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**CITY OF PALACIOS
REGULAR CITY COUNCIL MEETING**

AGENDA

**THURSDAY, JANUARY 12, 2023
6:00PM**

REGULAR CITY COUNCIL MEETING

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

CALL TO ORDER:

- a. Quorum Call.
- b. Invocation. Mayor Gardner.
- 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 Board agenda for discussion or action at a following meeting.

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

CITIZEN COMMUNICATION FORUM:

The public is invited to address the City Council and speak on any matter. Please note Council Members may not deliberate on topics not included on this agenda. The presentation shall be no longer than three (3) minutes.

PUBLIC HEARING Annexation for Phase 4, Section 1 of the Beachside Subdivision

- The Public is invited to speak regarding the proposed Annexation for Phase 4, Section 1 of the Beachside Subdivision. *Public hearing to be open and closed by Mayor Gardner.*

PUBLIC HEARING Zoning Change for Phase 4, Section 1 of the Beachside Subdivision

- The Public is invited to speak regarding the proposed Zoning Change for Phase 4, Section 1 of the Beachside Subdivision. *Public hearing to be open and closed by Mayor Gardner.*

PRESENTATIONS:

- **Presentation of TDA Form A1024 CDBG Section 3 Goals and Concepts as related to the CDBG Program and Grant Contract Number CDM21-0045** *Presented by GrantWorks.*
- **TIRZ – Golf Course** *Presented by D.C. Dunham.*

REPORTS AND DISCUSSION

- **City Manager Update** Winter storm, water meters, fire hydrants, smoke test repairs, airport projects, performance indicators, burn site and website, records management, Bethany Park Liftstation, and sewer plant blowers. *Presented by City Manager, Cynthia Raleigh.*
- **Bridge Inspection Report** *Presented by City Manager, Cynthia Raleigh.*
- **Project Update** *Presented by Huitt Zollars and Urban Engineering.*

DISCUSSION AND ACTION ITEMS

1. **Minutes** Discuss and approve minutes of the December 15, 2022, regular City Council Meeting.
2. **December Financials and Bills Paid** Discuss and approve the December 2022 financials and bills paid. *Presented by Tammy McDonald and Maria Ayala.*
3. **First Reading of the following Ordinance No. 2023-O-03:** An Ordinance of the City Council of the City of Palacios, Texas, Annexing 9.2475 acres of land located within the Beachside Subdivision as further described herein, into the City's municipal boundaries, establishing the permanent zoning of the newly annexed territory, and declaring an effective date. *Presented by City Attorney, Anne Marie Odefey.*
4. **Final Reading of Street Vendor Ordinance No. 2022-O-15** Discuss and approve final reading of Street Vendor Ordinance to-wit: An Ordinance regulating peddlers, solicitors, street vendors and food trucks; providing for codification; fixing a penalty for failure to comply with such ordinance; repealing any conflicting ordinances; and setting an effective date. *Presented by Code Compliance Officer, Ryan Adams.*
5. **Final Reading of Golf Cart Ordinance No. 2022-O-14** Discuss and approve final reading of Golf Cart Ordinance, to-wit: An Ordinance regulating the use of golf carts, neighborhood vehicles, and other types of recreational off-highway vehicles; providing for codification; fixing a penalty for failure to comply with such ordinance; repealing any conflicting ordinances; and setting an effective date. *Presented by Code Compliance Officer, Ryan Adams.*
6. **First Reading Ordinance No. 2023-O-01 Reaffirming the establishment of the Palacios Police Department** Discuss and approve the first reading of Ordinance No. 2023-O-01 to-wit: An Ordinance of the city of Palacios, Texas, establishing a police department, requiring all police officers to be licensed, creating the position of chief of police, outlining the duties and responsibilities of the chief of police, and establishing the authority, duties and responsibilities of police officers; providing a savings clause, repealing conflicting ordinances, and providing an effective date. *Presented by Police Chief, Tobie Bias.*

7. **Approval of the City’s Comprehensive Plan** Discuss and approve Comprehensive Plan. *Presented by Mayor Pro Tem, Chip Woolf.*
8. **Code Development Steering Committee** Discuss and approve creating a Code Development Steering Committee for Code Updates. *Presented by City Manager, Cynthia Raleigh.*
9. **Resolution No. 2023-R- 04 Borderstar Grant Authorization** Discuss and approve Resolution No. 2023-R-04 granting overtime funds for police officers who work the border initiative in the City of Palacios. *Presented by Tammy McDonald.*
10. **Gradall Repair** Discuss and approve repairs to the Gradall owned by the City of Palacios. *Presented by City Manager, Cynthia Raleigh.*
11. **Resolution to Amend Agreement for Professional Services JZJ Construction to wit:** A resolution amending a general services agreement with JZJ Utilities to clarify the amount and the term of the agreement, and declaring an effective date. *Presented by City Manager, Cynthia Raleigh.*
12. **Mini Excavator and Trailer Purchase** Discuss and approve the sale of two older backhoes to purchase a Mini Excavator and Trailer for the Public Works Department. *Presented by City Manager, Cynthia Raleigh.*
13. **Palacios Water Plant #4 and #6 Repairs and SCADA Upgrade Project** Discuss and approve a project to make necessary repairs at Water Plant #4 and #6 and SCADA upgrade. *Presented by City Manager, Cynthia Raleigh.*
14. **Bethany Park Street Repair Project** Discuss and approve a project to repair the streets in Bethany Park. *Presented by City Manager, Cynthia Raleigh.*
15. **Election Contract between Matagorda County and the City of Palacios** Discuss and approve election contract for general election services between the Matagorda County Clerk and the City of Palacios. *Presented by City Manager, Cynthia Raleigh.*
16. **Police Department and Municipal Court Lobby Remodel** Discuss and approve a bid to Mikeska Construction for the remodeling of the Palacios Police Department and Municipal Court lobbies. *Presented by Police Chief, Tobie Bias.*
17. **Resolution No. 2023-R-01** Discuss and approve Resolution No. 2023-R-01 to cause the publishing of the monthly city payments register. *Presented by Councilmember Dotson, Councilmember Trainor, and Councilmember Glenn.*
18. **Resolution No. 2023-R-02** Discuss and approve Resolution No. 2023-R-02 to require an ordinance for grant authority. *Presented by Councilmember Dotson, Councilmember Trainor, and Councilmember Glenn.*
19. **Resolution No. 2023-R-03** Discuss and approve Resolution No. 2023-R-03 to limit spending authority in the City. *Presented by Councilmember Dotson, Councilmember Trainor, and Councilmember Glenn.*

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, January 09, 2023, 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.

Posting of Agenda Packet: The posting of the agenda packet on the City's website is for transparency and convenience of the public. All documents such as ordinances and resolutions are presented in draft form in the packet and are presented to City Council for use in their deliberations at the council meeting. It is not the intent of the City Administration or City Council to consider the draft documents as adopted or not subject to revision. All draft documents discussed at duly called city council meetings will be revised pursuant to action taken at the meeting and the final form of such adopted documents are subject to review by the public through the public information act.

Aleighta C. Galvan

Aleighta C. Galvan, City Secretary

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.

The next regular City Council meeting will be held on January 26, 2023, at 6:00 p.m.