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AGENDA

THURSDAY, NOVEMBER 09, 2023
6:00PM

PUBLIC HEARING AND REGULAR CITY COUNCIL MEETING

City of Palacios Council Chambers
311 Henderson
Palacios, Texas 77465

CALL TO ORDER

- a. Quorum Call.
- b. Invocation. Councilmember Schulman.
- 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.

PUBLIC HEARING

- The public is invited to speak for or against the creation of Tax Increment Reinvestment Zone (TIRZ) Number One, City of Palacios, Texas, the proposed boundaries, or the concept of tax increment financing. *Public hearing to be opened and closed by Mayor Gardner.*

ANNOUNCEMENTS

With respect to items not listed on this agenda, Council Members may announce community events or announce community recognitions.

1. Mayor's Announcements
2. 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

- **Alternative to Golf Course Financing**, Presented by Mayor Pro-Tem Chip Woolf
- **Sewer Averaging – can we do this?** Presented by City Manager, Cynthia Raleigh

DISCUSSION ACTION ITEMS

1. **Minutes** Discuss and approve the minutes of the public hearing and regular city council meeting of October 26, 2023. *Mayor Gardner*
2. **Second and Final Reading Ordinance No. 2023-O-23 TIRZ** Discuss and approve an Ordinance of the City Council of the City of Palacios, Texas, designating a contiguous geographic area within the city as a reinvestment zone pursuant to chapter 311 of the Texas Tax Code; to be known as Reinvestment Zone Number One, City of Palacios; describing the boundaries of the zone; creating a board of directors for the zone establishing a tax increment fund for the zone; containing finding related to the creation of the zone; providing a date for the termination of the zone; providing that the zone take effect immediately upon passage of the ordinance; providing a severability clause; and providing an effective date. *City Attorney, Anne Marie Odefey*
3. **Golf Course Financing** Discuss and approve a TIRZ alternative for golf course financing as presented at the beginning of the meeting. *Presented by Mayor Pro Tem Woolf*
4. **Resolution No. 2023-R-33 H-GAC Representation** Discuss and approve a resolution of the City of Palacios designating a representative and alternate to represent the City of Palacios at the General Assembly of the Houston-Galveston Area Council for the year 2024. *Grant Manager, Tammy McDonald*
5. **Garbage and Recycling Provider Bid Acceptance** Discuss and approve bids turned in for collection and disposal of residential and commercial solid waste, recyclables, and green waste and authorize City Manager to negotiate a contract with the apparent successful bidder. *Presented by City Manager, Cynthia Raleigh*
6. **Resolution No. 2023-R-26 Write-Offs** Discuss and approve a resolution of the City Council of the City of Palacios authorizing utility billing debt revenue adjustments for certain inactive outstanding receivables and other matters in connection therewith. *City Manager, Cynthia Raleigh*
7. **First Reading Ordinance No. 2023-T-21 Authorizing Adjustments to the FY 2022-23 Budget** Discuss and approve first reading of Ordinance No. 2023-T-21: an ordinance by the City Council of the City of Palacios, Texas, authorizing an adjustment to the fiscal year 2022-2023 budget, repealing all ordinances or parts of ordinances in conflict with this ordinance, and providing and effective date. *Presented by City Manager, Cynthia Raleigh*
8. **Final Reading Ordinance No. 2023-O-19 Fee Schedule** Discuss and approve final reading of Fee Schedule Ordinance No. 2023-O-19; an ordinance establishing a master fee schedule for costs, fees and rates associated with permitting, utility services, and other services provided by the City of Palacios, Texas; providing purpose and intent; providing for repeal of conflicting provisions; providing an effective date. *City Manager, Cynthia Raleigh*

EXECUTIVE/CLOSED SESSION

- Texas Government Code § 551.072, to deliberate the purchase, exchange, lease, or value of real property interests, due to the fact that deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party.
- Texas Government Code § 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. (City Manager)
- Texas Government Code § 551.071, consultation with an attorney on a matter where the duty of the attorney under the Texas Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Act.

RECONVENE REGULAR/OPEN 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 **Friday, November 03, 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 (TEXAS GOVERNMENT CODE, 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 December 14, 2023, at 6:00 p.m.