



GLEN SMITH – Mayor
 JOHNNY TRAN – Councilmember Place 1
 JUDY CHAVEZ – Councilmember Place 2
 MARY CROCKER – Councilmember Place 3
 TROY LEWIS – Councilmember Place 4
 ANDY ERDELT – Councilmember Place 5
 STEPHEN MCGOVERN – Councilmember Place 6

CITY OF PALACIOS CITY COUNCIL PUBLIC HEARING & REGULAR MEETING AGENDA

Notice is hereby given of a Regular Council Meeting of the Palacios City Council to be held October 10, 2017, beginning at 7:00 p.m. in the Council Chambers of City Hall, 311 Henderson Avenue, Palacios, TX, for the purpose of considering the following items:

REGULAR COUNCIL MEETING

CALL TO ORDER

INVOCATION – Mayor Smith

PLEDGE OF ALLEGIANCE – Councilmember Tran

PLEDGE TO TEXAS FLAG – Councilmember Tran

PLEDGE TO PALACIOS FLAG – Councilmember Tran

VISITOR / CITIZEN FORUM

ADMINISTRATIVE REPORTS

1. Harvey Update
2. Harvest Moon Oct. 21st 6PM

ITEMS TO BE CONSIDERED

1. Discuss and consider action to approve Resolution 2017-R-8 nominating John Connor to serve on the Matagorda County Appraisal District's Board of Directors for the 2018/2019 term.
2. Discuss and consider action to approve Resolution 2017-R-9 that designates areas within the designated Historic Commercial District as slum/blighted and in need of improvement
3. Discuss and consider action to approve Resolution 2017-R-10 that authorizes submission of an application to the Texas Department of Agriculture for a 2017 Texas Capital Fund – Downtown Revitalization Program grant to construct sidewalk, lighting and handicap-accessibility improvements in the designated Historic Commercial District
4. Discuss and consider action to approve Resolution 2017-R-11 that adopts a Public Access Plan to be utilized during infrastructure construction projects funded through the Texas Capital Fund – Downtown Revitalization Program
5. Discuss and consider action to Resolution 2017-R-12 adopting a Citizen Participation Plan to be followed during implementation of Texas Community Development Block Grant Program projects.

6. Discuss and consider action to appoint _____ as the designated Representative to the General Assembly of the Houston-Galveston Area Council.
7. Discuss and consider action to appoint Stephen McGovern as the alternate designated Representative to the General Assembly of the Houston-Galveston Area Council.
8. Discuss and consider scheduling a Special Council meeting on October 17, 2017.
9. Discuss and consider action to approve the following consent agenda items:
 - a) Minutes of the Sept 18, 2017 Regular Council Meeting and Sept 26, 2017 Regular Council meeting
 - b) Excuse Absences of Councilmember Lewis from the September 12, 2017 Meeting

EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, (Open Meetings Law) the Council May go into Executive (closed) session in order to:

Consult with its attorney (551.071)

- a. Consult with attorney about Pavilion project.

Discuss Real Estate transaction (551.072)

Deliberation regarding prospective gifts or donation (551.073)

Discuss personnel matters (551.074)

Deliberation regarding security devices (551.076)

Discuss economic development negotiations (551.087)

ACTION ON EXECUTIVE SESSION:

- a. Consult with attorney about Pavilion project

ADJOURN

In compliance with the Americans with Disabilities Act, the City of Palacios will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact City Hall, at 361.972.3605.

CERTIFICATION

I certify that a copy of the October 10, 2017 agenda of items to be considered by the City Council was posted on the City Hall bulletin board by 5:00p.m. on October 6, 2017.

REGULAR COUNCIL MEETING

CALL TO ORDER

INVOCATION – Mayor Smith

PLEDGE OF ALLEGIANCE – Councilmember Tran

PLEDGE TO TEXAS FLAG – Councilmember Tran

PLEDGE TO PALACIOS FLAG – Councilmember Tran

VISITOR / CITIZEN FORUM

ADMINISTRATIVE REPORTS

1. Harvey Update
2. Harvest Moon Oct. 21st 6PM

RESOLUTION NO. 2017-R-8

**A RESOLUTION OF THE CITY OF PALACIOS, TEXAS,
CASTING AN OFFICIAL BALLOT IN THE MATAGORDA
COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS
ELECTION.**

WHEREAS, SB 621. Section 6.03 (g) requires that each taxing unit entitled to vote, cast their vote by resolution and to submit to the Chief Appraiser of the Matagorda County Appraisal District by October 15, 2017; and

WHEREAS, the City of Palacios has 93 votes to cast on our Official Ballot as issued by the Chief Appraiser; **NOW, THEREFORE**,

THE CITY COUNCIL OF THE CITY OF PALACIOS nominates **JOHN CONNOR** for election of the Board of Directors for Matagorda County Appraisal District for the 2018-2019 Election.

PASSED, APPROVED AND ADOPTED on this 10th day of October, 2017.

CITY OF PALACIOS, TEXAS

GLEN SMITH, Mayor

Attest:

ANGELA FLORES, City Secretary

RESOLUTION 2017-R-9

A RESOLUTION OF THE CITY OF PALACIOS, TEXAS, FINDING THAT CONDITIONS EXIST WITHIN THE DESIGNATED HISTORIC COMMERCIAL DISTRICT OF THE CITY WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY AND, THEREFORE, ARE DECLARED TO CONSTITUTE A BLIGHTED AREA.

WHEREAS, the City desires to improve conditions within the designated Historic Commercial District of the City; and

WHEREAS, the City has designated and defined the Historic Commercial District for the purpose of economic development and historic preservation; and,

WHEREAS, the City has reviewed the designated Historic Commercial District and identified certain unacceptable conditions within the District including the lack of adequate walkways, lighting, and handicap accessible ramping; and,

WHEREAS, the existence of said conditions are detrimental to the public health, safety and welfare due to the possibility of injury; and,

WHEREAS, there is a need for the expansion, rehabilitation and replacement of existing facilities;

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

SECTION 1.

That the City hereby identifies certain areas of the designated Historic Commercial District to be blighted and in need of assistance as may be necessary and required to eliminate these blighted conditions.

PASSED AND APPROVED this 10th day of October, 2017.

GLEN SMITH, MAYOR

ATTEST

ANGELA FLORES, CITY SECRETARY

RESOLUTION #2017-R-10

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE’S TEXAS CAPITAL FUND – DOWNTOWN REVITALIZATION PROGRAM FOR SIDEWALK, LIGHTING, AND HANDICAP ACCESSIBILITY IMPROVEMENTS AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS CAPITAL FUND PROGRAM.

WHEREAS, City of Palacios desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist within the community which represent a potential risk to the public health and safety; and

WHEREAS, it is necessary and in the best interests of City of Palacios to apply for funding under the 2017 Texas Community Development Block Grant Program – Downtown Revitalization Program.

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

SECTION 1.

That a Community Development Block Grant application is hereby authorized to be filed with the Texas Department of Agriculture for funding consideration under the Texas Capital Fund Downtown Revitalization Program for sidewalk, lighting, and handicap accessibility infrastructure as shown below and detailed on the engineer’s budget justification form and administration activities;

Item	Use of funds	Amount
1.	Infrastructure: Construct <u>sidewalk, lighting, and handicap-accessibility</u> improvements in the Historic Commercial District.	\$222,500
2.	General administration: GrantWorks, Inc.	\$27,500
	TOTAL	\$250,000

SECTION 2.

That the City Council has reviewed and hereby pledges to provide \$75,000 in local funds to be provided by the City of Palacios to serve as a match toward the engineering, surveying, demolition, and construction services.

SECTION 3.

That the Mayor is designated as the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and participation in the Community Development Block Grant Program;

SECTION 4.

The City Council understands that there is no requirement of repayment for funds used to construct public infrastructure improvements and, therefore, will not require repayment of any Texas Capital Fund monies received for this project; and

SECTION 5.

That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.

PASSED AND APPROVED this **10th** day of **October, 2017**.

GLEN SMITH, MAYOR

ATTEST

ANGELA FLORES, CITY SECRETARY

RESOLUTION 2017-R-11

A RESOLUTION ADOPTING A PUBLIC ACCESS PLAN FOR USE DURING CONSTRUCTION OF PUBLIC INFRASTRUCTURE PROJECTS FUNDED THROUGH THE TEXAS CAPITAL FUND – DOWNTOWN REVITALIZATION PROGRAM.

Whereas, the City of Palacios has taken specific steps to ensure that access to operating commercial businesses and public facilities will not be interrupted during construction of its Texas Capital Fund – Downtown Revitalization Program (TCF-DRP) improvement projects; and

Whereas, the public access plan was discussed during the public hearing held prior to preparing an application for TCF-DRP funds.

As a result of that discussion, BE IT RESOLVED BY THE CITY OF PALACIOS that it will utilize the following infrastructure access plan during infrastructure construction funded through TCF-DRP:

- i Businesses in the Historic Commercial District (the Downtown Revitalization Program target area) will be given notification (TCF-DRP public hearing) when public infrastructure projects proposed for TCF-DRP funding within in the District are being considered. Notice will include the date/time/place that the improvements and access plan will be discussed during a public hearing and a City Council meeting where authorization to submit a TCF-DRP grant application will be given. Notification will continue through the application submission (TCF-DRP public notice), review, and scoring phases of the TCF-DRP competition.
- i When a project is recommended for funding, the City will issue a written notice to the business owners in the TCF-DRP target area.
- i Prior to commencement of construction activities, affected business owners will be notified of the date/time/place where a pre-construction meeting will be held with the construction contractor, City officials, and the project engineer to discuss the construction schedule and access options. At least seven days notice of this meeting will be given to the business owners.
- i Because a portion of work to be accomplished through this project will cross the primary entry to the stores fronting onto the 300 and 400 blocks of Main Street, access options to be available will include:
 - 1. Scheduling work during off-peak shopping/tourist periods.
 - 2. Suspending work during peak shopping periods of Thanksgiving to Christmas, during the Tax-Free Shopping Weekend (in late summer), and during festivals and events scheduled in the downtown area.
 - 3. Making large pavement pours late in the afternoon so access will not be barred during the day.

4. If a pavement pour is scheduled during normal business hours, the contractor will be required to notify the project engineer at least 48 hours in advance who will then notify the City. The City will then notify the business owner and will work with the affected owner in an effort to provide alternative access to their property. This alternative access may include laying temporary hard surface access planks over the pavement or, if a rear access is available, working with the business owner to keep use of a rear access to a minimum amount of time.
5. Should any scheduling conflict be unavoidable, the City will give the affected business at least 72-hour notice of the work to be performed. This notice will also include an estimated amount of time the access will be impeded.
6. At the conclusion of construction activities, the City will hold a post-construction meeting (TCF-DRP final public hearing) to solicit public input on the work accomplished and evaluate the public access plan.

PASSED AND APPROVED this **10th** day of **October, 2017**.

GLEN SMITH, MAYOR

ATTEST

ANGELA FLORES, CITY SECRETARY

RESOLUTION 2017-R-12

A RESOLUTION OF THE CITY OF PALACIOS, TEXAS, ESTABLISHING PROCEDURES TO BE FOLLOWED DURING IMPLEMENTATION OF TEXAS CAPITAL FUND PROJECTS FUNDED THROUGH THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

WHEREAS, the City of Palacios realizes the necessity of having written procedures in place to follow during implementation of Texas Capital Fund economic development grant projects to ensure compliance with citizen participation requirements of the CDBG Program;

WHEREAS, the City of Palacios desires to establish and incorporate written grievance and complaint procedures to be followed while implementing Texas Capital Fund economic development grant projects into the Citizen Participation Plan; and

WHEREAS, the City of Palacios wishes to adopt these procedures by formal resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS, AS FOLLOWS

SECTION 1.

That the City adopt the Citizen Participation Plan attached to this resolution as Attachment A; and

SECTION 2.

That the City follows this Citizen Participation Plan during implementation of all Texas Capital Fund economic development projects funded under the CDBG Program.

PASSED AND APPROVED this 10th day of October, 2017.

GLEN SMITH, MAYOR

ATTEST:

ANGELA FLORES, CITY SECRETARY

- 6. Discuss and consider action to appoint _____ as the designated Representative to the General Assembly
- 7. Discuss and consider action to appoint Stephen McGovern as the alternate designated Representative to the

**DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2018 GENERAL ASSEMBLY**

BE IT RESOLVED, by the Mayor and City Council of _____, Texas,
that _____ be, and is hereby designated as its Representative
to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2018.

FURTHER, that the Official Alternate authorized to serve as the voting representative should
the hereinabove named representative become ineligible, or should he/she resign, is
Stephen McGovern.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the
designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this _____ day of _____, 2017.

APPROVED:

Mayor

ATTEST:

By: _____

8. Discuss and consider scheduling a Special Council meeting on October 17, 2017.

9. Discuss and consider action to approve the following consent agenda items:

a) Minutes of the Sept 18, 2017



GLEN SMITH – Mayor
JOHNNY TRAN – Councilmember Place 1
JUDY CHAVEZ – Councilmember Place 2
MARY CROCKER – Councilmember Place 3
TROY LEWIS – Councilmember Place 4
ANDY ERDELT – Councilmember Place 5
STEPHEN MCGOVERN – Councilmember Place 6

**CITY OF PALACIOS
CITY COUNCIL REGULAR MEETING MINUTES
September 18, 2017**

REGULAR COUNCIL MEETING

CALL TO ORDER

INVOCATION – Councilmember McGovern

PLEDGE OF ALLEGIANCE – Mayor Smith

PLEDGE TO TEXAS FLAG – Mayor Smith

PLEDGE TO PALACIOS FLAG – Mayor Smith

CITY STAFF PRESENT: David Kocurek, Jackie Jones

VISITOR / CITIZEN FORUM

ADMINISTRATIVE REPORTS

ITEMS TO BE CONSIDERED

1. Discuss and consider approval of an Interlocal Agreement with Matagorda County for Removal of Debris from Hurricane Harvey
Councilmember McGovern motioned to approve the agreement
Councilmember Chavez seconded
There was no opposition
With no opposition, the motion carried.
2. Discuss and consider issuing a Notice to Proceed for Debris Monitoring with DebrisTec
Councilmember Crocker motioned to approve the Notice to Proceed
Councilmember Chavez seconded
There was no opposition
With no opposition, the motion carried

EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, (Open Meetings Law) the Council May go into Executive (closed) session in order to:

Consult with its attorney (551.071)

1. Consultation with attorney pertaining to Pavilion Contract

Discuss Real Estate transaction (551.072)

Deliberation regarding prospective gifts or donation (551.073)

Discuss personnel matters (551.074)

Deliberation regarding security devices (551.076)

Discuss economic development negotiations (551.087)

ACTION ON EXECUTIVE SESSION- NONE

ADJOURN 10:19AM

Councilmember Erdelt motioned to adjourn the meeting

Councilmember McGovern seconded

There was no opposition

With no opposition, the motion carried.

Glen Smith, Mayor

Angela Flores, City Secretary



GLEN SMITH – Mayor
JOHNNY TRAN – Councilmember Place 1
JUDY CHAVEZ – Councilmember Place 2
MARY CROCKER – Councilmember Place 3
TROY LEWIS – Councilmember Place 4
ANDY ERDELT – Councilmember Place 5
STEPHEN MCGOVERN – Councilmember Place 6

**CITY OF PALACIOS
CITY COUNCIL REGULAR MEETING MINUTES
September 26, 2017**

REGULAR COUNCIL MEETING

CALL TO ORDER

INVOCATION – Mayor Smith

PLEDGE OF ALLEGIANCE – Mayor Smith

PLEDGE TO TEXAS FLAG – Mayor Smith

PLEDGE TO PALACIOS FLAG – Mayor Smith

COUNCILMEMBER ABSENT: Tran

CITY STAFF PRESENT: David Kocurek, Angela Flores, Jackie Jones, Chief Miles

PUBLIC HEARING 6:34-7:00PM

Comments were made by Patricia Loving, Bonnie Benson and Chip Woolf.

VISITOR / CITIZEN FORUM- Patricia Loving wishes the Council would have in writing why the Budget Amendments are being made. Recommends that written reports be made to give to Council from City Employees. Wishes the City had a Community Calendar to keep everyone up to date on meetings.

ADMINISTRATIVE REPORTS

1. Harvey Update
2. Bayfest postponed until January 12th-13th of 2018
3. Annual Fall Clean up this Saturday 30th
4. Harvest Moon Oct. 21st 6PM
5. Box Supper

ITEMS TO BE CONSIDERED

1. Discuss and consider action to approve appointment of Charles Lobstein to the airport committee.
Mayor Smith motioned to approve the appointment of Charles Lobstein
Councilmember McGovern seconded.
There was no opposition
With no opposition, the motion carried
2. Discuss and consider action to approve Ordinance 2016-O-6 for a Budget Amendment-
Council would like notes added to the Ordinance referencing what the amendment is related to
Councilmember Chavez motioned to approve Ordinance as amended
Councilmember Lewis seconded
There was no opposition
With no opposition, the motion carried
3. Discuss and consider action to approve the following consent agenda items:
 - a) Excuse Absences of Mayor Smith from the August 22nd and August 29th meetings.
 - b) Excuse Absence of Councilmember Erdelt from the September 12 meeting.
Councilmember Crocker motioned to approve the Consent Agenda
Councilmember Chavez seconded
There was no opposition
With no opposition, the motion carried

EXECUTIVE SESSION

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Consult with its attorney (551.071)

1. Consultation with attorney pertaining to Pavilion Contract

Discuss Real Estate transaction (551.072)

Deliberation regarding prospective gifts or donation (551.073)

Discuss personnel matters (551.074)

Deliberation regarding security devices (551.076)

Discuss economic development negotiations (551.087)

ACTION ON EXECUTIVE SESSION- NONE

ADJOURN 7:42PM

Councilmember Erdelt motioned to adjourn the meeting

Councilmember McGovern seconded

There was no opposition

With no opposition, the motion carried.

Glen Smith, Mayor

Angela Flores, City Secretary

b) Excuse Absences of Councilmember Lewis from the September 12, 2017 Meeting

EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, (Open Meetings Law) the Council
May go into Executive (closed) session in order to:

Consult with its attorney (551.071)

b. Consult with attorney about Pavilion project.

Discuss Real Estate transaction (551.072)

Deliberation regarding prospective gifts or donation (551.073)

Discuss personnel matters (551.074)

Deliberation regarding security devices (551.076)

Discuss economic development negotiations (551.087)

ACTION ON EXECUTIVE SESSION:

b. Consult with attorney about Pavilion project

ADJOURN

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CERTIFICATION

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