the City Council on the possibility of Alcohol Sales at the Gonzales Independence Golf Course, addressing the citizen concerns regarding motorized scooters on City Right of Way

#### **WORKSHOP**

- 6.1 Discuss, Consider & Possible Action regarding the exploration of options available for future higher education opportunities in Gonzales; authorizing the Mayor, Mayor Pro Tem and City Manager to initiate and engage in necessary discussions and bring potential options back to the City Council for consideration.

#### **CLOSED SESSION**

- 7.1 (1) Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement

offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:

- a. In Re Estate of J. B. Wells litigation

## **RETURN TO OPEN SESSION**

8.1 Discuss and Consider any Action Resulting from Closed Session as Necessary

## **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 July 12, 2018, 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> of July, 2018 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 \_\_\_\_\_, 2018 at \_\_\_\_\_am/pm. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.

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Kristina Vega, City Secretary

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

**CITY OF GONZALES  
CITY COUNCIL MEETING  
JUNE 14, 2018 MINUTES**

The City Council convened the council meeting at 6:00 p.m., June 14, 2018, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Dan Blakemore and Bobby O'Neal.

Others Present: Interim City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney-T. Daniel Santee

Staff Present: Clint Hille, Laura Zella, Genora Young, Barbara Friedrich, Tim Crow, Keith Schmidt, William Ince, Anne Dollery, Angie Kessler

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

**PUBLIC HEARING**

1.1 The City Council of the City of Gonzales will hold a Public Hearing for Early Citizen input regarding the use of City Funds for Fiscal Year Beginning October 1, 2018 and ending September 30, 2019.

No comments were made.

**OTHER BUSINESS**

2.1 Selection of Mayor Pro Tem for the City of Gonzales City Council.  
Councilman O'Neal made a motion to appoint Councilman Dan Blakemore as Mayor Pro Tem. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schroeder and the Mayor all voted "aye".

Councilman Tommy Schurig joined at 6:05 P.M.

**HEARING OF RESIDENTS**

Clint Hille spoke about the Bushong Collection an authentic Texas History Collection owned by Vicki Bushong displayed at the library and invited all to attend the Grand Opening on July 4<sup>th</sup> from 4-6 p.m.

Kelly Lindner & Kris McLain wished the Mayor a Happy Birthday.

Roger Eberle expressed his concerns regarding the electric wheel chairs on the right-of-way and the safety concerns that he has, and asked to Council to address the issue.

## **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 Councilmember.

The Mayor read the consent items as follows:

3.1 **Minutes** - Approval of the minutes for the Regular Meeting of May 10, 2018

3.2 **Minutes** - Approval of the minutes for the Special Called Meeting of May 17, 2018

3.3 Discuss, Consider & Possible Action Approving **Resolution #2018-58** Approving the Gonzales Convention and Visitor Bureau's Recommendation to Fund Up to \$1,800.00 for facility costs to the Gonzales Chapter Daughters of the Republic of Texas (DRT)

3.4 Discuss, Consider & Possible Action Approving **Resolution #2018-59** Authorizing the Temporary Closure of Certain City Streets, Use of City Property and Consumption of Alcohol on City Property for the Come & Take It Celebration on October 5, 6 & 7, 2018

The Mayor asked for a motion to approve the consent agenda items. Councilman Schurig made a motion to approve the consent items. Councilman O'Neal seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

## **REGULAR AGENDA ITEMS**

### **RESOLUTIONS**

4.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-60** Establishing a Policy for the Gonzales Convention and Visitor's Bureau which Provides Guidelines for the use of Hotel/Motel Occupancy Tax Funds, and Establishing an Approval Authority of up to \$5,000.00. Council what we ask for your consideration for approval is that we empower the board to approve requests up to \$5,000.00 when they fall within the budgeted line item under special events, that would allow those items to fall within their authority for approval and there would be no further need to present those items to Council. We have in your packet their application and also the policy that the board has adopted to present to you for approval this evening. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-60** Establishing a Policy for the Gonzales Convention and Visitor's Bureau which Provides Guidelines for the use of Hotel/Motel Occupancy Tax Funds, and Establishing an Approval Authority of up to \$5,000.00. Councilman Blakemore

seconded the motion. The Mayor called for discussion. The Mayor stated under discussion I have three small things I would for consideration an amendment to the approval as presented. The modification that I would request under the City Policy under a) preference would be given to those requests which will most likely be able to increase hotel occupancy that we would just strike the words most likely and have it read preference would be given to those requests which will be able to increase hotel occupancy. Under c) that we would just add that sentence increasing hotel occupancy, so c) would read the intent of the program is to provide funding for an event to help advertise and promote events by increasing hotel occupancy. Under d) that we would just strike sales tax, the statute for HOT tax does not address sales tax. Obviously that is a compensating factor for the board to consider in their approval, I just feel like our policy should represent the statute as it is written. If the Council approves, we can amend the motion and amend the second on the floor. If not, the motion will remain as stated. Councilman O'Neal made a motion to modify his previous motion with the suggestions that were made. Councilman Blakemore amended his second. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-61** Authorizing the Amendments to Section 8.18 Usage of Vehicles of the City of Gonzales Personnel Manual. Council we have a draft of the modified city vehicle policy. There were very minor changes to the policy, the most significant addition was that we added, it is possible employees with take home vehicles may incur tax liability, the finance department will be considered the primary repository for take home vehicle records and responsible for issuing tax documents and adjusting withholdings as necessary. That is subject to the IRS Code and to be compliant that was added to the policy. Again, the policy basically reflects what was in force. It does allow public safety staff to take vehicles home at the discretion of their director and the approval of the City Manager. Their vehicles will remain within the city limits, specific authorization by the City Manager would be necessary for taking any vehicle outside of the city limits and to include the specific miles outside the limits, for commuting purposes to and from their primary residents public safety command staff must also adhere to the applicable department policies. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2018-61** Authorizing the Amendments to Section 8.18 Usage of Vehicles of the City of Gonzales Personnel Manual. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

4.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-62** Authorizing the Creation and Appointment of a Historic Ordinance

Subcommittee. Just as point of information, this subcommittee, you are not approving or consenting to adopting an ordinance for a historic ordinance, you are simply approving a working committee to work in concert with the City Attorney to draft a proposal for a historic ordinance. Those meetings will be open and we certainly welcome all the downtown business owners to attend and to share input. We have two council members the Mayor and the Mayor Pro Tem that would serve on that committee and also the boards and commissions that would be involved in the adoption of such ordinance. The desire was to first look at the Main Street district and adopt the Historic Ordinance in that district before moving forward. The names that were presented in your packet would be Glenda Gordon representing the Gonzales County Historical Commission, the Chamber Executive Director-Daisy Scheske Freeman, Main Street Director-Barbara Friedrich, Tourism Director-Clint Hille, Historic Homes representative-Barbara Crozier, ZBOA was noted as President Vicki Frenzel, I need to substitute Dawn O'Donnell for your consideration, Vicki was unable to serve due to other commitments, Planning & Zoning-Tim Gescheidle, GEDC Director & President-Genora Young, City Engineer-Keith Schauer, Mayor, Mayor Pro Tem, Interim City Manager-Tim Patek, City Secretary who is over zoning and our Building Official-William Ince and the Facilitator would be the City Attorney-Dan Santee to ensure that we are compliant in all legal aspects and other ordinances that may currently adopted and in force. I have asked one additional person to serve and he will be getting back with us and we will look at that appointment at the next meeting as he was not able to commit at this time. If those names align with your acceptance I will call for a motion. Councilman O'Neal made a motion to approve **Resolution #2018-62** Authorizing the Creation and Appointment of a Historic Ordinance Subcommittee. Councilman Schurig seconded the motion. The Mayor called for discussion. Councilman Blakemore stated in looking at the names, I agree with Councilman O'Neal as far as who we have. One concern I have is I don't see any downtown ownership represented, maybe with Tim Gescheidle, he owns a building there, but there are other people that are very active in the City that own a lot of property downtown that aren't represented here and so I just put that out there for discussion that I think there should be. Mayor Kacir asked, Councilman, do you feel having the meetings publicized and all the downtown owners eligible to attend those meetings for their input. Councilman Blakemore stated he would hope that they would do that, but I would personally think that if they are a part of committee there's more ownership. They might not be able to make the meetings to express what they would like to express, but they might as a member of the committee have voting rights that they would not have in public comments on certain issues and I find that very important. Mayor Kacir concurred, and would encourage Council to work within your districts and citizenry to hear their feedback because again the committee would have no authority for the adoption of any ordinance that is put together, but they would present that product to the Council and then it is up to the Council to approve it, not approve it, or to

approve it with modifications, but point well taken Councilman. I will again state for the record, the gentleman that I asked to serve most recently is a downtown owner and owns quite a bit of property downtown and again he has asked to reserve his commitment to the July meeting. Any other discussion, there being none, the Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig voted "aye." Councilman Schroeder stated just that the duration time on the bench and this has come up several times and I have never been onboard with it, he then voted "nay". The Mayor voted "aye", and stated I do feel it is important to have an ordinance to protect the historical architecture of our assets and to maintain the historic integrity of downtown, I also see other cities who are prosperous and successful do have those ordinances in place and it would be similar to purchasing a home in a subdivision and having subdivision restrictions. Again, you want to protect your investment and invite additional economic opportunities and stimulus through other investors in that property.

4.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Resolution #2018-63** Authorizing the Interim City Manager to Order an Economic Impact Analysis not to exceed \$15,000.00. Council the Economic Impact Study that we have presented for your consideration will be up to, not to exceed \$15,000.00; it would be from budgeted funds out of non-department budget line-item for special contracts. Those moneys could be expensed toward the Economic Impact Analysis. The Mayor asked for a motion. Councilman Blakemore made a motion to approve **Resolution #2018-63** Authorizing the Interim City Manager to Order an Economic Impact Analysis not to exceed \$15,000.00. Councilman O'Neal seconded the motion. The Mayor called for discussion. The Mayor stated, she spoke with several firms on the Economic Impact Analysis, it is vital that we have one for our city. One of the firms that I spoke with will also compile a presentation in regards to our assets in way of Tourism and have a protocol written as to where our focus should be and how to package those assets to be more successful within Tourism, increasing sales tax revenue and the other positive economic impact that it has on our city. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

## **ORDINANCES**

5.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-17** Adopting a Budget Amendment for Fiscal Year 2017-2018. Our Finance Director has given a very detailed overview of the four amendments that she has prepared for your consideration. The first amendment revolves around implementing the debt service fund, which is required by our bond issues and other debt that the City has. There would be a second debt service fund for the debt service of payments made for with proprietary fund revenues and will be called the proprietary debt service fund, the second amendment was that we had budgeted the credit card

expense to be paid from specific general ledger account and after researching the Local Government Code, we need to reallocate that revenue and expense within the general fund. The third amendment addresses a donation fund raising that was done by our Golf Board that was done for specific expenditures and the fourth amendment addresses the amount budgeted for the street sweeper, which staff believes that they have an alternate plan. They will not be purchasing that street sweeper and they've allocated those funds as itemed below. Mayor Kacir asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2018-17** Adopting a Budget Amendment for Fiscal Year 2017-2018. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

5.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action Approving **Ordinance #2018-18** Appointing Crystal Cedillo, Gonzales County Tax Assessor-Collector, as the Individual to Calculate and Prepare the 2018 Effective and Rollback Tax Rates for the City of Gonzales. Mayor Kacir asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2018-18** Appointing Crystal Cedillo, Gonzales County Tax Assessor-Collector, as the Individual to Calculate and Prepare the 2018 Effective and Rollback Tax Rates for the City of Gonzales. Councilman Schroeder seconded the motion. The Mayor asked for a roll call vote. Councilman O'Neal, Blakemore, Schurig, Schroeder and the Mayor all voted "aye".

## **STAFF/BOARD REPORTS**

6.1, Financial Report for the Month of May 2018. Mayor Kacir stated that the Financial Report for the month of May 2018 is available for review and asked the Council if they had any questions. No comments or questions were made.

6.2, Gonzales Economic Development Corporation, President/CEO, Genora Young gave the Economic Development Annual Report for Fiscal Year 2016-2017.

6.3, Interim City Manager, Tim Patek updated the City Council on status of TCEQ regarding the baffles at the Waterplant, the status of the Request for Proposals for Electric Utility Operations & Day-to-Day Maintenance Services and that the proposals should be coming back to us on Tuesday, June 26<sup>th</sup> and that staff hopes to bring it back to Council on the July agenda, Texas Junior High Rodeo Association and that we received the bid for the next five years, Code Enforcement compliance and that the staff will be enforcing the provisions set by the Code of Ordinances, reminded the Council that they will need to appoint a Charter Review Commission at the July council meeting.

## **CLOSED SESSION**

At 7:02 p.m. the City Council moved into Executive Session

7.1 Pursuant to Sections 551.071 (consultation with legal counsel), 551.072 (deliberations about real property), and 551.074 (personnel matters) of the Texas

Government Code, the City of Gonzales will meet in closed session to discuss the following matters:

- a. In Re Estate of J. B. Wells litigation
- b. Lease of City owned property
- c. Sale of Unopened City Streets
- d. Evaluation of Interim City Manager
- e. Recruiting/Hiring Process to fill the position of City Manager

**RETURN TO OPEN SESSION**

At 9:08 p.m. the Council returned to Open Session.

8.1, The Mayor asked for a motion resulting from Executive Session. Councilman O’Neal made a motion to hire Tim Patek as City Manager with a salary of \$100,000.00 with a \$500.00 a month car allowance effective June 14, 2018. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman O’Neal, Blakemore, Schurig, Schroeder and the Mayor all voted “aye.”

The Mayor asked if there was any other action resulting from Executive Session. Councilman O’Neal made a motion to authorize the City Manager to negotiate the sale of unopened City streets as discussed in executive session. Councilman Schurig seconded the motion. The Mayor asked for a roll call vote. Councilman O’Neal, Blakemore, Schurig, Schroeder and the Mayor all voted “aye.”

The Mayor asked if there were any other motions resulting from Executive Session. No other motions were made.

**ADJOURN**

The Mayor asked for a motion to adjourn. Councilman O’Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 9:11 p.m.

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

APPROVED:  
\_\_\_\_\_

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Resolution #2018-64 Authorizing  
the City Manager to Execute a Substation  
Maintenance Agreement-Gonzales/Harwood  
Substation with the Lower Colorado River  
Authority (LCRA)

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

This agreement shall cover the routine periodic trip/close inspections and listed maintenance at the intervals requested by the City. All inspections shall be performed in accordance with LCRA's current Standards for Inspection and Maintenance of facilities unless otherwise noted by city personnel. LCRA Transmission Services Substation Maintenance personnel will also be available for routine and emergency repair work at prevailing rates (currently at a rate of \$82.50/hr. and \$165.00/hr. call out time per technician plus transportation and materials). These services will be invoiced each time they are required after the work is performed and all charges are identified. Diagnostic and Relay Technician rates are based on a current rate of \$92.50/hr. regular time.

### **POLICY CONSIDERATIONS:**

The primary term of this agreement will end on April 30, 2019. A new agreement will be submitted to the City in the first quarter of January 2019.

### **FISCAL IMPACT:**

Cost for April 1, 2018 to March 31, 2019 (12 months) is estimated at \$990/year based on the current rates. Rates will be based on LCRA's prevailing rates at the time of service.

### **ATTACHMENTS:**

LCRA Customer Services Contract

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution.

**RESOLUTION NO. 2018-64**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A SUBSTATION MAINTENANCE AGREEMENT-GONZALES/HARWOOD SUBSTATION WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA); AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gonzales contracts with LCRA to provide routine periodic trip/close inspections and listed maintenance, monthly as requested by the City; and,

**WHEREAS**, LCRA Survey crew will conduct equipment operational checks on the breakers located in Gonzales and Harwood; and,

**WHEREAS**, LCRA shall provide copies of all applicable inspection reports to the City; and,

**WHEREAS**, such inspections services are in the best interest of the City of Gonzales.

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

**I. APPROVAL OF AGREEMENT**

The City Council of the City of Gonzales, Texas hereby authorizes the City Manager to execute a Substation Maintenance Agreement-Gonzales/Harwood Substation with the Lower Colorado River Authority (LCRA) in substantially the same form as the agreement attached as Exhibit A.

**II. PROPER NOTICE AND MEETING**

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

**III. EFFECTIVE DATE**

This resolution shall become effective immediately upon its passage

**PASSED AND APPROVED this 12<sup>th</sup> day of July, 2018.**

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Mayor, Connie L. Kacir

ATTEST:

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Kristina Vega, City Secretary

**COUNCIL AGENDA  
ITEM BRIEFING DATA**



**AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Resolution #2018-65 Ratifying the  
Agreement with United States Department of  
Justice, Drug Enforcement Administration  
("DEA").

**DATE: July 12, 2018**

**TYPE AGENDA ITEM:**

Resolution

**BACKGROUND:**

After reviewing the Program Funded State and Local Task Force Agreement, City Staff is requesting to approve and ratify the Executed Agreement attached as Exhibit A on behalf of the City with the DEA.

**POLICY CONSIDERATIONS:**

This Resolution will ratify the current version of the Program Funded State and Local Task Force Agreement.

**FISCAL IMPACT:**

N/A

**STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution

**RESOLUTION NO. 2018-65**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, RATIFYING THE AGREEMENT WITH UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION (“DEA”); AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gonzales (“City”) has found there is evidence of trafficking in narcotics and dangerous drugs exists in the San Antonio, Texas area extending to the Gonzales, Texas area and that such illegal activity has a substantial and detrimental effect on the general health and welfare of the people of the community and the City; and,

**WHEREAS**, the DEA has requested the City and the Gonzales Police Department participate in the San Antonio Task Force to address the narcotic and drug issues in the community and the City; and,

**WHEREAS**, the City believes it is beneficial for the City to detail one police officer to the Task Force to address the drug and narcotics problems in the community and the City to accomplish its objectives; and,

**WHEREAS**, the agreement attached as Exhibit A, is the agreement that the City entered into with the DEA.

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

Section 1. The City agrees and supports the agreement with the DEA to detail one police officer to the San Antonio Task Force.

Section 2. The City Council approves and ratifies the executed Agreement attached as Exhibit A on behalf of the City with the DEA.

**PASSED AND APPROVED this 12<sup>th</sup> day of July, 2018.**

\_\_\_\_\_  
Mayor, Connie L. Kacir

ATTEST:

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

# CITY COUNCIL AGENDA ITEM BRIEFING DATA



**DATE: JULY 12, 2018**

## AGENDA ITEM

Discuss, Consider & Possible Action  
Approving Resolution #2018-66 Approving a  
the First Amendment to the Loan Agreement by  
and between the Gonzales Economic Development  
Corporation and WinBin Ventures, LLC., for  
Economic Development Purposes

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The Gonzales Economic Development Corporation entered into a Loan Agreement with WinBin Ventures LLC, in the amount of \$150,000.00 based on \$10,000.00 per full-time employee hired by October 31, 2013. The Agreement was signed on or about April 8, 2013 and was for a period of 5 years with a 10-year amortization and a balloon payment of \$79,061.74 due May 1, 2018. During the May 30, 2018 GEDC Board meeting, the borrowers requested an amendment to the agreement. They proposed a five-year payout of the balance. The GEDC Board authorized Ms. Young to negotiate the balance of \$79,061.74 with the borrowers and to return to the Board with an Agreement for review and consideration.

Terms for City Council consideration are to amend the Loan Agreement balance of \$79,061.74 to be amortized over 5 years, at an annual rate of 3.75%, with monthly payments of \$1,447.14 beginning May 1, 2018. The borrowers made monthly payments of \$1,399.40 for May and June 2018 based upon the original agreement. They agree to pay a balance due of \$47.74 for each of those months upon GEDC Board and City Council approval of the first amendment to the Loan Agreement.

The matter requires a Resolution approved by City Council. The Resolution was drafted by Jeff Moore, GEDC Attorney and was presented for Board review during the June 25, 2018 GEDC Board Meeting.

### **POLICY CONSIDERATION:**

Approving GEDC Board action regarding amendments to agreements is consistent with previous City Council action

### **FISCAL IMPACT:**

The fiscal impact is the renegotiation of balloon payment in the amount of \$79,061.74 amortized over 5 years at 3.75% Annual Interest Rate and a monthly payment of \$1,447.14

### **STAFF RECOMMENDATION:**

Staff respectfully requests Council take the action they deem appropriate.

**RESOLUTION NO. 2018-66**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING A FIRST AMENDMENT TO LOAN AGREEMENT BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION AND WINBIN VENTURES, LLC., FOR ECONOMIC DEVELOPMENT PURPOSES; 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**, on or about April 8, 2013, the GEDC and WinBin Ventures, LLC., entered into the original Loan Agreement (hereinafter referred to as the “Original Agreement”) regarding the construction of a 53-room, three (3) story limited service hotel, located on an approximately 5.538-acre tract of land, and 0.382-acre tract of land, located in the City of Gonzales, Gonzales County, Texas; and,

**WHEREAS**, GEDC has approved a First Amendment to Loan Agreement with WinBin Ventures, LLC., and the Performance Agreement is attached hereto as *Exhibit A*.

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

**Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the City of Gonzales, Texas, and are fully incorporated into the body of this Resolution.

**Section 2.** That the City Council of the City of Gonzales, Texas, hereby approves the First Amendment to Loan Agreement by and between Gonzales Economic Development Corporation and WinBin Ventures, LLC., attached hereto as *Exhibit A*, and is incorporated herein for all purposes.

**Section 3.** That this Resolution shall become effective from and after its passage.

**DULY RESOLVED** by the City Council of the City of Gonzales, Texas, on this the 12<sup>th</sup> day of July, 2018.

**APPROVED:**

\_\_\_\_\_  
Connie L. Kacir, Mayor

**ATTEST:**

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

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Resolution #2018-67 Authorizing  
the City Manager to Execute a License  
Agreement with the Texas Junior High Rodeo  
Association (TJHRA)

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City of Gonzales has hosted the Texas Junior High Rodeo State Finals for 13 years since 2005. The Texas Junior High Rodeo Association (TJHRA) attracts approximately 2,400 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 on June 1, 2018 and voted 26 to 1 to accept 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 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. 2018-67**

**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 13 years since 2005; and,

**WHEREAS**, the Texas Junior High Rodeo Association (TJHRA) attracts approximately 2,400 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 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:**

**I. APPROVAL OF AGREEMENT**

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.

**II. PROPER NOTICE AND MEETING**

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

### **III. EFFECTIVE DATE**

This resolution shall become effective immediately upon its passage.

**PASSED AND APPROVED this 12<sup>th</sup> day of July, 2018.**

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Mayor, Connie L. Kacir

ATTEST:

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Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Resolution #2018-68 Authorizing  
the Execution of the Employment Agreement  
with Tim Patek for Employment as City  
Manager for the City of Gonzales, Texas

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

An employment contract is the industry standard for municipalities employing the position of City Manager. The contract is believed to be mutually beneficial to the City, the City Manager and the City of Gonzales. The purpose of an employment contract is to ensure both the City and the City Manager have a clear understanding of the expected job duties and performance during the term of employment.

This contract includes employment terms, but is not limited to the comprehensive position description specifying the City Manager responsibilities. The contract is consistent with guidelines of State law, City ordinances and personnel policies upholding the principle of serving at the “pleasure of the City Council.”

The contract is reflective of “at will employment” and consistent with the Council-Manager form of government. This contract upholds the City Charter empowering the City Council to appoint the City Manager and to remove the City Manager by majority vote of the Council with the action of the Council being final.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

The City agrees to pay Patek an annual base salary, which salary shall initially be one hundred thousand dollars (\$100,000.00), and the sum of \$6,000.00 per year, payable as a vehicle allowance.

### **ATTACHMENTS:**

City Manager Employment Agreement

### **STAFF RECOMMENDATION:**

Staff respectfully requests the approval of this resolution.

**RESOLUTION NO. 2018-68**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE EXECUTION OF THE EMPLOYMENT AGREEMENT WITH TIM PATEK FOR EMPLOYMENT AS CITY MANAGER OF THE CITY OF GONZALES, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council wishes to employ Tim Patek as the chief administrator of the City to perform the duties and functions of City Manager specified in the Gonzales Code of Ordinances, City Charter, state law, and as the Council shall, from time to time, assign to Patek consistent with the intent of the agreement; and,

**WHEREAS**, the term of the agreement is for a period of two (2) years beginning on June 14, 2018 and ending on June 14, 2020; and,

**WHEREAS**, the City agrees to pay Patek an annual base salary, which salary shall initially be one hundred thousand dollars (\$100,000.00), payable in installments at the same time as other employees of the City are paid; and,

**WHEREAS**, the parties agree Patek serves at the will and pleasure of the entire Council; and,

**WHEREAS**, the City Council has determined it is in the best interest of the City of Gonzales to approve the employment agreement for Tim Patek as City Manager.

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

**I. APPROVAL OF AGREEMENT**

The City Council of the City of Gonzales, Texas hereby authorizes the execution of the Employment Agreement with Tim Patek for employment as City Manager of the City of Gonzales, attached hereto as Exhibit A.

**II. PROPER NOTICE AND MEETING**

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

**III. EFFECTIVE DATE**

This resolution shall become effective immediately upon its passage

**PASSED AND APPROVED this 12th day of July, 2018.**

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Mayor, Connie L. Kacir

ATTEST:

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Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Resolution #2018-69 Authorizing  
the City Manager to Execute an Oil, Gas and  
Mineral Lease with 2BZ, Inc. for 4.099 acres

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City of Gonzales executed oil, gas and mineral leases for 794.193 acres of City owned property or right of way to AV-TECH Oil & Gas LLC. The dates the agreements were executed were August 16, 2011, September 26, 2011 and May 1, 2012. AV-TECH has since assigned a majority right, title and interest in and to the leases to Nobel Petroleum, LLC. On May 10, 2018 the City executed an amendment of Oil, Gas and Mineral Leases with Nobel Petroleum for a total acreage of 776.228 acres, more or less.

In 2012 the City purchased 4.099 acres that is currently being utilized by Victoria College for their vocational training. It was recently realized that the property was not included in the existing leases since the City purchased the property after the initial leases were completed. Mr. Jackson a primary for 2BZ, Inc. provided the City with a Memorandum of Oil, Gas and Mineral Lease to be executed for this property, and presented a check in the amount of \$819.80 for the 4.099 acres.

A copy of the proposed agreement is attached for Council to review.

### **POLICY CONSIDERATIONS:**

This is consistent with the action Council has taken in the past.

### **FISCAL IMPACT:**

Approval of the lease will result in additional revenues for the city.

### **STAFF RECOMMENDATION:**

Staff respectfully recommends Council take the action they deem necessary.

## **RESOLUTION NO. 2018-69**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN OIL, GAS AND MINERAL LEASE WITH 2BZ, INC. FOR 4.099 ACRES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gonzales executed oil, gas and mineral leases to AV-TECH Oil & Gas LLC. for 794.193 acres on August 16, 2011; 148.06 acres on September 26, and 4.855 acres on May 1, 2012; and,

**WHEREAS**, an Amendment of Oil, Gas and Mineral Leases was entered into on August 15, 2016; and,

**WHEREAS**, on November 16, 2016 AV-TECH assigned a majority right, title and interest in and to the leases to Nobel Petroleum, LLC; and,

**WHEREAS**, on May 10, 2018 the City executed an amendment of Oil, Gas and Mineral Lease with Nobel Petroleum for Lease 1 for the total corrected acreage of 776.228 acres, more or less; and,

**WHEREAS**, the proposed term for the lease is for three (3) years to for the purpose of exploring for, developing, producing and marketing oil and gas, along with all hydrocarbon and non-hydrocarbon substances produced in association therewith; and,

**WHEREAS**, 2BZ, Inc. provided the City with a Memorandum of Oil, Gas and Mineral Lease to be executed for the property, and presented a check in the amount of \$819.80 for the 4.099 acres.

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

### **I. APPROVAL OF AGREEMENT**

The City Council of the City of Gonzales hereby authorizes the City Manager to execute an Oil, Gas and Mineral Lease with 2BZ, Inc. for 4.099 acres, attached as exhibit A.

### **II. PROPER NOTICE AND MEETING**

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

### **III. EFFECTIVE DATE**

This resolution shall become effective immediately upon its passage

**PASSED AND APPROVED this 12<sup>th</sup> day of July, 2018.**

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Mayor, Connie L. Kacir

ATTEST:

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Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Resolution #2018-70 Accepting an offer to purchase an Amended Easement from the Lower Colorado River Authority (LCRA) for an existing electric transmission line, and authorizing the City Manager to execute any and all necessary documents to complete the transaction

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

On October 7, 1926 the City of Gonzales entered into an Easement and Right of Way agreement with Central Power & Light Company, its successors and assigns, for the purpose of building and constructing high power electric transmission lines extending from the City of Gonzales to the town of Harwood and thence to the City of Luling. The lines would be run, operated, and maintained over, across, upon and through the real estate owned by the City of Gonzales. The current easement stretches across approximately fifty (50) acres located on the North Avenue.

On June 12, 2018 the City was approached by LCRA who now owns the rights to the easement to execute an amendment to the existing easement to limit the existing easement tract to 4.772-acre tract, more or less and included a more adequate legal description for the easement. The amendment would also grant LCRA the permission and right to place any number of poles, towers, or other ground-based support structures permanently on the easement property and defined the types of materials that could be placed on the property.

LCRA hired an independent appraiser to determine the value of the amended easement rights. Based on the value of the appraisal, the value of the amended easement rights is \$36,000.00 and at this time LCRA has offered to purchase the amended easement rights for \$54,000.00, which includes an incentive payment of 50 percent over the appraised value.

### **POLICY CONSIDERATIONS:**

N/A

### **FISCAL IMPACT:**

This will increase the Electric Fund revenues by \$54,000.00 unexpectedly.

### **ATTACHMENTS:**

Letter from LCRA dated June 12, 2018  
Appraisal Report from Valbridge Property Advisors  
October 7, 1926 Easement and Right of Way agreement  
Amendment to Easement presented by LCRA

**STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution.

## **RESOLUTION NO. 2018-70**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS ACCEPTING AN OFFER TO PURCHASE AN AMENDED EASEMENT FROM THE LOWER COLORADO RIVER AUTHORITY (LCRA) FOR AN EXISTING ELECTRIC TRANSMISSION LINE, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO COMPLETE THE TRANSACTION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, on October 7, 1926 the City of Gonzales entered into an Easement and Right of Way agreement with Central Power & Light Company; and,

**WHEREAS**, the easement currently stretches across approximately fifty acres of North Avenue outside the corporate limits of the City of Gonzales; and,

**WHEREAS**, LCRA is now the owner of the easement and wishes to execute an amendment to the existing easement to limit the existing easement tract to 4.772-acre tract, more or less and included a more adequate legal description for the easement; and,

**WHEREAS**, the second amendment would grant LCRA the permission and right to place any number of poles, towers, or other ground-based support structures permanently on the easement property and defined the types of materials that could be placed on the property; and,

**WHEREAS**, LCRA has offered to purchase the amended easement rights for \$54,000.00, which includes an incentive payment of 50 percent over the appraised value, and,

**WHEREAS**, the City Council deems it in the best interest of the City of Gonzales to accept the offer to purchase an amended easement from LCRA for an existing transmission line.

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

### **I. APPROVAL OF AGREEMENT**

The City Council of the City of Gonzales, Texas hereby accepts an offer to purchase an Amended Easement from the Lower Colorado River Authority (LCRA) for an existing electric transmission line, and authorizes the City Manager to execute any and all necessary documents to complete the transaction in substantially the same form as the agreement attached as Exhibit A.

### **II. PROPER NOTICE AND MEETING**

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

**III. EFFECTIVE DATE**

This resolution shall become effective immediately upon its passage

**PASSED AND APPROVED this 12<sup>th</sup> day of July, 2018.**

\_\_\_\_\_  
Mayor, Connie L. Kacir

ATTEST:

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

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Resolution #2018-71 Authorizing  
the Appointment of two Council Members to  
the Golden Crescent Regional Planning  
Commission General Assembly from  
September 1, 2018 through August 31, 2018

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

Under the Golden Crescent Regional Planning Commission By-Laws it is time for the City Council to designate two representatives to the general assembly. These representatives shall be appointed by, and be a member of the City Council. The appointments are effective from September 1, 2018 through August 31, 2019.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

N/A

### **ATTACHMENTS:**

Letter from Golden Crescent Regional Planning Commission

### **STAFF RECOMMENDATION:**

Staff respectfully requests City Council take the action deemed appropriate

**RESOLUTION NO. 2018-71**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE APPOINTMENT OF TWO COUNCIL MEMBERS TO THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION GENERAL ASSEMBLY FROM SEPTEMBER 1, 2018 THROUGH AUGUST 31, 2018; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Golden Crescent Regional Planning Commission is requesting the City Council appoint two members to serve on the General Assembly and Board of Directors; and,

**WHEREAS**, the representatives shall be appointed by, and be a member of the City Council; and,

**WHEREAS**, the appointments are effective from September 1, 2018 through August 31, 2019.

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

**I. APPOINTMENT OF DIRECTOR**

The City Council of the City of Gonzales, Texas hereby appoints \_\_\_\_\_ and \_\_\_\_\_ to the General Assembly of the Golden Crescent Regional Planning Commission from September 1, 2018 through August 31, 2019.

**II. PROPER NOTICE AND MEETING**

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

**III. EFFECTIVE DATE**

This resolution shall become effective immediately upon its passage

**PASSED AND APPROVED this 12th day of July, 2018.**

\_\_\_\_\_  
Mayor, Connie L. Kacir

ATTEST:

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

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Resolution #2018-72 Appointing  
Five Citizens to the Charter Review  
Commission to be Empaneled from August 1,  
2018 through January 31, 2019 as required by  
Section 11.11 of the City of Gonzales Charter

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

As required in Section 11.11 of the City of Gonzales Charter, the City Council shall appoint a Charter Review Commission consisting of five citizens of the City of Gonzales at the July City Council meeting in even-numbered years. Each councilmember shall appoint one (1) member to the commission. The Charter Review Commission shall be empaneled from August 1st through January 31st. The final report of the commission shall be presented to the Council no later than the February regular council meeting.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

N/A

### **ATTACHMENTS:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully requests City Council action deemed appropriate

**RESOLUTION NO. 2018-72**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS APPOINTING FIVE CITIZENS TO THE CHARTER REVIEW COMMISSION TO BE EMPANELED FROM AUGUST 1, 2018 THROUGH JANUARY 31, 2019 AS REQUIRED BY SECTION 11.11 OF THE CITY OF GONZALES CHARTER; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council shall appoint a Charter Review Commission consisting of five citizens of the City of Gonzales at the July City Council meeting in even-numbered years; and,

**WHEREAS**, each councilmember shall appoint one (1) member to the commission; and,

**WHEREAS**, the Charter Review Commission shall be empaneled from August 1st through January 31<sup>st</sup>; and,

**WHEREAS**, the recommendations of the Charter Review Commission shall be presented to the Council no later than the February regular council meeting; and,

**WHEREAS**, as prescribed in Local Government Code § 9.004 the proposed Charter amendments will be presented to the voters at next uniform election date.

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

**I. APPOINTMENT OF DIRECTOR**

The City Council of the City of Gonzales, Texas hereby appoints \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ to the Charter Review Commission to be empaneled from August 1, 2018 through January 31, 2019 as required by Section 11.11 of the City of Gonzales Charter.

**II. PROPER NOTICE AND MEETING**

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

**III. EFFECTIVE DATE**

This resolution shall become effective immediately upon its passage

**PASSED AND APPROVED this 12th day of July, 2018.**

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Mayor, Connie L. Kacir

ATTEST:

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Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action Approving Resolution #2018-73 Regarding the selection of a submission in the Request for Proposals Process for the provision of Electric Utility Operations and Day-to-Day Maintenance Services; authorizing the negotiation of final terms

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

On April 3, 2018 city staff requested permission to issue a request for proposals from qualified firms to provide the day to day operation and maintenance for the City of Gonzales Electric Utility. The desire was to maximize efficiency and fiscal responsibility of tax payer's dollars through a comprehensive analysis.

The RFP was posted on May 25<sup>th</sup> with proposals due on June 26, 2018 at 2:00 p.m. On June 8, 2018 at 10:00 a.m. city staff held a Mandatory Pre-Submittal meeting to give the interested parties an overview of the electrical system services. On June 26<sup>th</sup> three envelopes were received regarding the RFP. One proposal was received from GVEC, and a notice of no bid was received from Mas-Tec North America, Inc and Pike Electric, LLC.

City Staff is requesting Council decision regarding the Electric Utility Operations and Day-to-Day Maintenance Services. Whether to reject the proposal and City Staff continue to conduct the services or to accept the proposals and authorize the City Manager to negotiate the terms of the agreement. If Council deems it in the best interest of the City to accept the proposals the final agreement will be presented to the City Council during the August Council meeting.

### **POLICY CONSIDERATIONS:**

If the proposal is accepted the agreement will be to outsource a function that to date has been performed by city employees. The sole respondent does not currently provide this service in any other city.

### **FISCAL IMPACT:**

It is unknown what the fiscal impact will be until the proposals are received.

### **ATTACHMENTS:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully recommends Council take the action they deem necessary.

## **RESOLUTION NO. 2018-73**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS REGARDING THE SELECTION OF A SUBMISSION IN THE REQUEST FOR PROPOSALS PROCESS FOR THE PROVISION OF ELECTRIC UTILITY OPERATIONS AND DAY-TO-DAY MAINTENANCE SERVICES; AUTHORIZING THE NEGOTIATION OF FINAL TERMS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gonzales incurs significant costs each year for the equipment, supplies and personnel required to adequately provide the necessary day-to-day operations and maintenance for the city owned electric utility; and,

**WHEREAS**, the City recently experienced significant equipment failure due to capital investments not made in replacing fleet at the point of physical obsolescence and due to the lack of maintenance resulting in the equipment failing safety inspections and being removed from service; and,

**WHEREAS**, due to the significant recurring cost to replace and repair equipment the City Manager has recommended that a Request for Proposals for day to day operations and maintenance for the city owned electric utility be completed to determine whether keeping said work in-house rather than outsourcing the work is the most cost effective for the citizens of Gonzales; and,

**WHEREAS**, one proposal was received from GVEC and a notice of no bid was received from Mas-Tec North America, Ince and Pike Electric, LLC.; and,

**WHEREAS**, the City Council finds that such a comparison was conducted in the best interest of the City and citizens and better serve the public's health safety and welfare.

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

### **I. APPROVAL OF AGREEMENT**

The City Council of the City of Gonzales, Texas does hereby accept/reject the proposal of Guadalupe Valley Electric Cooperative, Inc. for the provision of Electric Utility Operations and Day-to-Day Maintenance Services and authorizes the City Manager to negotiate the final terms of an agreement for consideration of the City Council.

### **II. PROPER NOTICE AND MEETING**

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

**III. EFFECTIVE DATE**

This resolution shall become effective immediately upon its passage

**PASSED AND APPROVED this 12<sup>th</sup> day of July, 2018.**

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Mayor, Connie L. Kacir

ATTEST:

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Kristina Vega, City Secretary

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Resolution #2018-74 Authorizing  
the City Manager to Negotiate and Execute an  
Agreement for Administrative Services  
between the City of Gonzales and the  
Gonzales Economic Development Corporation

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Resolution

### **BACKGROUND:**

The City of Gonzales and the Economic Development Corporation currently has an existing agreement that was dated July 22, 1997. There was no expiration date, however the agreement is in need of an update to include the duties of each entity as they are in current times. This agreement will establish more up to date guidelines and responsibilities for the Gonzales Economic Development Corporation and the City of Gonzales moving forward.

### **POLICY CONSIDERATIONS:**

Based on the service agreement that is negotiated between the two parties it will provide program support, liability insurance and legal services to the Economic Development Corporation.

### **FISCAL IMPACT:**

N/A

### **ATTACHMENTS:**

Services Agreement

### **STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this resolution.

**RESOLUTION NO. 2018-74**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR ADMINISTRATIVE SERVICES BETWEEN THE CITY OF GONZALES AND THE GONZALES ECONOMIC DEVELOPMENT CORPORATION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, this agreement will establish guidelines and responsibilities for the City of Gonzales and the Gonzales Economic Development Corporation; and,

**WHEREAS**, based on the service agreement that is negotiated between the two parties it will provide program support, liability insurance and legal services to the Gonzales Economic Development Corporation; and,

**WHEREAS**, the City Council of the City of Gonzales hereby finds that Gonzales Economic Development Corporation, is dedicated to the development of economic and employment opportunities in the City of Gonzales.

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

**I. APPROVAL OF AGREEMENT**

The City Council of the City of Gonzales, Texas hereby authorizes the City Manager to negotiate and execute an agreement for administrative services between the City of Gonzales and the Gonzales Economic Development Corporation, attached hereto as Exhibit A.

**II. PROPER NOTICE AND MEETING**

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

**III. EFFECTIVE DATE**

This resolution shall become effective immediately upon its passage

**PASSED AND APPROVED this 12<sup>th</sup> day of July, 2018.**

\_\_\_\_\_  
Mayor, Connie L. Kacir

ATTEST:

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

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Ordinance #2018-19 Amending  
Article 4.800 Garage Sales of the Gonzales  
Code of Ordinances

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Ordinance

### **BACKGROUND:**

The City of Gonzales, Code of Ordinances is currently not adequate to permit any type of sale other than a garage sale by definition, therefore staff is proposing that the City include additional language for rummage sales and yard sales.

The Code does not currently have any provisions permitting individuals on properties other than residential properties the ability to conduct a garage, rummage or yard sale which we are proposing to not limit the location to permit those such as Churches and other types of business locations the ability to conduct these type of sales if they wish and have obtained the required permit.

City staff feels it is also in the best interest of the City to note that in the event a City Wide Garage Sale is conducted that it would not be counted towards the maximum number of sales that are allowed.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

N/A

### **ATTACHMENTS:**

N/A

### **STAFF RECOMMENDATION:**

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

## **ORDINANCE NO. 2018-19**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GONZALES AMENDING THE CODE OF ORDINANCES OF THE CITY OF GONZALES, TEXAS, ARTICLE 4.800 GARAGE SALES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Gonzales, Texas (the “City”), has previously adopted regulations to provide for the regulation of garage sales; and,

**WHEREAS**, the City staff has recognized the deficiencies within the ordinance regarding garage sales; and,

**WHEREAS**, the amendments to the Ordinance will broaden the definition of garage sale to include rummage and yard sales; and,

**WHEREAS**, the changes will permit properties other than residences to conduct the sales within their property and be in compliance with the Code of Ordinances; and,

**WHEREAS**, the City Council finds that amending the City’s Code of Ordinances as described herein will further promote the public health, safety, and general welfare of the City.

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

### **I. CODE AMENDMENT**

The City Gonzales Code of Ordinances, Article 4.800 Garage Sales, is hereby amended as set forth in the attached Exhibit A, which is fully incorporated herein by reference.

### **II. REPEALER**

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

### **III. SEVERABILITY**

It is hereby declared to be the intention of the City Council of the City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall

not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

#### **IV. PROPER NOTICE AND MEETING**

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

#### **V. EFFECTIVE DATE**

This ordinance shall become effective immediately upon its passage and any publication required by law.

**PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 12<sup>th</sup> day of July, 2018.**

**CITY OF GONZALES, TEXAS**

By: \_\_\_\_\_  
Connie Kacir, Mayor

ATTEST:

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

**EXHIBIT A**

**AMEND ARTICLE 4.800 GARAGE SALES AS FOLLOWS:**

**ADD/AMEND PORTIONS UNDERLINED AND IN BOLD:**

**ARTICLE 4.800 GARAGE SALES**

**↓ Sec. 4.801 Definition**

For the purpose of this article, the following term shall mean:

~~*Garage Sale.* All general sales, open or advertised to the public, conducted from or on a residential premises (single family, duplexes or apartments), in any residential zone for the purpose of disposing of tangible personal property.~~

*Garage sale.* As used in this article, shall mean any occasional sale of personal property items, including rummage sales and yard sales.

**↓ Sec. 4.802 Permit Required**

No person shall conduct a garage sale within the city without first filing with the city ~~secretary~~ an application for a permit for the garage sale. There shall be no permit fee for four garage sales per ~~calendar~~ year. Two additional garage sales shall be allowed with a permit fee of \$25.00 per garage sale. The permit which shall be prominently displayed on the premises, shall contain the name of the person who will conduct the sale, the address at which the sale will be held and the dates on which the sale will be held. Participation in a citywide garage sale event shall not count toward the maximum number of garage sales allowed at a location within a calendar year.

**↓ Sec. 4.803 Restrictions on Conduct of Sale**

(a) No person other than the occupant shall conduct a garage sale. No person shall conduct a garage sale if such a sale has been conducted on the same property or premises within the period of three (3) months immediately preceding the date of the commencement of the proposed sale except that in the event there has been a change of occupancy upon the property or premises then the new occupant shall be permitted to hold one (1) garage sale on the property or premises within the above referenced three-month period.

(b) No person shall sell or offer for sale at a garage sale merchandise other than used and discarded items of personal property belonging to the occupant. The occupant may allow the neighbors to sell their items at the occupant's garage sale provided the majority of all of the items to be sold are owned by the occupant.

**↓ Sec. 4.804 Length and Time of Holding Sale**

No garage sale shall be conducted for a period in excess of seventy-two (72) consecutive hours. In the event the person who is issued a permit does not hold the garage sale on the days for which the sale was originally permitted, he/she may return the paperwork to the city on or before the first working day after the originally permitted sale date and reschedule the sale for a date not more than sixty (60) days after the originally permitted date.

#### **Sec. 4.805 Hours of Operation**

Garage sales may only be held between the hours of 8:00 a.m. and 7:00 p.m.

#### **Sec. 4.806 Display of Sales Merchandise**

Personal property offered for sale may be displayed within the residence, in a garage, carport, and/or in the yard of the **residence** property; and only in such areas. No property offered for sale shall be displayed in any public right-of-way, sidewalk, alley, or street.

#### **Sec. 4.807 Signs**

All off-premises signs advertising the garage sale shall be in compliance with the city's sign ordinance. A maximum of two (2) on-premises signs may be placed within the property of the sale. No on- or off-premises sign shall be placed in the public right-of-way. Signs found within the city which are unlawfully posted upon utility poles, regulatory signs or posts, or are placed on sidewalks, in the right-of-way, or any other area not allowed by this article, are hereby declared a nuisance to public safety, as they detract from the driving public's attention to traffic signals as well as other vehicular and pedestrian traffic. Police officers may summarily remove posted signs as evidence of unlawful activity in preparation for prosecution. If no prosecutorial action is taken, the signs may be destroyed.

#### **Sec. 4.808 Penalties**

Any person violating any of the provisions of this article shall be deemed guilty of a violation and, upon conviction, shall be fined not less than \$25.00 nor more than \$500.00, excluding court costs and assessments.

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Ordinance #2018-20 Closing and  
Abandoning to the Abutting Property Owners  
Portions of Certain Unimproved Streets

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Ordinance

### **BACKGROUND:**

The City is in current negotiations to sell 48 acres more or less in unopened city streets, further identified by a property survey.

The City of Gonzales, Texas, a home rule municipality, has among its real property interests certain unopened public streets located within property that is not within the municipal boundaries and are not anticipated to be within the municipal boundaries and for which the City has no known use or purpose.

Pursuant to Section 311.007 of the Texas Transportation Code, a home-rule municipality may vacate, abandon, or close a street or alley.

Pursuant to Section 272.001 (b) and (c) the City is not required to solicit bids or otherwise establish a fair market value for streets they choose to close and sell to abutting landowners.

### **POLICY CONSIDERATIONS:**

The Charter of the City of Gonzales provides that the portions of the avenues of the city not deemed needed at the time for municipal purposes and the streets belonging to said city which have never been opened or used for street purposes by the public, the city is authorized to sell.

### **FISCAL IMPACT:**

Positive fiscal impact to be realized upon the close and sale of unopened city streets demonstrating fiscal responsibility of policy makers.

### **ATTACHMENTS:**

N/A

### **STAFF RECOMMENDATION:**

Staff respectfully requests City Council take the action deemed appropriate.

**ORDINANCE NO. 2018-20**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, CLOSING AND ABANDONING TO THE ABUTTING PROPERTY OWNERS PORTIONS OF CERTAIN UNIMPROVED STREETS; AND ESTABLISHING AN EFFECTIVE DATE HEREOF.**

**WHEREAS**, the City of Gonzales, Texas, a home rule municipality, has among its real property interests certain unopened public streets located within property that is not within the municipal boundaries and are not anticipated to be within the municipal boundaries and for which the City has no known use or purpose; and,

**WHEREAS**, the Streets found within the property described in the attached Exhibit A from the Official Public Records of Gonzales County (hereinafter the "Streets") are unimproved streets lying beyond the municipal boundaries of Gonzales; and'

**WHEREAS**, pursuant to Section 311.007 of the Texas Transportation Code, a home-rule municipality may vacate, abandon, or close a street or alley; and,

**WHEREAS**, pursuant to Section 272.001 (b) and (c) the City is not required to solicit bids or otherwise establish a fair market value for streets they choose to close and sell to abutting landowners; and,

**WHEREAS**, no detriment or hazard to the City of Gonzales or its citizens has been found; and,

**WHEREAS**, the Charter of the City of Gonzales provides that the portions of the avenues of the city not deemed needed at the time for municipal purposes and the streets belonging to said city which have never been opened or used for street purposes by the public, the city is authorized to sell.

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

**Section 1.** That the recitals contain in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section 2.** That the City Council finds that such closure and abandonment as requested will cause no harm or injury to the City of Gonzales or its citizens.

**Section 3.** That pursuant to the authority provided to the City by Section 311.007 of the Texas Transportation Code and Section 272.001(b)(2) of the Texas Local Government Code, City Council hereby closes and abandons to the abutting owners the Street as described in **Exhibit "A"**.

**Section 4.** That the City Manager is authorized to execute the real property contract for the sale of the abandoned streets attached hereto as **Exhibit B**, an appropriate deed, retaining all mineral rights and interest in the property to be conveyed, and other instruments reasonably necessary to complete the closure and conveyance; provided that the release of the abandoned street is apportioned to the abutting owners as required in Section 272.001(b)(2) of the Texas Local Government Code.

**Section 5.** That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid.

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

**Section 7.** This Ordinance shall be effective upon the approval and recordation of a deed and survey evidencing the closed and abandoned public streets described herein.

**PASSED, APPROVED and ADOPTED by the City Council of the City of Gonzales, Texas, on this 12<sup>th</sup> day of July, 2018.**

**CITY OF GONZALES**

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Connie Kacir, Mayor

ATTEST:

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Kristina Vega, City Secretary

EXHIBIT A  
DESCRIPTION OF LAND CONTAINING STREETS TO BE VACATED

EXHIBIT B  
REAL ESTATE SALES CONTRACT

## **COUNCIL AGENDA ITEM BRIEFING DATA**



**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Ordinance

### **BACKGROUND:**

The presented amendments to the Code of Ordinances will help strengthen the ordinance regarding tall grass and unsightly conditions on private property and assist in the abatement of such.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

N/A

### **ATTACHMENTS:**

N/A

### **STAFF RECOMMENDATION:**

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

## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Ordinance #2018-21 Amending  
Chapter 6, Health and Sanitation, Article 6.300  
Unsanitary and Unsightly Conditions on  
Private Premises, Section 6.301 Designation of  
Prohibited Conditions, Section 6.302 Notice to  
Owner to Remedy or Remove Condition and  
Section 6.303 Correction or Removal of  
Conditions by City; Adding New Section  
6.306 Enforcement And Penalties

## ORDINANCE NO. 2018-21

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GONZALES AMENDING THE CODE OF ORDINANCES OF THE CITY OF GONZALES, TEXAS, CHAPTER 6, HEALTH AND SANITATION, ARTICLE 6.300 UNSANITARY AND UNSIGHTLY CONDITIONS ON PRIVATE PREMISES, SECTION 6.301 DESIGNATION OF PROHIBITED CONDITIONS, SECTION 6.302 NOTICE TO OWNER TO REMEDY OR REMOVE CONDITION AND SECTION 6.303 CORRECTION OR REMOVAL OF CONDITIONS BY CITY; ADDING NEW SECTION 6.306 ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Gonzales, Texas (the “City”), has previously adopted regulations to provide for the regulation of the accumulation of litter, solid waste, garbage, trash and vegetative overgrowth is injurious to the quality of life; and,

**WHEREAS**, the City Council of the City has evaluated the effectiveness of the regulations and deems it necessary to amend the City’s Code of Ordinances by amending **Chapter 6, Health and Sanitation**, Article 6.300 Unsightly Conditions on Private Premises, Section 6.302 Notice to Owner to Remedy or Remove Conditions, Section 6.303 Correction or Removal of Conditions by City and adding a new section, 6.306 Enforcement and Penalties; and,

**WHEREAS**, the City Council finds that amending the City’s Code of Ordinances as described herein will further promote the public health, safety, and general welfare of the City.

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

### **I. CODE AMENDMENT**

The City of Gonzales Code of Ordinances Chapter 6, Health and Sanitation, Article 6.300 Unsightly Conditions on Private Premises, Section 6.302 Notice to Owner to Remedy or Remove Conditions, Section 6.303 Correction or Removal of Conditions by City is hereby amended as set forth in the attached Exhibit A, which is fully incorporated herein by reference.

### **II. REPEALER**

All ordinances, or part thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this

Ordinance shall be and remain controlling as to the matters resolved herein for the period of time stated.

### **III. SEVERABILITY**

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

### **IV. PROPER NOTICE AND MEETING**

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

### **V. EFFECTIVE DATE**

This ordinance shall become effective immediately upon its passage and any publication required by law.

**PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 12<sup>th</sup> DAY of July, 2018.**

**CITY OF GONZALES, TEXAS**

By: \_\_\_\_\_  
Connie Kacir, Mayor

ATTEST:

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

## EXHIBIT A

**AMEND CHAPTER 6, HEALTH AND SANITATION, ARTICLE 6.100 GARBAGE AND TRASH, DIVISION 3 DESIGNATION OF PROHIBITED CONDITIONS, ARTICLE 6.300 UNSANITARY AND UNSIGHTLY CONDITIONS ON PRIVATE PREMISES, SECTION 6.301 DESIGNATION OF PROHIBITED CONDITIONS, SECTION 6.302 NOTICE TO OWNER TO REMEDY OR REMOVE CONDITION AND SECTION 6.303 CORRECTION OR REMOVAL OF CONDITIONS BY CITY; ADDING NEW SECTION 6.306 ENFORCEMENT AND PENALTIES:**

### **ADD/AMEND PORTIONS HIGHLIGHTED:**

#### **Sec. 6.301 Designation of Prohibited Conditions**

(a) Stagnant Water. It shall be unlawful for the owner of any lots or other premises in the city to allow or permit holes or places where water may accumulate and become stagnant to be or remain on such lot or premises or to allow or permit the accumulation of stagnant water thereon, or to permit the same to remain therein. (1995 Code of Ordinances, Title IX, Chapter 97, Section 97.10; Ordinance adopting Code)

(b) Accumulation of Carrion, Filth, Refuse, Waste Materials, Furniture, Electronics, Junk, Salvage Materials or other Bulky Items. It shall be unlawful for the owners or renter of any lot, building, house, establishment or premises in the city to allow or permit any carrion, filth, refuse, waste material, furniture, electronics, appliances, junk, salvage materials or other bulky items to accumulate or remain thereon. (Ordinance 2012-26 adopted 7/10/12)

(c) Growth or Accumulation of Rubbish, Weeds. It shall be unlawful for the owner of any lot or premises in the city to allow or permit weeds, rubbish or any other unsightly, objectionable or unsanitary matter of whatever nature to grow, accumulate or remain on such lot or premises. It shall be unlawful to permit grass, weeds or any plant that is not cultivated to grow to a greater height than twelve inches on an average, or to grow in rank profusion upon any property. It shall be unlawful for any person, firm or corporation to fail to keep any lot or tract of land within the city free from weeds, brush or non-aesthetic trees as defined in this code.

(d) **Maintenance of abutting property**. It shall be unlawful for the owner of any lot or premises in the city to allow or permit weeds, rubbish or any other unsightly, objectionable or unsanitary matter of whatever nature to grow, accumulate or remain on the area between the property line and the curb line of adjacent streets and alleys, and where no curb exists, the area extending to the adjacent street or alley surface.

(e) **Exemptions**. The following property is exempted from the provisions of this section:

- 1. State highway median or right-of-way;**
- 2. Agricultural areas, wherein “agricultural includes active crop production and grazing, or a combination thereof; and**

**3. The cultivation of concentrated wildflowers from March 1st until June 30<sup>th</sup> of each year in areas where weeds and grasses do not exceed 18 inches in height.**

**Sec. 6.302 Notice to Owner to Remedy or Remove Condition**

(a) Whenever any condition described in this article is found to exist on any premises within the city, the owner of such premises shall be notified by the city in writing, to correct, remedy or remove the condition within ten days after such notice and it shall be unlawful for any person to fail to comply with such notice.

(b) Methods for notification are as follows:

- (1) In person;
- (2) By United States mail;
- (3) By publication at least twice within ten (10) consecutive days;
- (4) By posting notice on or near a building near the property to which the violation relates;
- (5) By posting notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings

**(c) If the City mails a notice of violation to a property owner in accordance with subsection (b) and the United States Postal Service returns the notice as “refused” or “unclaimed,” the validity of the notice is not affected, and the notice is considered as delivered.**

**Sec. 6.303 Correction or Removal of Conditions by City**

(a) Failure of Owner to Correct Condition. In the event the owner of any lot or premises upon which condition described in this article exists fails to correct, remedy or remove such condition within ten days after notice to do so is given in accord with this article, the city may do such work or make such improvements as are necessary to correct, remedy or remove such condition, or cause the same to be done, and pay therefor and charge the expenses incurred thereby to the owner of such lot. Such expenses shall be assessed against the lot or real estate upon which the work was done or the improvements made. The doing of such work by the city shall not relieve such person from prosecution for failure to comply with such notice in violation of [Section 6.302\(a\)](#).

**(b) Property Owner Invoice. Prior to the filing of the Statement of Expenses and Lien with the County Clerk, the City Secretary shall prepare an invoice detailing the expenses**

**incurred to correct, remedy or remove such condition and deliver such invoice by regular mail. The invoiced amount is due and payable within 30 days after notice is mailed.**

(c) Filing of Statement of Expenses Incurred. Whenever any work is done or improvements are made by the city under the provisions of subsection (a) above, the city manager, on behalf of the city, shall file a statement of the expenses incurred thereby with the county clerk. Such statement shall give the amount of such expenses and the date or dates on which the work was done, or the improvements were made.

(d) Lien for and Collection of Expenses. After the statement provided for in subsection (b) above is filed, the city shall have a privileged lien on the lot or real estate upon which the work was done or improvements made, to secure the expenses thereof. Such lien shall be second only to tax liens and liens for street improvements, and the amount thereof shall bear interest at the rate of 10% per annum from the date the statement was filed. For any such expenditures and interest, suit may be instituted and recovery and foreclosure of the lien may be had in the name of the city and the statement of expenses made in accord with subsection (b) above, or a certified copy thereof, shall be prima facie proof of the amount expended for such work or improvements.

#### **Sec. 6.306 Enforcement; penalties**

**(a) Criminal remedies. Unless otherwise provided, an offense under section 6.301 is a misdemeanor punishable by a fine as provided as listed below:**

**(1) Any person convicted of one previous offense under section 6.301 within three years of the date of an alleged offense shall be fined not less than \$250.00.**

**(2) Any person convicted of two or more previous offenses under section 6.301 within three years of the date of an alleged offense shall be fined not less than \$500.00.**

**Each separate occurrence of a violation or each day that a violation continues shall constitute a separate offense.**

**(b) Civil remedies. The penal provisions imposed under this section shall not preclude the city from filing suit to enjoin the violation. The city retains all legal rights and remedies available to it pursuant to local, state, and federal law.**

## **COUNCIL AGENDA ITEM BRIEFING DATA**



## **AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Ordinance #2018-22 Amending the  
Code of Ordinances of the City of Gonzales,  
Texas, Chapter 8, Offenses and Nuisances,  
Article 8.200 Junked Vehicles

**DATE: July 12, 2018**

### **TYPE AGENDA ITEM:**

Ordinance

### **BACKGROUND:**

The City of Gonzales, Code of Ordinances is in need of some amendments to the Junked Vehicle Ordinance in order to clarify the ordinance and to aide in the enforcement and abatement of the “junked vehicles” within the corporate limits of the City of Gonzales.

### **POLICY CONSIDERATIONS:**

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

### **FISCAL IMPACT:**

N/A

### **ATTACHMENTS:**

N/A

### **STAFF RECOMMENDATION:**

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

## ORDINANCE NO. 2018-22

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GONZALES AMENDING THE CODE OF ORDINANCES OF THE CITY OF GONZALES, TEXAS, CHAPTER 8, OFFENSES AND NUISANCES, ARTICLE 8.200 JUNKED VEHICLES, PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Gonzales, Texas (the “City”), has previously adopted regulations to provide for the regulation of junked vehicles; and,

**WHEREAS**, the City Council of the City has authority pursuant to Texas Transportation Code, chapter 683, Subchapter E, to establish procedures for the abatement and removal from private or public property or public right-of-way of a junked vehicle or part of a junked vehicle as a public nuisance; and

**WHEREAS**, the City Council of the City has determined that numerous statutory changes enacted by the state legislature have occurred since the adoption of the Code of Ordinance in 1995; and

**WHEREAS**, the City Council of the City finds that junked, abandoned, and legally unusable vehicles in public view are a detriment to the quality of life of Gonzales and erode the integrity of the neighborhoods; and

**WHEREAS**, the City Council of the City has evaluated the effectiveness of the junked vehicle regulations and deems it necessary to amend the City’s Code of Ordinances by amending **Chapter 8, Offenses and Nuisances**, Article 8.200, Junked Vehicles; and

**WHEREAS**, the City Council finds that amending the City’s Code of Ordinances as described herein will further promote the public health, safety, and general welfare of the City.

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

### **I. CODE AMENDMENT**

The City of Gonzales Code of Ordinances, **Chapter 8, Offenses and Nuisances**, Article 8.200 Junked Vehicles, is hereby amended in its entirety as set forth in the attached Exhibit A, which is fully incorporated herein by reference.

### **II. REPEALER**

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

**III. SEVERABILITY**

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

**IV. PROPER NOTICE AND MEETING**

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

**V. EFFECTIVE DATE**

This ordinance shall become effective immediately upon its passage and any publication required by law.

**PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 12<sup>th</sup> DAY of July, 2018.**

**CITY OF GONZALES, TEXAS**

By: \_\_\_\_\_  
Connie Kacir, Mayor

ATTEST:

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

## EXHIBIT A

### AMENDING IN ITS ENTIRETY, CHAPTER 8, OFFENSES AND NUISANCES, ARTICLE 8.200 JUNKED VEHICLES AS FOLLOWS:

#### Sec. 8.201 Definitions

*Antique vehicle* means a passenger car or truck that is at least 25 years old.

*Enforcement authority* means any peace officer or code enforcement officer employed by the City of Gonzales.

*Junked vehicle* means a vehicle that:

1. is self-propelled and
  - a. does not have lawfully attached to it an unexpired license plate, or
  - b. does have lawfully attached to it an unexpired license plate but does not have lawfully attached to it a valid motor vehicle insignia (registration sticker); and
2. is:
  - a. wrecked, dismantled or partially dismantled, or discarded, or
  - b. substantially disfigured, damaged, or disintegrated, or
  - c. ruined, destroyed or demolished; or
  - d. inoperable and has remained inoperable for more than:
    - i. seventy-two (72) consecutive hours, if the vehicle is on public property;
    - ii. thirty (30) consecutive days if the vehicle is on private property.

*Motor vehicle* means any motor vehicle subject to registration pursuant to the Texas Certificate of Title Act.

*Motor Vehicle Collector* means a person who owns one or more antique or special interest vehicles and who collects, purchases, acquires, trades, or disposes of special interest or antique vehicles or parts of them for his own use in order to restore, preserve, and maintain an antique or special interest vehicle for historic interest.

*Motor Vehicle Demolisher* means any person in the business of converting motor vehicles into processed scrap or scrap metal, or to otherwise wreck or dismantle motor vehicles.

***Special Interest Vehicle*** means a motor vehicle of any age which has not been altered or modified from original manufacturer's specifications and, because of its historic interest, is being preserved by a hobbyist.

***Storage Facility*** means a garage, parking lot, or any type of facility or establishment for the servicing, repairing, storing, or parking of motor vehicles.

#### **Sec. 8.202 Junked vehicles declared a public nuisance**

A junked vehicle, including a part of a junked vehicle that is visible at any time of the year from a public place or public right-of-way is hereby declared a public nuisance because it:

- a. Is detrimental to the safety and welfare of the public;
- b. Tends to reduce the value of private property;
- c. Invites vandalism;
- d. Creates a fire hazard;
- e. Is an attractive nuisance creating a hazard to the health and safety of minors; and
- f. Produces urban blight adverse to the maintenance and continuing development of the city.

#### **Sec. 8.203 Offense**

- a. A person commits an offense if the person maintains a public nuisance described by Section 8.202 of this Chapter.
- b. An offense under this section is a misdemeanor punishable by a fine not to exceed Two Hundred and No/100 Dollars (\$200).
- c. The court shall order abatement and removal of the nuisance on conviction.

#### **Sec. 8.204 Exceptions**

The following vehicles or parts thereof are excepted from the provisions of this ordinance:

- a. A vehicle or vehicle part which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property.
- b. A vehicle or vehicle part which is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or that is an antique or special interest vehicle or part thereof stored by a motor vehicle collector on the collector's property, provided that the vehicle or part and the outdoor storage area, if any, are:

- i. maintained in an orderly manner,
  - ii. do not constitute a health hazard, and
  - iii. screened from ordinary public view by means of a fence. Fences shall be consistent with building regulations and zoning requirements applicable to the property.
- c. An unlicensed, operable or inoperable antique or special interest vehicle or part thereof stored by a motor vehicle collector on the collector's property, provided that the vehicle or part and the outdoor storage area, if any, are:
- i. maintained in an orderly manner,
  - ii. do not constitute a health hazard, and
  - iii. screened from ordinary public view by means of a fence. Fences shall be consistent with building regulations and zoning requirements applicable to the property.

**Sec. 8.204 Enforcement**

- a. Any peace officer, Code Enforcement officer or other regularly salaried, full-time City employee authorized to enforce this ordinance, may enter the public areas of any building or premises, not a private residence or dwelling, structure or completely enclosed structure on private property, at all reasonable times whenever necessary in the performance of his duties to inspect and investigate for violations of any law, or to enforce any law.
- b. The authority to inspect shall include but not be limited to the authority to examine vehicles or parts thereof, obtain information as to identity of vehicles and to remove or cause the removal of a vehicle or part thereof declared to be a nuisance.
- c. If such building or premises be occupied and involved in conducting business, he shall first present proper credentials and demand entry, unless otherwise permitted by law. If such entry is refused, or, if no owner or other person having charge or control of the building or premises can be located, he shall have recourse to every remedy provided by law to secure entry.

**Sec. 8.205 Notice**

The procedure for the abatement and removal of a junked vehicle or part thereof, as a public nuisance, from private property, public property, or public right-of-way shall be as follows:

- a. Once a determination has been made that a public nuisance under this division exists, the Enforcement Authority shall give not less than ten (10) days written notice to:

- i. The last known registered owner of the public nuisance;
- ii. Each lienholder of record; and
- iii. The owner or occupant of:
  - 1. The property on which the public nuisance is located; or
  - 2. If the public nuisance is located on the public right-of-way, the property adjacent to the right-of-way.
- c. The notice must be personally delivered or sent by certified mail with a five-day return requested. If the address of the last known registered owner is unknown, notice may be placed on the public nuisance. If the notice is returned undelivered, action to abate the public nuisance shall not be taken until the 11th day after the date of return.
- d. The notice must state that:
  - i. The public nuisance must be removed not later than the 10th day after the date on which the notice was personally delivered, mailed, or placed on the public nuisance; and

A request for a hearing must be made not later than the 10th day after the notice was personally delivered, mailed, or placed on the public nuisance.

#### **Sec. 8.206 Hearing**

- A. The City Manager or authorized designee shall conduct a public hearing if timely requested by a person who received notice under section 8-205.
- B. The hearing shall be held not earlier than the 11th day after the service of notice in section 8-205.
- C. At the hearing, the junked vehicle is presumed to be inoperable, unless demonstrated otherwise.
- D. An order requiring the removal of the public nuisance must contain a description, license plate number, and identification number of the public nuisance, if available at the location of the nuisance.
- E. A Judge of the Municipal Court of the City of Gonzales may issue necessary orders to enforce the procedures for the abatement and removal of a public nuisance under this Article.

### **Section 8.207 Abatement**

- A. Once abatement proceedings have been commenced, the relocation of the public nuisance to another location in the city has no effect on the proceedings.
- B. Once the public nuisance is removed, it may not be reconstructed or made operable.
- C. If the public nuisance is not removed by the 10th day after proper notice, the enforcement authority may remove it or cause it to be removed.
- D. No later than the 5th day after removal, the enforcement authority shall give notice to the Texas Department of Motor Vehicles of the removal.
- E. A citation may be issued and a complaint may be filed in the Municipal Court of the City of Gonzales for the violation of maintaining a public nuisance, if the nuisance is not removed and abated and a hearing is not requested within the ten (10) day period provided in section 8.206.

### **Section 8.208 Disposal of Junked Vehicles**

A junked vehicle or part thereof may be disposed of by removal to a scrapyards, a motor vehicle demolisher, or any suitable site operated by the City, for processing as scrap or salvage pursuant to authority provided in the Texas Transportation Code, § 683.078 or any successor statute for junked vehicle disposal.

### **Section 8.209 Effect of Ordinance on Other laws**

Nothing in this article shall affect laws that permit immediate removal of a vehicle left on public property that is obstructing traffic or laws that establish procedures for taking possession of abandoned vehicles.

**COUNCIL AGENDA  
ITEM BRIEFING DATA**



**AGENDA ITEM**

Discuss, Consider & Possible Action  
Approving Ordinance #2018-23 Approving a  
Budget Amendment Amending the  
Organizational Staffing Structure in the Police  
Department by Eliminating the Cadet Position

**DATE: July 12, 2018**

**TYPE AGENDA ITEM:**

Ordinance

**BACKGROUND:**

Staff recommends the elimination of the Cadet position in the City's Police Department based on an evaluation of such position and job duties and after conferring with legal counsel.

**POLICY CONSIDERATIONS:**

This Ordinance will be beneficial to the City's organizational structure and for citizens of the community.

**FISCAL IMPACT:**

This Ordinance will amend the budget for the City of Gonzales General Fund for the Fiscal Year beginning October 1, 2017 and ending September 30, 2018, as set forth in the attached Exhibit A.

**STAFF RECOMMENDATION:**

Staff respectfully recommends the approval of this ordinance

**ORDINANCE NO. 2018-23**

**AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, APPROVING A BUDGET AMENDMENT AMENDING THE ORGANIZATIONAL STAFFING STRUCTURE IN THE POLICE DEPARTMENT BY ELIMINATING THE CADET POSITION, PROVIDING FOR SEVERABILITY, REPEALING ALL ORDINANCES IN CONFLICT AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gonzales current 2017/2018 Annual Budget was passed and approved on September 19, 2017; and,

**WHEREAS**, the organizational staffing structure is an integral part of the annual budget and efficient and productive operations for the City as a whole; and,

**WHEREAS**, staff recommends the elimination of the Cadet position in the City's Police Department based on an evaluation of such position and job duties and after conferring with legal counsel; and,

**WHEREAS**, the City Council has determined that this change will be beneficial to the City's organizational structure and for citizens of the community.

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

SECTION 1. The City Council of the City of Gonzales, Texas does hereby approve an amended budget for the City of Gonzales General Fund for the Fiscal Year beginning October 1, 2017 and ending September 30, 2018, as set forth in the attached Exhibit A.

SECTION 2. That all other records containing a description for the position of Cadet within the Gonzales Police Department shall be amended to remove said position.

SECTION 3. Severability. Should any section, subsection or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the Ordinance as a whole or any other remaining portions of this Ordinance.

SECTION 4. Repeal. This Ordinance shall be cumulative of all provisions of ordinances of the City of Gonzales, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5. Effective Date. This ordinance shall take effect from and after the earliest date provided by law following its adoption and publication as provided by law.

**PASSED and APPROVED this the 12<sup>th</sup> day of July, 2018.**

**CITY OF GONZALES**

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Connie Kacir, Mayor

ATTEST:

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Kristina Vega, City Secretary

## EXHIBIT A

### General Fund

To eliminate the Cadet position in the Police Department and decrease the budget within the General Fund by \$41,749.84. This money is allocated to the Police Department staffing for enhancing the police department and its functions. Through the passing of this Ordinance, the City Council will be authorizing the elimination of the Cadet position. These funds will go into the General Fund Balance.

Salary	100-7-501.106	-30,555.20
F.I.C.A	100-7-501.110	-2,337.47
Retirement TMRS	100-7-501.112	-3,333.57
Medical Insurance	100-7-501.114	-5,335.20
Life Insurance	100-7-501.116	-26.40
Unemployment	100-7-501.111	-162.00

*CITY OF GONZALES FINANCIALS*

*July 12, 2018*

FINANCIAL REPORTS FOR FUNDS

CASH & INVESTMENT BY FUND

QUARTERLY INVESTMENT REPORT ENDING 06/30/18

CITY OF GONZALES  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2018

100-GENERAL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
<b>REVENUE SUMMARY</b>						
401-TAX REVENUE	1,881,587.56	168,996.73	1,740,769.04	92.52	0.00	140,818.52
402-FRANCHISE REVENUE	1,846,721.83	21,957.80	1,084,986.30	58.75	0.00	761,735.53
403-LICENSE / FEE / PERMI	54,190.00	14,713.28	65,791.71	121.41	0.00	( 11,601.71)
404-PARKS FEES REVENUE	189,145.00	20,470.92	113,599.56	60.06	0.00	75,545.44
405-MUNICIPAL COURT REVEN	241,177.00	11,141.64	101,466.49	42.07	0.00	139,710.51
406-MISCELLANEOUS REVENUE	437,665.00	9,457.23	528,564.14	120.77	0.00	( 90,899.14)
407-STREET ASSESSMENT INC	400.00	0.00	0.00	0.00	0.00	400.00
408-INTEREST REVENUES	4,500.00	3,045.24	9,867.27	219.27	0.00	( 5,367.27)
409-OTHER FINANCING REVEN	175.00	4,000.00	280,591.18	337.82	0.00	( 280,416.18)
410-TRANSFERS	3,312,372.16	9,601.94	2,123,993.22	64.12	0.00	1,188,378.94
<b>*** TOTAL REVENUES ***</b>	<b>7,967,933.55</b>	<b>263,384.78</b>	<b>6,049,628.91</b>	<b>75.92</b>	<b>0.00</b>	<b>1,918,304.64</b>
<b>EXPENDITURE SUMMARY</b>						
101-CITY COUNCIL DEPARTME	71,010.00	6,271.86	57,274.32	80.66	0.00	13,735.68
102-CITY MANAGER DEPART	388,248.84	28,394.67	238,055.16	61.32	0.00	150,193.68
103-COMMUNITY DEVELOPMENT	205,118.45	19,085.10	159,698.02	77.86	0.00	45,420.43
104-NON-DEPARTMENTAL	531,633.12	42,083.93	480,873.51	91.83	7,350.00	43,409.61
105-MAIN STREET DEPARTMEN	70,273.72	6,341.10	51,523.53	73.32	0.00	18,750.19
106-ECONOMIC DEVELOPMENT	104,284.96	11,120.17	79,708.22	76.43	0.00	24,576.74
107-BUILDING MAINTENANCE	237,135.95	18,163.40	149,544.77	63.30	553.38	87,037.80
108-CITY SECRETARY DEP	103,449.62	9,050.58	73,697.96	71.24	0.00	29,751.66
109-FINANCE DEPARTMENT	249,093.26	20,778.44	190,252.50	76.38	0.00	58,840.76
110-HOTEL/MOTEL	68,632.20	7,118.11	50,367.07	73.39	0.00	18,265.13
201-PARKS DEPARTMENT	689,127.11	40,409.04	329,630.60	47.83	0.01	359,496.50
202-SWIMMING POOL DEPARTM	67,268.41	8,210.99	11,439.88	17.01	0.00	55,828.53
204-RECREATION DEPARTMENT	18,759.15	10,640.53	12,858.14	68.54	0.00	5,901.01
205-CEMETARY DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00
206-INDEPENDENCE GOLF CO	238,436.27	21,800.60	153,029.94	64.87	1,650.00	83,756.33
301-FIRE DEPARTMENT	989,140.39	69,996.07	666,464.57	74.29	68,347.58	254,328.24
501-POLICE DEPARTMENT	2,500,345.61	208,460.47	1,598,125.97	64.00	2,000.00	900,219.64
504-ANIMAL CONTROL DEPART	155,980.89	11,737.41	100,480.15	64.42	0.00	55,500.74
550-MUNICIPAL COURT DEPT.	187,986.77	14,340.40	130,708.82	69.53	0.00	57,277.95
602-AIRPORT DEPARTMENT	102,205.00	1,157.98	58,223.51	56.97	0.00	43,981.49
603-STREETS DEPARTMENT	696,235.15	30,696.12	358,237.12	51.74	2,000.00	335,998.03
650-LIBRARY DEPARTMENT	239,904.26	19,779.00	321,037.79	133.82	0.00	( 81,133.53)
660-MUSEUM DEPARTMENT	81,302.94	6,882.24	57,645.82	70.90	0.00	23,657.12
722-SERIES 2011 DEBT SERV	0.00	0.00	0.00	0.00	0.00	0.00
<b>*** TOTAL EXPENDITURES ***</b>	<b>7,995,572.07</b>	<b>612,518.21</b>	<b>5,328,877.37</b>	<b>67.67</b>	<b>81,900.97</b>	<b>2,584,793.73</b>
<b>** REVENUES OVER (UNDER) EXPENDITURES **</b>	<b>( 27,638.52)</b>	<b>( 349,133.43)</b>	<b>720,751.54</b>	<b>311.45-</b>	<b>( 81,900.97)</b>	<b>( 666,489.09)</b>

CITY OF GONZALES  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2018

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	681,055.00	121,766.67	450,455.88	66.14	0.00	230,599.12
406-MISCELLANEOUS REVENUE	<u>0.00</u>	<u>7,967.56</u>	<u>8,777.50</u>	<u>0.00</u>	<u>0.00</u>	<u>( 8,777.50)</u>
*** TOTAL REVENUES ***	681,055.00	129,734.23	459,233.38	67.43	0.00	221,821.62
EXPENDITURE SUMMARY						
203-JB WELLS PARK	<u>834,793.29</u>	<u>108,804.50</u>	<u>531,455.23</u>	<u>64.63</u>	<u>8,080.00</u>	<u>295,258.06</u>
*** TOTAL EXPENDITURES ***	834,793.29	108,804.50	531,455.23	64.63	8,080.00	295,258.06
** REVENUES OVER (UNDER) EXPENDITURES **	<u>( 153,738.29)</u>	<u>20,929.73</u>	<u>( 72,221.85)</u>	<u>52.23</u>	<u>( 8,080.00)</u>	<u>( 73,436.44)</u>

C I T Y O F G O N Z A L E S  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2018

## 210-ELECTRIC FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
710-ELECTRIC DEPARTMENT	10,141,575.11	920,755.93	7,414,776.03	73.11	0.00	2,726,799.08
750-REVENUE COLLECTION	216,251.00	1,602.10	132,937.10	61.47	0.00	83,313.90
809-HYDRO PLANT CONST.	<u>15,000.00</u>	<u>2,726.66</u>	<u>21,888.71</u>	<u>145.92</u>	<u>0.00</u>	<u>( 6,888.71)</u>
*** TOTAL REVENUES ***	10,372,826.11	925,084.69	7,569,601.84	72.98	0.00	2,803,224.27
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	9,740,365.80	484,253.36	6,682,805.37	68.97	35,259.33	3,022,301.10
750-REVENUE COLLECTIONS	290,615.22	20,397.91	166,509.52	57.74	1,280.98	122,824.72
809-HYDRO PLANT CONST.	<u>156,075.00</u>	<u>19,071.95</u>	<u>139,580.15</u>	<u>120.19</u>	<u>48,000.00</u>	<u>( 31,505.15)</u>
*** TOTAL EXPENDITURES ***	10,187,056.02	523,723.22	6,988,895.04	69.44	84,540.31	3,113,620.67
** REVENUES OVER (UNDER) EXPENDITURES **	<u>185,770.09</u>	<u>401,361.47</u>	<u>580,706.80</u>	<u>267.09</u>	<u>( 84,540.31)</u>	<u>( 310,396.40)</u>

CITY OF GONZALES  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2018

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	<u>2,007,654.00</u>	<u>191,139.53</u>	<u>1,417,201.08</u>	<u>70.59</u>	<u>0.00</u>	<u>590,452.92</u>
*** TOTAL REVENUES ***	2,007,654.00	191,139.53	1,417,201.08	70.59	0.00	590,452.92
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	2,007,654.00	68,057.97	1,229,949.42	65.89	92,886.86	684,817.72
722-SERIES 2011 DEBT SERV	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
*** TOTAL EXPENDITURES ***	2,007,654.00	68,057.97	1,229,949.42	65.89	92,886.86	684,817.72
** REVENUES OVER (UNDER) EXPENDITURES **	<u>0.00</u>	<u>123,081.56</u>	<u>187,251.66</u>	<u>0.00</u>	<u>( 92,886.86)</u>	<u>( 94,364.80)</u>



C I T Y O F G O N Z A L E S  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2018

## 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	<u>913,797.00</u>	<u>74,236.58</u>	<u>650,045.50</u>	<u>71.14</u>	<u>0.00</u>	<u>263,751.50</u>
*** TOTAL REVENUES ***	913,797.00	74,236.58	650,045.50	71.14	0.00	263,751.50
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	<u>904,850.36</u>	<u>8,163.12</u>	<u>653,508.59</u>	<u>72.22</u>	<u>0.00</u>	<u>251,341.77</u>
*** TOTAL EXPENDITURES ***	904,850.36	8,163.12	653,508.59	72.22	0.00	251,341.77
** REVENUES OVER (UNDER) EXPENDITURES **	<u>8,946.64</u>	<u>66,073.46</u>	<u>( 3,463.09)</u>	<u>38.71-</u>	<u>0.00</u>	<u>12,409.73</u>

CITY OF GONZALES  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2018

250-DSF PROPRIETARY

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
808-DSF PROPRIETARY	<u>142,408.61</u>	<u>2.72</u>	<u>121,570.25</u>	<u>85.37</u>	<u>0.00</u>	<u>20,838.36</u>
*** TOTAL REVENUES ***	142,408.61	2.72	121,570.25	85.37	0.00	20,838.36
EXPENDITURE SUMMARY						
808-DSF PROPRIETARY	<u>143,925.00</u>	<u>0.00</u>	<u>120,045.83</u>	<u>83.41</u>	<u>0.00</u>	<u>23,879.17</u>
*** TOTAL EXPENDITURES ***	143,925.00	0.00	120,045.83	83.41	0.00	23,879.17
** REVENUES OVER(UNDER) EXPENDITURES **	<u>1,516.39</u>	<u>2.72</u>	<u>1,524.42</u>	<u>100.53-</u>	<u>0.00</u>	<u>( 3,040.81)</u>

CITY OF GONZALES  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2018

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.	<u>857,934.44</u>	<u>0.00</u>	<u>798,120.95</u>	<u>93.03</u>	<u>0.00</u>	<u>59,813.49</u>
*** TOTAL REVENUES ***	857,934.44	0.00	798,120.95	93.03	0.00	59,813.49
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	<u>857,934.44</u>	<u>6,321.96</u>	<u>701,068.56</u>	<u>81.72</u>	<u>0.00</u>	<u>156,865.88</u>
*** TOTAL EXPENDITURES ***	857,934.44	6,321.96	701,068.56	81.72	0.00	156,865.88
** REVENUES OVER (UNDER) EXPENDITURES **	<u>0.00</u>	<u>( 6,321.96)</u>	<u>97,052.39</u>	<u>0.00</u>	<u>0.00</u>	<u>( 97,052.39)</u>

CITY OF GONZALES  
FINANCIAL STATEMENT  
AS OF: JUNE 30TH, 2018

## 500-RESTRICTED USE FUNDS

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
410-TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL/MOTEL	245,036.00	27,864.34	310,253.72	126.62	0.00	( 65,217.72)
812-MEMORIAL MUSEUM	2,000.00	32.77	17,832.04	891.60	0.00	( 15,832.04)
813-FORFEITURES	7,300.00	0.00	7,777.97	106.55	0.00	( 477.97)
814-MUNICIPAL COURT	13,430.00	134.57	7,780.69	57.94	0.00	5,649.31
815-ROBERT L BROTHERS	<u>92,945.00</u>	<u>275.49</u>	<u>263,724.12</u>	<u>283.74</u>	<u>0.00</u>	<u>( 170,779.12)</u>
*** TOTAL REVENUES ***	360,711.00	28,307.17	607,368.54	168.38	0.00	( 246,657.54)
EXPENDITURE SUMMARY						
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL MOTEL	391,912.20	13,414.07	216,255.86	55.18	0.00	175,656.34
812-MEMORIAL MUSEUM	2,000.00	0.00	0.00	0.00	0.00	2,000.00
813-FORFEITURES	4,000.00	0.00	7,750.00	193.75	0.00	( 3,750.00)
814-MUNICIPAL COURT	0.00	503.49	651.24	0.00	0.00	( 651.24)
815-ROBERT L BROTHERS	<u>17,358.00</u>	<u>1,009.67</u>	<u>56,571.61</u>	<u>330.05</u>	<u>718.67</u>	<u>( 39,932.28)</u>
*** TOTAL EXPENDITURES ***	415,270.20	14,927.23	281,228.71	67.89	718.67	133,322.82
** REVENUES OVER(UNDER) EXPENDITURES **	<u>( 54,559.20)</u>	<u>13,379.94</u>	<u>326,139.83</u>	<u>596.46-</u>	<u>( 718.67)</u>	<u>( 379,980.36)</u>

CITY OF GONZALES  
 FINANCIAL STATEMENT  
 AS OF: JUNE 30TH, 2018

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	<u>777,607.00</u>	<u>113,343.54</u>	<u>716,306.53</u>	<u>92.12</u>	<u>0.00</u>	<u>61,300.47</u>
*** TOTAL REVENUES ***	777,607.00	113,343.54	716,306.53	92.12	0.00	61,300.47
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	<u>823,372.99</u>	<u>40,937.04</u>	<u>355,843.94</u>	<u>43.22</u>	<u>0.00</u>	<u>467,529.05</u>
*** TOTAL EXPENDITURES ***	823,372.99	40,937.04	355,843.94	43.22	0.00	467,529.05
** REVENUES OVER (UNDER) EXPENDITURES **	<u>45,765.99</u>	<u>72,406.50</u>	<u>360,462.59</u>	<u>787.62-</u>	<u>0.00</u>	<u>( 406,228.58)</u>

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>100-GENERAL FUND</u>			
=====			
<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	693,229.99	
100 1-001.510	PEG FRANCHISE FEES (RESTRICTED)	0.00	
100 1-001.600	CASH - JB WELLS CR CARD COLL	0.00	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	16,324.97	
100 1-101.702	CASH - IND PARK IMPT OIL	0.00	
	TOTAL CASH	709,554.96	
<u>INVESTMENTS</u>			
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		269,339.21
100 1-103.411	LIBRARY CD-MILLER 1-SAGE		0.00
100 1-103.412	LIBRARY CD-MILLER 2 -LONE STAR		0.00
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		3,839.37
100 1-103.414	LIBRARY CD-STRINGER (LONE STAR		0.00
100 1-103.416	LIBRARY CD - SCHWAB - PROSPER		0.00
100 1-103.417	LIBRARY CD - TRAEGER-PROSPER		0.00
100 1-103.418	LIBRARY CD-MILLER 3-LONE STAR		0.00
100 1-103.419	LIBRARY RESTRICTED USE-DONATIO		0.00
100 1-103.702	IND PARK IMPROVE OIL - INVEST.		0.00
	TOTAL INVESTMENTS		273,178.58
<u>POOLED INVESTMENTS</u>			
100 1-104.000	TEXPOOL - GENERAL FUND		0.00
100 1-104.604	TEXPOOL - ARMORY LEASE		0.00
100 1-104.702	TEXPOOL - IND PARK IMPT OIL		0.00
100 1-104.703	TEXPOOL - LEWIS PROPERTY		0.00
	TOTAL POOLED INVESTMENTS		0.00
	TOTAL 100-GENERAL FUND	709,554.96	273,178.58
<u>203-JB WELLS FUND</u>			
=====			
<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	( 197,346.51)	
	TOTAL CASH	( 197,346.51)	
	TOTAL 203-JB WELLS PARK FUND	( 197,346.51)	0.00

FUND-ACCT. NO. ACCOUNT NAME	CASH	INVESTMENTS
<u>210-ELECTRIC FUND</u>		
=====		
<u>CASH</u>		
210 1-001.000 CASH - ELECTRIC FUND	2,020,878.33	
210 1-001.402 1986 I & S REVENUE BOND CASH	0.00	
210 1-001.403 1994 I & S REVENUE BOND CASH	0.00	
210 1-001.499 CASH -HYDRO BOND CO'S	1,514,439.85	
210 1-001.500 CASH - HYDRO BOND I & S	0.00	
210 1-001.600 CONFIDENTIALITY FEE	0.00	
210 1-001.606 CASH CUSTOMER METER DEPOSIT	142,277.32	
	-----	
TOTAL CASH	3,677,595.50	
<u>INVESTMENTS</u>		
210 1-103.000 AGENCY SECURITIES - ELECTRIC		0.00
210 1-103.001 AGENCY SECURITIES - JOHNSON ST		0.00
210 1-103.402 I & S REVENUE BOND - INVESTMEN		0.00
210 1-103.403 CERT OF DEPOSIT - I&S BOND RES		( 0.06)
210 1-103.410 CERT OF DEP - LONE STAR BK		265,457.55
210 1-103.411 CERT OF DEPOSIT - RBFCU		0.00
210 1-103.606 CUSTOMER METER DEPOSITS - INVT		0.00
210 1-103.706 ELEC CAPITAL IMPROVEMENT-INST.		0.00
		-----
TOTAL INVESTMENTS		265,457.49
<u>POOLED INVESTMENTS</u>		
210 1-104.000 TEXPOOL- UNDESIGNATED		0.00
210 1-104.100 TEXASTERM - ELECTRIC FUND		0.00
210 1-104.110 TEXASDAILY - ELECTRIC		0.00
210 1-104.402 TEXPOOL - I&S REVENUE BOND		0.00
210 1-104.403 I & S BOND RESERVE - TEXPOOL		0.00
210 1-104.606 TEXPOOL - CUSTOMER METER DEP		0.00
210 1-104.706 TEXPOOL - JOHNSON ST PROP		0.00
		-----
TOTAL POOLED INVESTMENTS		0.00
TOTAL 210-ELECTRIC FUND	3,677,595.50	265,457.49

220-WATER FUND

=====

<u>CASH</u>		
220 1-001.000 CASH - WATER FUND	224,274.28	
220 1-001.606 CASH CUSTOMER METER DEPOSITS	23,577.33	
	-----	
TOTAL CASH	247,851.61	

## CASH &amp; INVESTMENTS BY FUND

AS OF: JUNE 30TH, 2018

JUNE 30TH, 2018

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>INVESTMENTS</u>			
220 1-103.000	INVESTMENTS AGENCY SECURITIES		0.00
220 1-103.402	I & S REVENUE BOND - INVESTMEN		0.00
220 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
220 1-103.411	CERTIFICATE OF DEPOSIT-SAGE		0.00
220 1-103.606	CUSTOMER METER DEPOSITS - INVNT		0.00
	TOTAL INVESTMENTS		0.00
<u>POOLED INVESTMENTS</u>			
220 1-104.000	TEXPOOL - WATER FUND		0.00
220 1-104.001	TEXPOOL CONSTRUCTION		0.00
220 1-104.100	TEXASTERM		0.00
220 1-104.110	TEXASDAILY - WATER FUND		0.00
220 1-104.402	I & S REVENUE BOND - TEXPOOL		0.00
220 1-104.403	I & S BOND RESERVE - TEXPOOL		0.00
220 1-104.606	CUSTOMER METER DEPOSIT - TXPOL		0.00
	TOTAL POOLED INVESTMENTS		0.00
	TOTAL 220-WATER FUND	247,851.61	0.00
<hr/>			
<u>230-WASTEWATER FUND</u>			
=====			
<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	774,068.39	
230 1-001.100	CASH - WASTEWATER GRANT	0.00	
230 1-001.402	CASH - 1986 I & S REVENUE BOND	0.00	
230 1-001.403	CASH - 1994 I & S REVENUE BOND	0.00	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	700.00	
	TOTAL CASH	774,768.39	
<u>INVESTMENTS</u>			
230 1-103.000	INVESTMENTS AGENCY SECURITIES		0.00
230 1-103.402	INVESTMENT - I & S REV BOND		0.00
230 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
230 1-103.410	CERT OF DEP - PROSPERITY BANK		0.00
230 1-103.411	CERT. OF DEP - LONE STAR BANK		264,360.60
	TOTAL INVESTMENTS		264,360.60
<u>POOLED INVESTMENTS</u>			
230 1-104.000	TEXPOOL - WASTEWATER		0.00
230 1-104.100	TEXASTERM		0.00
230 1-104.110	TEXASDAILY - WASTEWATER		0.00
230 1-104.402	TEXPOOL - I&S REVENUE BOND		0.00
230 1-104.403	TEXPOOL - I & S BOND RESERVE		0.00
	TOTAL POOLED INVESTMENTS		0.00
	TOTAL 230-WASTEWATER FUND	774,768.39	264,360.60

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>240-SOLID WASTE</u>			
=====			
<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	( 67,500.74)	
240 1-001.402	CASH - 1986 I & S REVENUE BOND	0.00	
240 1-001.403	CASH - 1994 I & S REVENUE BOND	0.00	
240 1-001.606	CASH CUSTOMER GARBAGE DEP	0.00	
		-----	
TOTAL CASH		( 67,500.74)	
<u>INVESTMENTS</u>			
240 1-103.000	INVESTMENTS AGENCY SECURITIES		0.00
240 1-103.402	INVESTMENTS - I & S REVENUE BD		0.00
240 1-103.403	INVESTMENTS - I & S BOND RES		0.00
			-----
TOTAL INVESTMENTS			0.00
<u>POOLED INVESTMENTS</u>			
240 1-104.000	TEXPOOL - SOLID WASTE FUND		0.00
240 1-104.100	TEXASTERM		0.00
240 1-104.402	TEXPOOL - I & S REVENUE BOND		0.00
240 1-104.403	TEXPOOL - I & S BOND RESERVE		0.00
			-----
TOTAL POOLED INVESTMENTS			0.00
		-----	-----
TOTAL 240-SOLID WASTE FUND		( 67,500.74)	0.00
<u>250-DSF PROPRIETARY</u>			
=====			
<u>CASH</u>			
250 1-001.000	CASH-DSF PROPRIETARY	1,524.42	
		-----	
TOTAL CASH		1,524.42	
		-----	-----
TOTAL 250-DSF PROPRIETARY		1,524.42	0.00
<u>300-CAPITAL PROJECTS</u>			
=====			
<u>CASH</u>			
300 1-001.000	CASH CONTROL - CAPITAL PROJ	0.00	
300 1-101.301	BOND - CIP	0.00	
		-----	
TOTAL CASH		0.00	
		-----	-----
TOTAL 300-CAPITAL PROJECTS		0.00	0.00

CASH & INVESTMENTS BY FUND

AS OF: JUNE 30TH, 2018

JUNE 30TH, 2018

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>400-DSF GOVERNMENTAL ACTI</u>			
=====			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCT	0.00	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	100,681.81	
	TOTAL CASH	100,681.81	
	TOTAL 400-DSF GOVERNMENT ACTIVITIES	100,681.81	0.00
<u>500-RESTRICTED USE FUNDS</u>			
=====			
<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCT	( 262,959.22)	
500 1-001.499	CASH - EXPO CTR CO*S	0.00	
500 1-001.500	CASH - EXPO I & S	0.00	
500 1-001.501	CASH - TEXAS CAPITAL	0.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	637,893.24	
500 1-001.503	CASH - MUSEUM FUNDS	18,340.84	
500 1-001.504	CASH - FORFEITURES	39,599.44	
500 1-001.505	CASH - MUN CRT CHILD SAFETY	24,114.78	
500 1-001.506	CASH - MUN CRT SECURITY	26,312.50	
500 1-001.507	CASH - MUN CRT TECH	18,064.26	
500 1-001.508	CASH - SPECIAL EXPENSE	6,981.55	
500 1-001.509	CASH - AIRPORT IMPT	0.00	
500 1-001.510	PEG FRANCHISE (RESTRICTED USE)	0.00	
500 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	153,855.09	
	TOTAL CASH	662,202.48	
	TOTAL 500-RESTRICTED USE FUNDS	662,202.48	0.00
<u>700-COMPONENT UNIT</u>			
=====			
<u>CASH</u>			
700 1-001.000	CASH - ECONOMIC DEV CORP	1,926,380.61	
	TOTAL CASH	1,926,380.61	
<u>INVESTMENTS</u>			
700 1-103.411	CERT OF DEPOSIT -FNB GONZALES		0.00
700 1-103.412	CERT OF DEPOSIT-SAGE CAPITAL		55,733.23
700 1-103.420	RBFCU - MONEY MARKET ACCT		212,735.90
700 1-103.430	SAVINGS ACCT - RBFCU		3,121.26
	TOTAL INVESTMENTS		271,590.39

CASH & INVESTMENTS BY FUND

AS OF: JUNE 30TH, 2018

JUNE 30TH, 2018

FUND-ACCT. NO. ACCOUNT NAME	CASH	INVESTMENTS
<u>POOLED INVESTMENTS</u>		
700 1-104.000 TEXPOOL - ECONOMIC DEV		0.00
TOTAL POOLED INVESTMENTS		0.00
TOTAL 700-GONZALES ECONOMIC DEV	1,926,380.61	271,590.39
FUND TOTAL OTHER INVESTMENTS		1,074,587.06
FUND TOTAL POOLED INVESTMENTS		0.00
TOTAL CASH AND INVESTMENTS	7,835,712.53	1,074,587.06

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

CITY OF GONZALES PORTFOLIO  
 QUARTERLY REPORT FOR THE PERIOD ENDING  
 6/30/2018

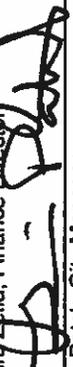
Description	Yield Rate	Purchase / Renewal Date	Maturity Date	Book Value 03/31/18	Market Value 03/31/18	Accrued Interest 03/31/18	Book Value 06/30/18	Market Value 06/30/18	Accrued Interest 06/30/18	
<u>Investment Pools</u>										
<u>Texpool</u>										
<u>Certificates of Deposit</u>										
General Fund - (RBFCU) 100-1-103.410	1.750%	3/20/2018	3/19/2020	268,167.49	268,167.49	868.85	269,339.21	269,339.21	1,171.72	
Electric Fund - (SSB) 210-1-103.410	1.410%	12/11/2017	12/11/2019	264,517.46	264,517.46	860.32	265,457.55	265,457.55	940.09	
Wastewater Fund - (SSB) 230-1-103.411	1.010%	7/13/2017	8/13/2018	263,703.87	263,703.87	669.62	264,360.60	264,360.60	656.73	
<b>TOTAL PORTFOLIO</b>				<b>796,388.82</b>	<b>796,388.82</b>	<b>2,398.79</b>	<b>799,157.36</b>	<b>799,157.36</b>	<b>2,768.54</b>	

CITY OF GONZALES PORTFOLIO SUMMARY  
 Activity for Quarter Ending  
 June 30, 2018

	Book Value	Market Value	Ratio
Total Investments at beginning of Quarter	796,388.82	796,388.82	100.00%
Investment Pool Interest Reinvested	0.00	0.00	
Investment Pool Increases	0.00	0.00	
Investment Pool Withdrawals	0.00	0.00	
Investment Pool Balance at end of the quarter	0.00	0.00	
Agency Security Purchases	0.00	0.00	
Agency Security Maturities/Called	0.00	0.00	
Certificate of Deposit at the end of quarter	799,157.36	799,157.36	
Change in Market Value	2,768.54	2,768.54	
Investments at End of Quarter	799,157.36	799,157.36	100.00%

As of 06/30/2018 all investments are in compliance with the Investment Policy of the City of Gonzales.

  
 \_\_\_\_\_  
 Laura Zalla, Finance Director

  
 \_\_\_\_\_  
 Tim Patek, City Manager

CITY OF GONZALES PORTFOLIO  
 QUARTERLY REPORT FOR THE PERIOD ENDING  
 6/30/2018

<u>Weighted Average Maturity</u>	<u>Yield Rate</u>	<u>Maturity Date</u>	<u>Book Value</u>	<u>Percentage of Portfolio</u>	<u>Days to Maturity</u>	<u>Weighted Average</u>
Texpool	N/A	N/A	0.00	0.000000	0	0.00
RBFCU - General Fund	1.750%	3/19/2020	269,339.21	0.337029	628	211.65
Lone Star Bank - Electric	1.410%	12/11/2019	265,457.55	0.332172	529	175.72
Lone Star Bank - Wastewater	1.010%	8/13/2018	264,360.60	0.330799	44	14.56
<b>TOTAL PORTFOLIO</b>			<b>799,157.36</b>	<b>100%</b>	<b>1,201</b>	<b>401.93</b>