

**CITY OF PALACIOS
CITY COUNCIL MEETING**

AGENDA

**THURSDAY, SEPTEMBER 22, 2022
6:00PM**

REGULAR CITY COUNCIL MEETING

**City of Palacios Council Chambers
311 Henderson
Palacios, Texas 77465**

CALL TO ORDER:

- a. Quorum Call.
- b. Invocation. *Councilmember Dotson.*
- c. Pledge of Allegiance to the United States Flag.
- d. Pledge of Allegiance to the Texas Flag.
- e. Pledge of Allegiance to the Palacios Flag.

ANNOUNCEMENTS:

With respect to items not listed on this agenda, Council Members may announce community events, may announce community recognitions, may request specific factual information or a recitation of existing policy from staff, or may request placement of items on the Council agenda for discussion or action at a following meeting.

- a. Mayor's Announcements
- b. Council Member's Announcements

PROCLAMATION:

Recognition of World Teacher's Day

CITIZEN COMMUNICATION FORUM:

At this time, the public is invited to address the City Council and speak on any matter not specifically listed for public hearing elsewhere in this Agenda. Please note Council Members may not deliberate on topics not included on this agenda. Presentation shall be no longer than three (3) minutes.

CONSENT AGENDA ITEMS:

All consent agenda items listed are routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In that event, the item will be removed from the consent agenda and considered after the remainder of the consent agenda. Information concerning consent agenda items is available for public review.

1. **City Council Regular Meeting Minutes** ~ September 8, 2022 (A. Galvan)
2. **2023 STEP Grant Ratification** ~ Grant recently awarded to the City of Palacios for the Palacios Police Department allowing overtime compensation for officers who perform certain duties while on patrol. (T. McDonald)
3. **RESOLUTION NO. 2022-R-19 - CDBG-Mit-Mod Grant Administration** ~ to award administration services for the CDBG-Mit-Mod Grant (T. McDonald)
4. **RESOLUTION NO. 2022-R-20 - CDBG-Mit-Mod Grant Engineering** ~ to award engineering services for the CDBG -Mit-Mod Grant (T. McDonald)
5. **PEDC Bylaws** ~ Consider and take action on adoption of PEDC Bylaws. (T. Gwosdz)
6. **Ratify Kirby Maintenance & JZJ Utilities Agreements** ~ Ratify agreements (C. Raleigh)

REPORTS AND DISCUSSION:

Items in this section are not expected to require action items by city council and are generally for information only. However, all items listed in this section may become Action Items on request of any Council Member, and Council Members may act on any item listed in this section without further notice.

7. **Financial Update** ~ August Financial Report (T. McDonald)
8. **Beachside Annexation Update** ~ Status of Beachside Phase 4 (T. Gwosdz)
9. **American Rescue Plan Grant Update report** ~ Update regarding use of funds (T. McDonald)

DISCUSSION AND ACTION ITEMS:

10. **MOU Animal Care Services** ~ Misfits and Creatures ~ Agreement between Misfits and Creatures Animal Rescue to maintain the animal shelter, the animals, arrange care for sick or injured animals and maintain an adoption program. (T. Bias)
11. **RESOLUTION NO. 2022-R-21 Ratify Pelican Place Retention Pond** ~ Consider and take action on adoption of Resolution Ratifying Prior Action of Council (accepting Maintenance of Pelican Place Detention Pond). (A. Odefey)
12. **ORDINANCE NO. 2022-O-16 ~ Substandard Buildings** ~ Consider and take action on adoption of Substandard Building Ordinance, amending code sections as stated in said Ordinance and adopting penalties for violation of said Ordinance. *First Reading* (A. Odefey)
13. **Auditor Agreement** ~ Consider and take action on hiring an independent auditor to perform the FY 2021-22 Annual Audit. (C. Raleigh)
14. **ORDINANCE NO. 2022-O-17** ~ Discuss and consider approval of first and only reading of Ordinance 2022-O-17 for final budget adjustments for fiscal year 2021-2022. *First and final reading* (T. McDonald)
15. **WATER METER REPLACEMENT ~ Aqua Metric** ~ Discuss and consider approval of purchasing replacement water meters for the entire city. (C. Raleigh)

CLOSED/ EXECUTIVE SESSION:

Pursuant to Texas Government Code §551.074, to discuss hires, dismissals, resignations, and other personnel matters. *Item requested by Mayor Gardner*

Pursuant to Texas Government Code §551.072, to discuss surplus property listing and sales agreement.

RECONVENE TO OPEN/ REGULAR SESSION

City Council shall reconvene in Open Session and may discuss, consider, and take possible action on any item listed above that was considered and discussed in Executive/Closed Session (If necessary).

ADJOURNMENT

AGENDA NOTICES:

Action by Council Authorized: The City Council may vote and act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a 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 conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person or appear in executive session by conference call in accordance with applicable state law.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city boards, commissions, and committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions, and committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions, and committees of the City, whose members may be in attendance. The members of the boards, commissions, and committees may participate in discussions on the same items listed on the agenda, which occur at the meeting. Still, such in attendance will not take any action unless such item and action are expressly provided for on the agenda for that board, commission, or committee subject to the Texas Open Meetings Act.

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel, and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally addressed in the closed portion of the meeting considering public views of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c). The meeting is conducted by all participants in reliance on this opinion.

Certification of Posting: This is to certify that the above notice of a Regular Called Council Meeting was posted on the front bulletin board of the City Hall of the City of Palacios, Texas, on **Monday, September 19, 2022, before 6:00 PM**. If you have any questions concerning the above items, please contact City Manager Cynthia Raleigh at (361) 972-3605. This Notice was posted under the Texas Open Meeting Act (TEX.REV.CIV.STAT.ANN. Chapter 551) and recent guidelines from the Texas Attorney General.

Aleisha Galvan

Aleisha Galvan, Executive Assistant to the City Manager

This facility is accessible in accordance with the Americans with Disabilities Act. Accessible parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 361-972-3605 at least 24 hours before the meeting.