GLEN SMITH – Mayor
JOHNNY TRAN –Councilmember Place 1
DONNA HARVEY SCHULMAN – Councilmember Place 2
MARY CROCKER – Councilmember Place 3
TROY LEWIS – Councilmember Place 4
WAYNE DODD – Councilmember Place 5
STEPHEN MCGOVERN – Councilmember Place 6

CITY OF PALACIOS
CITY COUNCIL REGULAR MEETING AGENDA
January 14, 2020

Notice is hereby given of a Regular Council Meeting of the Palacios City Council to be held at 7pm on January 14, 2020, in the Council Chambers of City Hall, 311 Henderson Avenue, Palacios, TX, for the purpose of considering the following items:

COUNCIL WORKSHOP 6PM

Discuss the City of Palacios' goals for 2020.

REGULAR COUNCIL MEETING 7PM

CALL TO ORDER
INVOCATION – Councilmember Lewis
PLEDGE OF ALLEGIANCE – Councilmember McGovern
PLEDGE TO TEXAS FLAG – Councilmember McGovern
PLEDGE TO PALACIOS FLAG – Councilmember McGovern

VISITOR / CITIZEN FORUM

ADMINISTRATIVE REPORTS

1. Update on Downtown Revitalization Project
2. January 15, 2020 is the first day to file an application for a place on the ballot for the May 2, 2020 General Election.
3. Chamber Annual Banquet – February 20, 2020

ITEMS TO BE CONSIDERED

1. Discuss and consider adopting Resolution 2020-R-1 ordering a General Election to be held May 2, 2020 to elect the position of Mayor and three Council Members, once each for Place 1, Place 2, and Place 6.
2. Discuss and consider approving the Application for a Residential Tax Abatement submitted by Timothy and Sophia Dixon for the property located at 3101 Camp Hulen Dr., Palacios, Texas 77465.
3. Discuss and consider accepting the resignation of Robert Garrett from the Planning and Zoning Commission.
4. Discuss and consider appointing D.C. Dunham to the Planning and Zoning Commission.

5. Discuss and consider action to approve the following consent agenda items:
Minutes of the December 10, 2019 Regular Council 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)
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)

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 January 14, 2020 agenda of items to be considered by the City Council was posted on the City Hall bulletin board by 5:00 p.m. on January 10, 2020.

Clissa Mills

Clissa Mills, City Secretary

City of Palacios Goals

For fiscal year 2019-2020

Background

The City Council is required by the City Charter, Section 3.01 (C) with adopting and modifying a plan that contains the annual goals and goals for the 20-year plan and directing the City Manager to meet those goals. While the current 20-year plan has been approved and is in effect, the following is to outline goals for the 2019-2020 fiscal year.

Overall Goals

The following are a list of general goals for the 2019-2020 fiscal year and include:

- Improve internal and External communications
- Improve the overall appearance of the community
- Secure and administer additional funding grants for infrastructure improvements
- Continue to work with the PEDC and the MCEDC to attract new business to the community and enhance/expand existing businesses.
- Continue to work toward advancement of the Palacios Capital Improvements Program, Public Works and infrastructure improvements.

Improve Internal and External communications

The use of social media is becoming more and more prevalent by citizens and governmental entities. Every effort should be utilized to make sure that information provided by the City by means of the internet, or any other means, is timely and as factual al possible. Policies and procedures concerning both internal and external communications should be reviewed and if needed, amended to ensure that courtesy, truthfulness and transparency are hallmarks.

Improve the overall appearance of the community

While great strides have been accomplished in the recent years toward the improvement of the overall appearance of our community, there are still areas that need attention. The City should continue its efforts in demolishing derelict properties and with the cooperation of property owners ensure that the debris from these projects are cleared and disposed of as quickly and safely as possible. There should also be increased attention paid to grass, weeds and debris in rights-of-way, sidewalks and public areas around town. Especially on property owned by the City of Palacios.

Secure and administer additional funding grants for infrastructure improvements

The attainment of grants is the life blood of the City's efforts to improve the infrastructure of the community. An unfortunate fact is, that without grant funding, the City cannot afford to begin, conduct or complete major Capital Improvement projects. While the City staff has been very successful in recent years in securing funding

through various state and federal agencies, it is imperative that efforts in this area be continued as a priority. With minimum staff available (City Manager, City Treasurer and City Secretary), the effort to secure and administer grants is a time consuming and restrictive effort. One goal for the future would be the hiring of an additional person to act as an assistant City Manager/Grant Coordinator.

Work with the PEDC and MCEDC to attract new business and to enhance/expand existing businesses.

The attraction of new business is paramount to the expansion of the tax base and to the effort to provide more services to our citizens. Equally important is the effort to enhance and expand existing business who are already contributing to the viability of our community. The City should continue to work as closely as possible with both the Palacios Economic Development Corporation and the Matagorda County Economic Development Corporation toward the goal of attaining new retail businesses, the construction of a new hotel downtown and the development of incentives to attract business to the available buildings in the downtown area.

Continue to work toward the advancement of the Palacios Capital Improvements Program, Public Works and infrastructure improvements.

Public Works projects are an integral part of the City of Palacios Capital Improvement Program. The recommendations for infrastructure improvements are derived from engineering studies and cost estimates prepared by outside engineering firms. The current plan was completed in 2009-2013 and includes proposed improvements to:

- Drainage
- Water lines (3 phases)
- Street Improvements (5 phases)

In addition to the Capital Improvement Program, the City has conducted a pavement inventory, which has been completed by Urban Engineering, every 5 years. A pavement inventory was completed in 2017 to update the inventory completed in 2011. This inventory outlines the "overall" condition of the streets of Palacios and includes suggested projects such as total reconstruction of certain streets, reclamation of some streets and seal coating of individual streets.

While a Capital Improvement Program is in place, and has been for some time, the accomplishment of the many phases of the program is totally dependent upon securing the necessary funding needed in each budget year to completely finance the assorted projects.

In the 2019-2020 budget, there has been $183,900.00 allocated for streets. This figure includes $35,000 for reconstruction material, $5,000.00 for street signs, $5,500 for pipe and culverts and $5,300.00 for project design. These budgeted funds will ensure an active repair and maintenance effort for the fiscal year. Also included in the 2019-2020 budget is $205,000.00 in restricted funds designated for street rehabilitation. These

funds have been accruing annually to be applied toward a planned phase of the Capital Improvement Program. Once sufficient funds have been accrued, they will be expended on a priority basis in accordance with the 2017 pavement inventory. The estimated cost of individual phases, based on the conditional needs of individual streets are:

- Reclamation – removing existing base materials, stabilization and surface treatment - $250,000.00 - $300,000.00 per mile.
- Total reconstruction -removing existing pavement and base, stabilization, new base material and surface treatment - $700,000.00 per mile.
- Seal coating to extend life of existing street - $50,000.00 per mile.

As has been noted in 2019-2020 budget presentations, the City of Palacios has been allocated $1,414,816.00 from CDBG DR grant funds for street & drainage improvement projects. The City staff and GrantWorks are currently working with the Texas General Land Office and U.S. Department of Housing and Urban Development to submit all the needed materials required to secure the $1,414,816.00 in its entirety for the 2019-2020 fiscal year. Once the funds have been secured, they will be used to rehabilitate infrastructure in the Foley Addition as per the Capital Improvements Program and the City of Palacios Design Report/City Wide Drainage Project as prepared by Jones and Neuse, Inc. of Houston, Tx.

It anticipated that the following Capital Improvement Program projects will be begun, continued or completed in the 2019-2020 fiscal year:

- Airport Improvements
- Replacement of Water Lines and waste water treatment facility improvements
- Generators for City lift stations and for City Hall
- Downtown Revitalization Project (sidewalk rehabilitation)
- Street and Drainage improvements to Foley Addition

The timing, scheduling and completion of work on the above projects are totally dependent upon sufficient funding being secured from CDBG DR grants, CDBG grants and additional grant funding from TXDOT. These projects represent a total of over $4.5 million as per the proposed 2019-2020 budget. The exact schedule (start-completion dates), cost and scope of work for each individual project will be provided upon completion of funding, engineering and approval by the Palacios City Council.

RESOLUTION NO. 2020-R-1

AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS, ORDERING AN ELECTION TO BE HELD ON THE 2nd DAY OF MAY, 2020, FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCIL MEMBERS, ONE EACH FOR PLACE 1, PLACE 2, AND PLACE 6; ESTABLISHING THE FORM OF THE BALLOTS; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVING CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, pursuant to Article VII of the Charter of the City of Palacios and the Texas Election Code, the City Council herein calls for its municipal election to select a Mayor and council members for Place 1, Place 2, Place 6 of City Council of the City of Palacios; NOW THEREFORE,

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

SECTION 1: That a municipal election of the City of Palacios, as prescribed in Article VII, Section 7.01 of the City Charter and pursuant to Sections 41.001 and 41.031 of the Texas Election Code, shall be held between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m. on the 2nd day of May, 2020, in the City of Palacios, Texas, for the purpose of electing a Mayor and council members to serve full terms for Place 1, Place 2, and Place 6.

SECTION 2: That the city council members shall be elected at large, by plurality vote. Each council member shall be elected to a specific place. Candidates who properly apply each council place shall be placed on the ballot, with the order of candidates for each place determined by lot.

SECTION 3: The form of the ballot shall read substantially as follows:

Election of City Council Members

City Mayor

"The following individual shall serve as City Mayor." (Select not more than one)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

City Council, Place 1

"The following individual shall serve as City Council Member, Place 1."
(Select not more than one)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

City Council, Place 2

"The following individual shall serve as City Council Member, Place 2."
(Select not more than one)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

City Council, Place 6

"The following individual shall serve as City Council Member, Place 6."
(Select not more than one)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

SECTION 4: That the City is hereby declared one Election Precinct, having the following polling place for the purpose of the elections ordered herein:

Palacios Independent School District
Administration Building
1209 12th St.
Palacios, Texas 77465

SECTION 5: That any eligible and qualified person may have his name printed upon the official ballot as an independent candidate for the city council by filing a sworn application with the City Secretary of the City of Palacios no later than February 14, 2020. The form of the sworn application for the candidates for the city council shall be as set forth by Section 141.031 of the Texas Election Code.

SECTION 6: Each qualified voter who desires to cast an early vote shall be entitled to an official ballot and the right to cast such ballot in accordance with the provisions of the Texas Election Code. Early voting will be conducted at the Palacios ISD Administration Building, located at 1209 12th St., Palacios, Texas 77465. Optical scan ballots shall be used for early voting by mail and direct recording electronic voting machines shall be used for early voting by personal appearance. Early voting by personal appearance for the election shall commence on April 20, 2020, and end on April 28, 2020. Early voting by personal appearance shall be conducted each weekday from 8:00 a.m. until 4:30 p.m., except for the first two days of the early voting period, on which days the hours for voting shall be from 7:00 a.m. until 7:00 p.m. Applications for ballot by mail shall be mailed to:

Sara Trevino – Early Voting Clerk
Palacios Independent School District
Administration Building
1209 12th St.
Palacios, Texas 77465
saraht@palaciosisd.org

Applications for ballots by mail must be received no later than the close of business on April 21, 2020.

SECTION 7: That the municipal election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. In this election, the Mayor and the City Secretary of the City Council shall do and perform each act as required to be done and performed respectively by the County Judge and the County Clerk of the Commissioners' Court. The notice of proclamation of this election shall be issued and posted on the bulletin board used for posting notices of meetings not later than the twenty-first (21st) day before the date of the election ordered herein.

SECTION 8: The Palacios ISD Administration Building, located at 1209 12th St., Palacios, Texas 77465, is hereby established as the Central Counting Station to receive and

tabulate voted ballots.

SECTION 9: The precinct election officers previously selected shall also serve as the Early Voting Ballot Board which shall process early voting results.

SECTION 10: The Mayor is hereby directed to give notice of said elections by publishing a copy of the Election Proclamation and Notice in a newspaper of general circulation within the City of Palacios, Texas; said publication to be made no earlier than the 30th day or later than the tenth day prior to the date of said elections.

SECTION 11: In all matters relating to the ordering, giving notice, and holding the election, the City shall comply with the applicable parts of the Texas Election Code, including particularly Chapter 272 of the Texas Election Code pertaining to bilingual requirements, and the Federal Voting Rights Act of 1965, as amended, if applicable.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Palacios on this the _____ day of January, 2020.

CITY OF PALACIOS, TEXAS

_____
Glen Smith, Mayor

ATTEST:

_____
Clissa Mills, City Secretary

City of Palacios
Application for Residential Tax Abatement

Filing Instructions

This application must be filed prior to the commencement of construction or the installation of equipment associated with the project for which the abatement is being sought. This filing acknowledges that the applicant has read and understands the "Guidelines and Criteria for Granting Tax Abatement in a Reinvestment Zone the in City of Palacios," approved by the City Council on August 5, 1996; and re-adopted and amended on July 3, 2006; and re-adopted and amended on March 28, 2017. Furthermore, the applicant agrees to comply with all requirements stated in the Guidelines.

This application will become a part of any tax abatement agreement or contract executed between the applicant and the City of Palacios, and knowingly false representations therein will be grounds for voiding such agreement or contract.

An original and two copies of this application and attachments should be submitted to:

City Manager
City of Palacios
Post Office Box 845
Palacios, Texas
77465

Applicant Information

Owner's Name: Timothy & Sophia Dixon

Mailing Address: 2523 Pine Shadows Dr. Sugar Land, TX 77479

Street Address 2523 Pine Shadows Dr. Sugar Land, TX 77479

Phone Number: (832) 266-9059

Fax Number: (_____) _____

Email: sophiadxn7@gmail.com

Primary Contact Person: Sophia Dixon

Contact Person's Title: owner

Phone Number: (832) 266-9059

Fax Number: (____) _____

Email: sophiadxn7@gmail.com

Second Contact Person/Title: Tim Dixon

Phone Number: (832) 322-3605

Fax Number: (____) _____

Email: Sophiadxn7@gmail.com

Appraised Value of Land: $33K

Estimated total value of improvements: $324,960

Estimated Cost to Build: ~~$240K~~ $324,958.19

Building Contractor: Jason Mikeska

Contact Person/Title: Jason Mikeska

Phone Number: (361) 649-7100

Fax Number: (____) _____

Email: office@mikeskaconstruction.com

Interim Construction Lender: First Financial Bank

Contact Person/Title: Brian Bonner → V.P.

Phone Number: (281) 318-4601

Fax Number: (_____) _____

Email: _____

Mortgage Lender: First Financial Bank

Contact Person/Title: Brian Bonner - VP

Phone Number: (281) 318 - 4601

Fax Number: (281) 973 - 4178

Email: bbonner@ffin.com

Estimated date Construction to Begin: 2/1/2020

Estimated date of Completion of Project: 5/15/2020

Project Location (Address and Legal Description, Please provide a map if available):

CONSTRUCTION INFORMATION:

Anticipated date construction will begin: 2/1/2020
Anticipated date construction will be completed: 5/15/2020

Variance

Does approval of this application by the City Council require a variance from the Guideline and Criteria, adopted by the City Council on July 6, 1998; readopted and amended on July 3, 2006; readopted and amended on July 9, 2013, and readopted and amended on March 28, 2017.

_____ Yes ✓ **No**

If "Yes", applicant must provide a complete description of the circumstances explaining why the applicant should be granted a variance. Approval of a request for a variance requires a three-fourths (3/4) vote of the governing body.

Attachments

All applications must contain the following attachments. The City Council may not review an application until the requested information has been provided:

(a) A map of the project location and legal property description (including current ownership).

(b) Site plan

(c) Building plans

(d) Tax certificate request completed by the Matagorda County Tax Office

Assurances

I do hereby certify:

(a) The information provided above is, to the best of my knowledge, complete and accurate.

(b) That I have received and read a copy of the "Guidelines and Criteria for Granting Tax Abatement Reinvestment Zone in the City of Palacios," re-adopted and amended on March 28, 2017, and that I understand the conditions and terms under which a tax abatement agreement may be executed.

(c) That employees and/or designated representatives of the City shall have access to the facility during the period of the abatement agreement to determine if the company is in compliance with the terms and conditions of the agreement, as provided in Section 7(b) of the "Guidelines and Criteria," referenced above. I understand that participation in an abatement agreement does not remove any obligation to satisfy all codes and ordinances issued by the City or any other affected taxing jurisdiction that may be in effect and applicable at the time this project is implemented.

Each address is an Individual and unique application and will be approved on a case by case basis.

Sophia Dixon
Signature of Applicant

12/23/19
Date

Sophia Dixon
Name of Applicant

SITE INSPECTION CERTIFICATION
FOR
CITY OF PALACIOS TAX ABATEMENT
APPLICATION

Date: 12/23/19

The City of Palacios does hereby certify that an inspection was performed at the site where the proposed property improvement(s) are to be made and further certify that at the time of this application, construction had not yet begun on the property in question.

Property Owner's Name: Timothy & Sophia Dixon

Address: 3101 Camp Hulen Dr Palacios, TX Lot 318

Phone: (832) 266-9059

Inspected by: David Kovacek

December 16, 2019

510 South Bay Blvd.
Palacios, Texas

Mayor and Council
City of Palacios
311 Henderson St.
Palacios, TX 77465

Dear Mayor,

During my training at the Texas Municipal Court Education Center, it was determined that as a Municipal Judge I cannot also hold the position of member of The Planning and Zoning Commission. Therefore, I am resigning from The City of Palacios Planning and Zoning Commission effective this date.

Thank you for the opportunity of being of service by serving on this commission for these years.

Sincerely,

Robert L. Garrett

Application for Appointment to Board or Commission

Personal Information Application Date:_____

Name: D. C. Dunham

Mailing Address: PO Box 835, Palacios, TX 77465

Primary Phone: 979-479-0165 Secondary Phone: 361-972-0123

Email: dc.dunham@lynngroup.com

Business Information (if retired or unemployed, write N/A)

Profession: General Manager

Business Name: Lynn Construction

Business Address: 312 Henderson, Palacios, TX

For which Board or Commission are you applying:

____**Airport**

____**Parks & Recreation**

_X_**Planning & Zoning Commission**

____**Zoning Board of Adjustments**

____**Streets & Drainage Committee**

Have you served on a City-appointed Board or Commission before? If so, which ones and for how long?

Not in Palacios

Why are you interested in serving on this board or commission?

I think with my experience and knowledge, I can be of service to the Planning and Zoning Commission.

What will make you a good board or commission member? List any special knowledge, skill set, education and experience.

25 years of economic development and government work.

PLEASE READ CAREFULLY: I understand that there are requirements for making public any conflicts of interest I may have in service with this board or commission. I understand that in compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request and will be kept on file for at least two years. I understand that the board I am applying for has attendance requirements and I may be subject to removal for excessive absences

Signature _____ **Date** _____

Please return application to:

Clissa Mills, City Secretary
P.O. Box 845 (311 Henderson)
Palacios, 7X 77465

Phone: 361-972-3605
Fax: 361-972-6555
Email: cmills@cityofpalacios.org

GLEN SMITH – Mayor
JOHNNY TRAN –Councilmember Place 1
DONNA HARVEY SCHULMAN– Councilmember Place 2
MARY CROCKER – Councilmember Place 3
TROY LEWIS – Councilmember Place 4
WAYNE DODD – Councilmember Place 5
STEPHEN MCGOVERN – Councilmember Place 6

CITY OF PALACIOS
CITY COUNCIL REGULAR MEETING MINUTES
December 10, 2019

RETIREMENT RECEPTION FOR JUDGE CHAU AT 6PM

REGULAR COUNCIL MEETING 7PM

CALL TO ORDER – Mayor Glen Smith at 7 pm
INVOCATION – Councilmember Dodd
PLEDGE OF ALLEGIANCE – Councilmember Tran
PLEDGE TO TEXAS FLAG – Councilmember Tran
PLEDGE TO PALACIOS FLAG – Councilmember Tran

VISITOR / CITIZEN FORUM

1. Patricia Loving discussed the need to mow overgrown properties in town.
2. Chip Woolf discussed the replacement of handrails on the sidewalk downtown
3. Ted Riccio with Palacios Yacht Club thanked council for the City's help with the Regatta
4. Michael Dotson asked Council who is responsible for accidents on the sidewalk and also discussed the replacement of handrails on the sidewalk downtown

ADMINISTRATIVE REPORTS

1. Update on Downtown Revitalization Project
2. Christmas Party Friday December 13th at 6pm at the Pavilion
3. City Manager's Report – November 2019
4. Planning and Zoning Annual Report – Patricia Loving
5. Election Notice

ITEMS TO BE CONSIDERED

1. Discuss and consider action to approve the following consent agenda items:
   Minutes of the November 12, 2019 Regular Council Meeting
   Approve the absence of Councilmember Tran from the November 12, 2019 Regular Council Meeting

Councilmember McGovern motioned to approve the consent agenda items
Councilmember Lewis 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)
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)

ADJOURN
Councilmember McGovern motioned to adjourn the meeting at 7:25 pm
Councilmember Dodd seconded
There was no opposition
With no opposition, the motion carried

_____
Glen Smith, Mayor

_____
Clissa Mills, City Secretary