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**CITY OF PALACIOS  
REGULAR CITY COUNCIL MEETING**

**AGENDA**

**THURSDAY, FEBRUARY 09, 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. Councilmember Samora.
- 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.*

## PRESENTATION

- **Update on Pending Litigation Regarding the Luther Hotel** Cause No. 23-H-0013 in the 23<sup>rd</sup> Judicial District Court of Matagorda County, Texas, Margaret Doughty and Edith Gower v. City of Palacios, Texas and the Estate of Harold Jack Findley. *Presented by City Attorney, Anne Marie Odefey*
- **City Manager Update** Updates on ongoing projects in the City

## DISCUSSION AND ACTION ITEMS

1. **Minutes** Discuss and approve the minutes of the January 26, 2023, regular City Council Meeting.
2. **Approve PEDC Bert West Small Business Development Grant Project.** Approve final reading of Resolution No. 2023-R-07 approving the PEDC's Bert West Small Business Development Grant Project and declaring an effective date. *Thomas A. Gwosdz, Attorney for the PEDC*
3. **Resolution No. 2023-R- 08 Borderstar Grant Authorization** Discuss and approve Resolution No. 2023-R-08 granting overtime funds for police officers who work the border initiative in the City of Palacios for the 2023-2024 year. *Presented by Tammy McDonald.*
4. **January Financials, Bills Paid, and Grant Update** Discuss and approve the January 2023 financials and bills paid. *Presented by Tammy McDonald.*
5. **Bethany Park Lift Station Project** approve repairs to Liftstation pumps at Bethany Park by Hahn Equipment *Presented by City Manager, Cynthia Raleigh and Hahn Equipment.*
6. **Ratify Special Agreement with the Outrigger Event Center** Approve rental of the Palacios Pavilion for the Outrigger Event Center for a 10-month period. *Presented by Mayor Gardner*
7. **TIRZ #1** Discuss and approve next steps in moving forward with TIRZ. *Presented by D.C. Dunham.*

## 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, February 06, 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.

*Aleisha C. Galvan*

Aleisha 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 February 23, 2023, at 6:00 p.m.