



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

**CITY OF PALACIOS  
 CITY COUNCIL REGULAR MEETING AGENDA  
 October 23, 2018**

Notice is hereby given of a Regular Council Meeting of the Palacios City Council to be held October 23, 2018, beginning at 7:00 p.m. in the Council Chambers of City Hall, 311 Henderson Avenue, Palacios, TX, for the purpose of considering the following items:

**REGULAR COUNCIL MEETING 7:00 PM**

**CALL TO ORDER**

**INVOCATION** – Councilmember Erdelt

**PLEDGE OF ALLEGIANCE** – Councilmember Schulman

**PLEDGE TO TEXAS FLAG** – Councilmember Schulman

**PLEDGE TO PALACIOS FLAG** – Councilmember Schulman

**VISITOR / CITIZEN FORUM**

**ADMINISTRATIVE REPORTS**

1. City Manager's Report for September 2018
2. Pavilion Rental Report as of September 30, 2018
3. Harvest Moon Dinner and Dance was Saturday, October 20, 2018 at 6pm at the Recreation Center
4. Pedal Palacios is Saturday, October 27, 2018

**ITEMS TO BE CONSIDERED**

1. Proclaim January, 2019 as School Board Recognition Month
2. Discuss and consider accepting the Quarterly Financial Statement as of September 30, 2018
3. Discuss and consider accepting the Quarterly Investment Report as of September 30, 2018
4. Discuss and consider adopting Resolution 2018-R-17 to designate authorized signators for the 2018 (Community Development Fund) Texas CDBG program contract 7218351
5. Discuss and consider adopting Resolution 2018-R-18 to adopt the required CDBG Civil Rights policies (copies of which are attached to this Resolution).
6. Proclaim April 2019 as Fair Housing Month: This proclamation will help to fulfill Fair Housing activity obligations as required by the Grant.

7. Discuss and consider adopting Resolution 2018-R-19 to authorize an application to the Texas Department of Housing and Community Affairs for a Texas Home Program Grant; committing to provide matching funds and to establish a reserve, and provide an effective date
8. Discuss and consider action to approve the following consent agenda items:  
Minutes of the October 9, 2018 Regular Council Meeting  
Excuse the absence of Councilmembers Johnny Tran and Troy Lewis from the October 9, 2018 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 October 23, 2018 agenda of items to be considered by the City Council was posted on the City Hall bulletin board by 5:00 p.m. on October 19, 2018.

*Clissa Mills*

Clissa Mills, City Secretary



**City Manager's**  
**MONTHLY REPORT**  
**SEPTEMBER 2018**

**HURICANE HARVEY**

- Contractor is 100% complete with the installation of the new police antennae at the County Annex building; completed FEMA 90/10 reimbursements for added expenditures.
- Started the Engineering Consultant selection process for the CDBG DR program for projects for the City.

**ADMINISTRATION**

- Engineer is rebidding the CDBD-DR grant; pass through funding from the County Ike Disaster Grant.
- Grant Works is working with FEMA for the Hazard Mitigation Grant for generators.
- TxDOT Aviation Department for Palacios Airport Improvements Grant to repair Runway 13-31, taxiways, and terminal apron; Engineer is working on proposal for TXDOT's acceptance.
- Signed Criminal Justice Grant administered by HGAC for new in-car video systems to replace existing outdated systems and two new vehicles.
- Opening bids for the Recycle Center Expansion Project Grant from HGAC will award in October.
- Met with Engineer and reviewed preliminary plans for the Downtown Revitalization Grant from Texas Department of Agriculture; construction to begin during the first quarter of 2019.
- HGAC Solid Waste Grant to purchase a new recycling vehicle and recycling trailers has been awarded by the State.

**PUBLIC WORKS**

- Two employees acquired Class D water licenses from TCEQ.
- Work Orders Completed: 8 water leaks, 18 animal calls, 1 culvert installations, 3 sewer stoppage calls, 45 miscellaneous work orders, and repaired potholes; 121 total calls for service.
- Demolishing 2 buildings on Main St.
- Mowed RR Park and other city properties, water plants, and 14 lift stations.
- Sprayed for mosquitoes.
- Worked the City-Wide Fall Clean Up.

**AIRPORT**

- Mowed and sprayed around buildings, runways, and hangers
- Worked on Issued notice to FAA to close runways to apply weed killer and remove dead grass off of the edges of the runways.
- Working on runway lights.

**PAVILION**

- Completed punch list and working on close out documents.
- Closed out GLO CMP grant.

## **POLICE**

- Calls for Service 447
- Citations 63 Warnings 76
- 43 written reports, and 20 arrests
- Traffic accidents 3

## **FIRE**

- Responded to pasture fire outside the city limits
- Fire Department is collecting donations for new Fire Station.
- Searching for grants for new Fire Station.

# PAVILION RENTALS AS OF SEPTEMBER 2018

NAME	DATE	DAY OF WEEK	DEPOSIT	DEPOSIT REFUND	RENTAL FEE
INDIVIDUAL	1-Apr-18	SUNDAY	\$250.00	yes	\$500.00
INDIVIDUAL	14-Apr-18	SATURDAY	\$250.00	yes	\$650.00
PALACIOS CHAMBER OF COMMERCE	3-May-18	THURSDAY	\$0.00		\$100.00
INDIVIDUAL	5-May-18	SATURDAY	\$250.00	yes	\$650.00
THE LEGACY CAMPUS - CHAMBER MIXER	19-May-18	SATURDAY	\$0		\$150.00
PALACIOS YACHT CLUB/REGATTA	23-Jun-18	SAT/SUN	\$250.00	yes	\$900.00
INDIVIDUAL	30-Jun-18	SATURDAY	\$250.00	yes	\$650.00
INDIVIDUAL	20-Jul-18	FRI/SAT	\$500.00	yes	\$800.00
PALACIOS AREA HISTORICAL ASSOCIATION	2-Aug-18	THURSDAY	\$0		\$150.00
INDIVIDUAL	11-Aug-18	SATURDAY	\$250.00	yes	\$650.00
INDIVIDUAL	15-Sep-18	SATURDAY	\$250.00	yes	\$650.00
INDIVIDUAL	21-Sep-18	FRIDAY	\$250.00	yes	\$650.00
ROTARY CLUB	22-Sep-18	SATURDAY	\$250.00		\$550.00
PALACIOS VOLUNTEER FIRE DEPARTMENT	2-Oct-18	TUESDAY	\$100.00	yes	\$150.00
TRULL FOUNDATIONS	17-Oct-18	WEDNESDAY	\$100.00	yes	\$150.00
INDIVIDUAL	23-Nov-18	THUR/FRI	\$250.00		\$800.00
INDIVIDUAL	13-Dec-18	THURSDAY	\$100.00		\$200.00
INDIVIDUAL	14-Dec-18	FRI/SAT	\$500.00		\$800.00
INDIVIDUAL	31-Dec-18	MONDAY	\$250.00		\$350.00
MATAGORDA BIRDFEST	16-Feb-19	SATURDAY	\$250.00		\$550.00
INDIVIDUAL	23-Mar-19	SATURDAY	\$250.00		\$650.00
INDIVIDUAL	17-May-19	FRIDAY	\$250.00		\$650.00
INDIVIDUAL	8-Jun-19	SATURDAY	\$500.00		\$650.00
INDIVIDUAL	19-Jul-19	FRI/SAT	\$250.00		\$800.00
MATAGORDA COUNTY 4H CLUB	30-Jul-19	TUESDAY	\$100.00		\$300.00

**TOTALS**

**\$5,650.00**

**\$13,100.00**

**WHEREAS**, the mission of the public schools is to meet the diverse educational needs of all children and to empower them to become competent, productive contributors to a democratic society and an ever-changing world; and

**WHEREAS**, local school board members are committed to children and believe that all children can be successful learners and that the best education is tailored to the individual needs of the child; and

**WHEREAS**, local school board members work closely with parents, educational professionals, and other community members to create the educational vision we want for our students; and

**WHEREAS**, local school board members are responsible for ensuring the structure that provides a solid foundation for our school system; and

**WHEREAS**, local school board members are strong advocates for public education and are responsible for communicating the needs of the school district to the public and the public's expectations to the district;

**NOW, THEREFORE, I**, Glen Smith, Mayor, do hereby declare my appreciation to the members of the Palacios School Board and proclaim the month of January 2019, as

**SCHOOL BOARD RECOGNITION MONTH** in Palacios, Texas. I urge all citizens to join me in recognizing the dedication and hard work of local school board members and in working with them to mold an education system that meets the needs of both today's and tomorrow's children.

**IN OFFICIAL RECOGNITION WHEREOF**, I hereby affix my signature this

\_\_\_\_\_ day of \_\_\_\_\_, 2019.

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**GLEN SMITH, MAYOR**

**ATTEST:**

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**CLISSA MILLS, CITY SECRETARY**



City of Palacios  
 Financial Statement  
 As of September 30,2018

Water Fund

Percent of Year Complete                      100%

<b>Revenues</b>	Budget	Y-T-D Actual	Percent of Budget
Water & Sewer	\$ 1,615,000	\$ 1,586,308	98%
Service & Penalty Charges	\$ 47,500	\$ 55,557	117%
Garbage	40,000	44,097	110%
Miscellaneous	3,500	5,593	160%
<b>Total Revenues</b>	<b>\$ 1,706,000</b>	<b>\$ 1,691,555</b>	<b>99%</b>

**Expenditures**

Water Department	\$ 597,750	\$ 581,451	97%
Sewer	297,600	212,972	72%
Special Items	822,850	444,912	54%
<b>Total Expenditures</b>	<b>\$ 1,718,200</b>	<b>\$ 1,239,334</b>	<b>72%</b>

**Revenue Over/ (Under)**

<b>Expenditures</b>	\$ (12,200)	\$ 452,221
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**Beginning Fund Balance**

\$ 10,701,124

**Ending Fund Balance**

\$ 11,153,345

City of Palacios  
 Financial Statement  
 As of June 30, 2018

Airport Fund

Percent of Year Complete 100%

<b>Revenues</b>	Budget	Y-T-D Actual	Percent of Budget
Fuel Sales	\$ 20,000	\$ 12,407	62%
Hangar Rent & Tiedowns	6,300	6,240	99%
PISD School Barn Lease	150	148	99%
Golf Assoc Lease	100	104	104%
T Hangar Lease	6,000	6,000	100%
Farming Lease	1,900	1,800	95%
Grazing Lease	21,900	21,938	100%
Interest Income	-	58	
Misc Receipts	25	-	0%
TxDot Reimbursement	5,000	\$ 3,136	63%
<b>Total Revenues</b>	<b>\$ 61,375</b>	<b>\$ 51,830</b>	<b>84%</b>

<b>Ependitures</b>			
Airport	\$ 40,375	\$ 22,980	57%
Special Items	21,000	38,318	182%
<b>Total Ependitures</b>	<b>\$ 61,375</b>	<b>\$ 61,298</b>	<b>100%</b>

<b>Revenue Over/ (Under)</b>		
<b>Expenditures</b>	\$ -	\$ (9,468)

<b>Beginning Operating Balance</b>	\$ 44,606
<b>Ending Operating Balance</b>	\$ 35,138

<b>Beginning Fund Balance Including Fuel Inventory</b>	\$ 48,942
<b>Ending Fund Balance Including Fuel Inventory</b>	\$ 39,474

City of Palacios  
 Financial Statement  
 As of September 30,2018

Equipment Fund

Percent of Year Complete                      100%

	Budget	Y-T-D Actual	Percent of Budget
<b>Revenues</b>	\$ 157,000	\$ 157,111	100%
<b>Expenditures</b>	\$ 157,000	\$ 114,017	73%
<b>Revenue Over/ (Under) Expenditures</b>	\$ -	\$ 43,094	
<b>Beginning Fund Balance</b>		\$ 194,222	
<b>Ending Fund Balance</b>		\$ 237,316	

City of Palacios  
 Financial Statement  
 As of September 30,2018

Hotel/Motel Tax Fund

Percent of Year Complete 100%

	Budget	Y-T-D Actual	Percent of Budget
<b>Revenues</b>	\$ 28,100	\$ 34,511	123%
<b>Expenditures</b>	\$ 28,000	\$ 24,250	87%
<b>Revenue Over/ (Under) Expenditures</b>	\$ 100	\$ 10,261	
<b>Beginning Fund Balance</b>		\$ 98,808	
<b>Ending Fund Balance</b>		\$ 109,069	

City of Palacios  
 Financial Statement  
 As of September 30,2018

Economic Development Fund

Percent of Year Complete 100%

	Budget	Y-T-D Actual	Percent of Budget
<b>Revenues</b>	\$ 169,300	\$ 204,610	121%
<b>Expenditures</b>	\$ 169,300	\$ 157,142	93%
<b>Revenue Over/ (Under) Expenditures</b>	\$ -	\$ 47,469	
<b>Beginning Fund Balance</b>		\$ 505,960	
<b>Ending Fund Balance</b>		\$ 553,429	

CITY OF PALACIOS, TEXAS  
QUARTERLY INVESTMENT REPORT  
FOR THE QUARTER ENDED SEPTEMBER 30, 2018

The investment portfolio detailed in the attached report includes all investment transactions made during the above referenced period. The investment portfolio and all related transactions comply with the investment policy of the City of Palacios, Texas and the Public Funds Investment Act of the State of Texas.

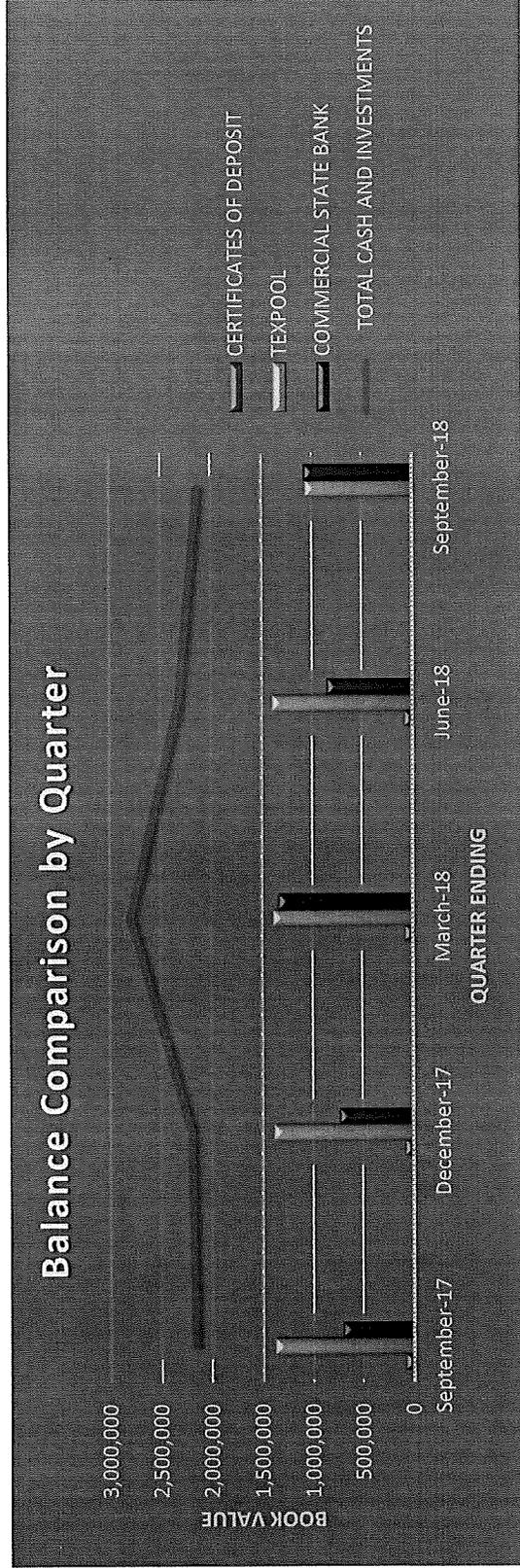
Investment Officer: Jammy McDonald  
Jammy McDonald, City Treasurer

Date: 10/5/2018

**CITY OF PALACIOS, TEXAS**  
**Quarterly Investment Report**  
**As of September 30, 2018**

**Balance Comparison by Quarter**

<b>INVESTMENT BALANCES BY TYPE</b>	<b>9/30/2017</b>	<b>12/31/2017</b>	<b>3/31/2018</b>	<b>6/30/2018</b>	<b>9/30/2018</b>
CERTIFICATES OF DEPOSIT	\$ 86,787	\$ 86,820	\$ 86,853	\$ 86,853	\$ -
TEXPOOL	\$ 1,372,926	\$ 1,376,690	\$ 1,380,454	\$ 1,387,379	\$ 1,062,903
COMMERCIAL STATE BANK	\$ 707,016	\$ 737,405	\$ 1,331,486	\$ 852,261	\$ 1,077,938
<b>TOTAL CASH AND INVESTMENTS</b>	<b>\$ 2,166,729</b>	<b>\$ 2,200,915</b>	<b>\$ 2,798,793</b>	<b>\$ 2,326,493</b>	<b>\$ 2,140,841</b>





**RESOLUTION 2018-R-17**

**RESOLUTION AUTHORIZING SIGNATORIES**

**A RESOLUTION BY THE CITY COUNCIL OF CITY OF PALACIOS DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) CONTRACT NUMBER 7218351.**

**WHEREAS**, the City of Palacios has received a 2018 Texas Community Development Block Grant award to provide Water Improvements; and

**WHEREAS**, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas Department of Agriculture, and;

**WHEREAS**, an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) is to be submitted with a copy of this Resolution, and;

**WHEREAS**, the City of Palacios acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide TxCDBG with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG *Depository/ Authorized Signatories Designation Form (Form A202)*.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PALACIOS, TEXAS, AS FOLLOWS:**

The Mayor is authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2018 Texas Community Development Block Grant Program

The Mayor, Mayor Pro Tem, City Manager, and City Treasurer are authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2018 Texas Community Development Block Grant Program

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS,**  
on \_\_\_\_\_, 2018.

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

## RESOLUTION 2018-R-18

### Resolution Regarding Civil Rights

#### The City of Palacios, Texas

Whereas, the City of Palacios, Texas, (hereinafter referred to as "City of Palacios") has been awarded TxCDBG funding through a TxCDBG grant from the Texas Department of Agriculture (hereinafter referred to as "TDA");

Whereas, the City of Palacios, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, the City of Palacios, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, the City of Palacios, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area;

Whereas, the City of Palacios, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, the City of Palacios, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project;

Whereas, the City of Palacios, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds;

Whereas, the City of Palacios, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period to affirmatively further fair housing; and

Whereas, the City of Palacios, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS, THAT THE CITY OF PALACIOS ADOPTS THE FOLLOWING:

1. Citizen Participation Plan and Grievance Procedures (Form A1013);
2. Section 3 Policy (Form A1002);

3. Excessive Force Policy (Form A1003);
4. Section 504 Policy and Grievance Procedures (Form A1004);
5. Limited English Proficiency (LEP) Standards (Form A1010);
6. Fair Housing Policy (Form 1015); and
7. Code of Conduct Policy.

**Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018.**

\_\_\_\_\_  
Signature of Elected Official  
City of Palacios

\_\_\_\_\_  
Printed Name of Elected Official

**CITY OF PALACIOS  
CITIZEN PARTICIPATION PLAN  
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

*Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:*

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have "meaningful access" to all aspects of the TxCDBG project. To provide 'meaningful access', Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents include Citizen Participation notices (e.g. complaint procedures, hearing notices) civil rights notices, and any other published notice that may allow an eligible person with limited English proficiency to participate in discussing proposed CDBG activities.

For more information, see [LEP.gov](http://LEP.gov)

**COMPLAINT PROCEDURES**

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Palacios offices, 311 Henderson, P.O. Box 845, Palacios, TX 77465-0845, (361) 972-3605 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the Mayor, at City of Palacios at 311 Henderson, P.O. Box 845, or may call (361) 972-3605.
2. A copy of the complaint or grievance shall be transmitted by the Mayor to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The Mayor shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3. above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.

6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

## TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

## PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to

submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

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**Glen Smith, Mayor**

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**Date**

**LA CIUDAD DE PALACIOS  
PLAN DE PARTICIPACIÓN CIUDADANA  
PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

*Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del Inglés:*

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG. Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en Inglés.

Para obtener más información, consulte [LEP.gov](http://LEP.gov).

**PROCEDIMIENTOS DE QUEJA**

Estos procedimientos de queja cumplen con los requisitos del Departamento de Programa de Agricultura de Texas Community Development Block Grant (TxCDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la Ciudad de (Dirección postal City of Palacios, 311 Henderson, P.O. Box 845, Palacios, TX 77465-0845, (361) 972-3605, ( teléfono ) en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a la Mayor, a City of Palacios, 311 Henderson, P.O. Box 845, Palacios, TX 77465-0845, (361) 972-3605.
2. Una copia de la queja o reclamación se transmitirá por el alcalde a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. El alcalde deberá complir una investigación de la queja o reclamación, si es posible, y dara una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia sera notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se deba completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.

6. Se proporcionara copias de los procedimientos de queja y las respuestas a las quejas, tanto en Inglés y Español, u otro lenguaje apropiado.

## ASISTENCIA TÉCNICA

Cuando lo solicite, la Ciudad proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. La Ciudad, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

## DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por la Ciudad/, se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés seran una parte de la zona de servicio potencial del proyecto TxCDBG, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan ingles.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y la Ciudad/ debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audencia será publica.
4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Como mínimo, la Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s) , acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado . Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.

3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación TxCDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa TxCDBG y el uso de fondos últimos contratos TxCDBG, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.
4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad/ recibe fondos del programa TxCDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto TxCDBG, la Ciudad/ celebrará una audiencia pública y revisara el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionara un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de

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Glen Smith, Alcalde de la ciudad

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Fecha

## SECTION 3 POLICY

In accordance with 12 U.S.C. 1701u, (Section 3), the City of Palacios agrees to implement the following steps, which, to the *greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.
- G. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of federal fiscal year end (by October 20) which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of the City of Palacios, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

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Glen Smith, Mayor

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Date

## **Excessive Force Policy**

In accordance with 24 CFR 91.325(b)(6), the City of Palacios hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of Palacios to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of the City of Palacios to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction; and
3. The City of Palacios will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Palacios, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

## Section 504 Policy against Discrimination based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Palacios hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. City of Palacios does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. City of Palacios's recruitment materials or publications shall include a statement of this policy in 1. above.
4. City of Palacios shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, City of Palacios shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
6. Grievances and Complaints
  - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for City of Palacios) to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
  - b. Complaints should be addressed to the Mayor, P.O. Box 845, Palacios, TX, 77465-0845 or call (361) 972-3605, who has been designated to coordinate Section 504 compliance efforts.
  - c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
  - d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
  - e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Mayor. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
  - f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mayor, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
  - g. The Section 504 coordinator shall maintain the files and records of the City of Palacios relating to the complaints files.
  - h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for

reconsideration should be made to the City of Palacios within ten working days after the receipt of the written determination/resolution.

- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Palacios complies with Section 504 and HUD regulations.

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Glen Smith, Mayor

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Date

## Limited English Proficiency Plan

Name Grantee:	City of Palacios
Community Population:	4,383
LEP Population:	25.3% (Spanish) and 12.8% (Asian & Pacific Islander)
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries	Spanish and Vietnamese

Program activities to be accessible to LEP persons:	
<input checked="" type="checkbox"/>	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
<input checked="" type="checkbox"/>	Publications regarding Tx CDBG application, grievance procedures, <i>complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action</i> , and other vital hearings, documents, and program requirements
<input checked="" type="checkbox"/>	Other program documents: Documents available in Spanish for directly assisted beneficiaries, if applicable.

Resources available to Grant Recipient:	
<input checked="" type="checkbox"/>	Translation services: available upon request
<input checked="" type="checkbox"/>	Interpreter services: available upon request with prior notice
	Other resources: _____

Language Assistance to be provided:	
<input checked="" type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: <u>Public hearing, Complaint and Grievance, Equal Opportunity, Policy of Non-discrimination Based on Disability Status and Fair Housing notices are available in Spanish. Other CDBG required program notices are available in Spanish upon request.</u>
<input checked="" type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons <u>Spanish-speaking liaisons are available upon request.</u>
<input checked="" type="checkbox"/>	Public meetings conducted in multiple languages: <u>Available upon request with two days advance notice.</u>
<input checked="" type="checkbox"/>	Notices to recipients of the availability of LEP services: <u>Included in translated notices.</u>
	Other services: _____

\_\_\_\_\_  
Signature - Chief Elected Official or Civil Rights Officer

\_\_\_\_\_  
Date

See also: [http://www.lep.gov/resources/2011\\_Language\\_Access\\_Assessment\\_and\\_Planning\\_Tool.pdf](http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf)

## Fair Housing Policy

In accordance with Fair Housing Act, the City of Palacios hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. City of Palacios agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. City of Palacios agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. City of Palacios will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Palacios, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

## Code of Conduct Policy of the City of Palacios

As a Grant Recipient of a TxCDBG contract City of Palacios shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the City of Palacios shall participate in the selection, award, or administration of a contract supported by TxCDBG funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the City of Palacios shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving TxCDBG funds, that has any CDBG function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the TxCDBG activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third-party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third-party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards may not participate in the selection, award, or administration of a contract supported by CDBG funding.

Any alleged violations of these standards of conduct shall be referred to the City of Palacios Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

**Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018.**

\_\_\_\_\_  
Mayor, City of Palacios

*These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Texas Community Development Block Grant (TxCDBG) Program. The regulations related to conflict of interest and nepotism may be found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, Uniform Grant Management Standards by Texas Comptroller, 24 CFR 570.489(g) &(h), and 2 CFR 200.318*

## PROCLAMATION OF APRIL AS FAIR HOUSING MONTH

WHEREAS Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS The National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, WE, the City Council of the City of Palacios, do proclaim April as Fair Housing Month in City of Palacios and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing law.

Passed and adopted by the City Council of the City of Palacios, Matagorda County, State of Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

### APPROVED:

\_\_\_\_\_  
Mayor

### ATTEST:

\_\_\_\_\_  
City Secretary

**RESOLUTION 2018-R-19**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS AUTHORIZING AN APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A TEXAS HOME PROGRAM GRANT; COMMITTING TO PROVIDE MATCHING FUNDS AND TO ESTABLISH A RESERVE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Texas Department of Housing and Community Affairs (TDHCA) has notified the public of a funding availability to benefit lower income residents of Texas communities through the Texas HOME Program Reservation System; and

**WHEREAS**, the Texas HOME Program has identified significant housing needs in the City, particularly for the rehabilitation and reconstruction of owner occupied housing; and

**WHEREAS**, the City wishes to assist our lower income homeowners while simultaneously enhancing the health, economic, and aesthetic quality of the community:

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

**SECTION ONE:** the City acknowledges and agrees to a request made by the Administrator to participate in the Reservation System for HRA;

**SECTION TWO:** the City will match, if applicable, will be provided in accordance to 10 TAC for households assisted through the Texas HOME HRA Reservation System Program.

**SECTION THREE:** the City designates the City Manager and City Treasurer as the persons authorized to sign all forms related to the preparation of, and to execute any and all HOME agreements.

**SECTION FOUR:** the City will use general funds up to the amount of \$75,000 as a cash reserve to pay program costs before reimbursements are received from the State of Texas HOME Program.

**SECTION FIVE:** This resolution shall become effective from and after the date of its passage.

PASSED, APPROVED, and ADOPTED on this the 23<sup>rd</sup> day of October, 2018.

**CITY OF PALACIOS, TEXAS**

\_\_\_\_\_  
**GLEN SMITH, Mayor**

**ATTEST:**

\_\_\_\_\_  
**CLISSA MILLS, City Secretary**



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

**CITY OF PALACIOS  
 CITY COUNCIL REGULAR MEETING MINUTES  
 October 9, 2018**

**REGULAR COUNCIL MEETING 7PM**

**CALL TO ORDER** – Mayor Smith at 7pm

**INVOCATION** – Mayor Glen Smith

**PLEDGE OF ALLEGIANCE** – Councilmember Crocker

**PLEDGE TO TEXAS FLAG** – Councilmember Crocker

**PLEDGE TO PALACIOS FLAG** – Councilmember Crocker

**VISITOR / CITIZEN FORUM**

1. Paul Sastrup told City Council that he wrote a letter to the City Manager, David Kocurek, regarding compliance of a food truck, specifically zoning. He also stated that he requested a response from City Manager, David Kocurek, in writing.
2. Russell Oliff addressed City Council about his food truck and said that he does not feel like the City is supportive and would like to know what the rules state specifically for a food truck.
3. Chip Woolf discussed the Application for Voluntary Annexation from Danny and Tammy Percy and said that Council should decide on the appropriate use.
4. Jennifer Chau with Lucky Strykes Dog Rescue provided Council with more information regarding the Mayoral Race Fundraiser.

**ADMINISTRATIVE REPORTS**

1. City of Palacios Fall Clean Up was Saturday, September 29, 2018
2. PCMC Annual Box Supper was Thursday, September 27, 2018
3. Neighborhood Night Out was Tuesday, October 2, 2018
4. Palacios Pirate Festival was October 5-6, 2018
5. Harvest Moon Dinner and Dance is Saturday, October 20, 2018 at 6pm at the Recreation Center
6. Pedal Palacios is Saturday, October 27, 2018
7. Palacios Lions Club official opening of new East Bay Pier is October 10, 2018 at 6pm

**ITEMS TO BE CONSIDERED**

1. Review and consider action to approve the bid submitted by BLS Construction for the expansion of the Recycle Center  
Councilmember McGovern motioned to approve the bid submitted by BLS Construction for the expansion of the Recycle Center  
Councilmember Erdelt seconded  
There was no opposition  
With no opposition, the motion carried
2. Review and consider action to approve the final replat of Rauch Addition, Lots 2, 3, 4, and 5, +N53" LT3 (1408 4th St) as recommended by the Planning and Zoning Commission  
Mayor Glen Smith motioned to approve the final replat of Rauch Addition, Lots 2, 3, 4, and 5, +N53" LT3 (1408 4th St) as recommended by the Planning and Zoning Commission  
Councilmember Crocker seconded  
There was no opposition  
With no opposition, the motion carried
3. Review and consider action to approve the Application for Voluntary Annexation from Danny and Tammy Percy for the property located at AB 0146, T Dasher, Acres 9.039, AB 146 Lots 21 & 30, 0.0390 AC SE ¼ Section 7 (0 CR 309 Mosier Dr) as recommended by the Planning and Zoning Commission  
Councilmember McGovern motioned to approve the Application for Voluntary Annexation from Danny and Tammy Percy for the property located at AB 0146, T Dasher, Acres 9.039, AB 146 Lots 21 & 30, 0.0390 AC SE ¼ Section 7 (0 CR 309 Mosier Dr) as recommended by the Planning and Zoning Commission  
Councilmember Erdelt seconded  
Councilmember Schulman abstained from voting  
There was no opposition  
With no opposition, the motion carried
4. Discuss and consider action to approve the following consent agenda items:  
Minutes of the September 25, 2018 Regular Council Meeting  
Councilmember Erdelt motioned to approve the minutes of the September 25, 2018 Regular Council Meeting  
Councilmember Crocker seconded  
There was no opposition  
With no opposition, the motion carried

**EXECUTIVE SESSION** – City Council adjourned at 7:40 pm for 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)

1. Discuss Real Estate transaction for the property located at 0 Duson St.

Deliberation regarding prospective gifts or donation (551.073)

Discuss personnel matters (551.074)

2. Discuss City Manager's Compensation

Deliberation regarding security devices (551.076)

Discuss economic development negotiations (551.087)

3. Discuss possible 380 Agreement to support Point of Destination Attraction with PEDC

Council Re-Convened in Open session for Official Action at 8:17 pm

**ACTION ON EXECUTIVE SESSION:**

1. Authorize Mayor Smith to execute a sales contract for the property located at 0 Duson St.  
Councilmember Crocker motion to authorize Mayor Smith to execute a sales contract for the property located at 0 Duson St.  
Councilmember Erdelt seconded  
There was no opposition  
With no opposition, the motion carried
2. Discuss and make a recommendation regarding City Manager's Compensation  
Mayor Glen Smith recommended to increase the City Manager's Compensation by 3%  
Councilmember McGovern seconded  
There was no opposition  
With no opposition, the motion carried

**ADJOURN**

Councilmember McGovern motioned to adjourn the meeting at 8:20 pm  
Councilmember Erdelt seconded  
There was no opposition  
With no opposition, the motion carried

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Glen Smith, Mayor

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Clissa Mills, City Secretary