



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 9, 2018**

Notice is hereby given of a Regular Council Meeting of the Palacios City Council to be held October 9, 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 Lewis

PLEDGE OF ALLEGIANCE – Councilmember Tran

PLEDGE TO TEXAS FLAG – Councilmember Tran

PLEDGE TO PALACIOS FLAG – Councilmember Tran

VISITOR / CITIZEN FORUM

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
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

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
4. Discuss and consider action to approve the following consent agenda items:
Minutes of the September 25, 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)

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 to Re-Convene in Open session for Official Action:

ACTION ON EXECUTIVE SESSION:

1. Authorize Mayor Smith to execute a sales contract for the property located at 0 Duson St.
2. Discuss and make a recommendation regarding City Manager's Compensation

ADJOURN

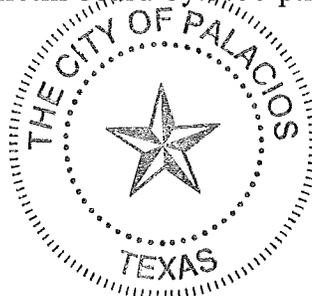
In compliance with the Americans with Disabilities Act, the City of Palacios will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact City Hall, at 361.972.3605.

CERTIFICATION

I certify that a copy of the October 9, 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 5, 2018.



Clissa Mills, City Secretary



5. **Bid Prices.** The undersigned Bidder will perform the Work as required by the Contract for the following total price:

Total Base Bid Price \$ 154,765.00

6. **Exempt Items.** The Bid prices do not include the sales and use taxes on items for which the Owner is exempt under Section 151.309(5) and Section 151.311 of the Texas Tax Code.

7. **Conflict of Interest Questionnaire.** An original and two copies of the Conflict of Interest Questionnaire are attached to this Bid.

Bidder's Name (Company, Firm, Partnership or Other Entity):

By: BLS Construction, Inc. 

Name: William Key

Title: President

Address:

207 Fahrenthold Street

El Campo, Texas 77437

Date: September 26, 2018

Attest and Seal (if corporation):

By: BLS Construction, Inc.

Name: William Key

Title: President

Date: September 26, 2018

BID PRICING FORM

for
Expansion of the Palacios Recycling Center

The undersigned, as Bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made, without collusion with any other person, firm, corporation; that he has carefully examined the form of contract, instructions to bidder, profiles, grades, specifications, and the drawings therein referred to, and has carefully examined the locations, conditions and classes of materials of the proposed work; and agrees that he will provide all the necessary machinery, tools, apparatus, and other means of construction, and will do all the work and furnish all the materials called for in the contract, specifications, and drawings, in the manner prescribed therein and according to the requirements of the Architect therein set forth.

It is further agreed that the quantities of work to be done and materials to be furnished may be increased or diminished as may be considered necessary, in the sole opinion of the City, to complete the work. Adjustment for changes in work will be in accordance with the General Conditions.

The Bidder's TOTAL BASE BID PRICE is:

One hundred and fifty four thousand,	\$ <u>154,765.00</u>
<u>seven hundred and sixty-five dollars</u>	<u>(Dollars)</u>
(Words)	

The Bidder's Total Base Bid Price is based upon the following work items as defined in Section 011000 – Summary of Work:

- | | |
|---|--------------------------|
| 1. General Conditions Amount | \$ <u>20,000.00</u> |
| a. Mobilization and Demobilization | |
| b. Other General Conditions Items | |
| c. Bonds, Insurance, Permits and Fees | |
| 2. Storm Water Pollution Prevention | \$ <u>2,000.00</u> |
| 3. Site Preparation, Clearing and Grubbing, Demolition | \$ <u>25,000.00</u> |
| 4. Trench Safety | \$ <u>0</u> |
| 5. Earthwork | \$ <u>included above</u> |
| 6. Concrete Paving | \$ <u>45,000.00</u> |
| 7. Pre-Engineered Steel Buildings | \$ <u>59,765.00</u> |
| 8. Relocate Baler and Extend Existing Electrical, in Weather Proof Under Ground Conduit, with service to Match Existing | \$ <u>3,000.00</u> |
| 9. Lawns and Grasses | \$ <u>0</u> |

Total of 9 items above*

*This amount must agree with the Bidder's Total Base Bid Price above.

In preparing the bid form, bidders should list below major subcontractors whose prices are incorporated in the bid. Generally trades listed should be those involving major money amounts or special technical items.

Trade	Subcontractor
Pre-Engineered Steel Buildings	<u>Lynn Steel Buildings</u>

If awarded the contract, the Proposer's Labor Burden to be added to any change order work will be 10% of the wages paid. The Labor Burden should include Worker's Compensation, State Unemployment, Federal Unemployment, Social Security and Fringe Benefits.

The undersigned agrees and pledges to complete the work in full in the following specified calendar days:

120 Days Consecutive Calendar Days (General Contractor shall enter number of days).

The Performance and Payment bonds, as required by the specifications and the laws of Texas, will be submitted with the executed contract if this bid is accepted.

Accompanying this bid is a certified or cashier's check on a State or National Bank of the State of Texas or a Bid's Bond in the amount of not less than 5% of the greatest total amount of this Bid payable without recourse to the order of City of Palacios, Texas, said check or bond to be returned to the bidder, unless in case of the acceptance of the bid he shall fail to execute a contract and file performance and payment bonds within 10 days of its acceptance, in which case the check or bond shall become the property of said Owner and shall be considered as payment for damages due to delay and other inconveniences suffered by said Owner on account of failure of the bidder to execute contract. It is understood that the Owner reserves the right to reject any or all bids, to accept or reject any or all alternates, or to accept any combination of alternates considered advantageous.

The undersigned certifies that the bid prices contained in this bid have been carefully checked and are submitted as correct and final.

The undersigned agrees that he will not withdraw this Bid for a period of 60 days.

The Bidder further agrees to pay as Liquidated Damages the sum of \$250.00 for each calendar day that the work shall remain substantially incomplete after the expiration of the calendar days specified and any extended days allowed by the Owner's Representative in accordance with the Specifications. The Liquidated Damages required by this Contract are not a penalty but a reasonable forecast of just compensation to the Owner for harm caused by the Contractor's delay that is difficult or impossible to determine at the time of execution of this Contract.

(Seal--if Bidder is a Corporation)

Bidder: BLS Construction, Inc.

By: William Key

Title: President

Address: 207 Fahrenthold Street, El Campo, Texas 77437

Date: September 26, 2018



207 FAHRENTHOLD STREET
EL CAMPO, TX 77437

P: 979-543-2696
F: 979-543-5006

Palacios Recycling Center

Testing to paid by owner.

No asbestos survey, abatement or consulting included.

Windstorm engineering provided by metal building but signed and reviewed by Architect/Engineer.

Utilize existing plugs and outlets for construction power

Utilize existing water for construction

Vegetation striping's to be wasted onsite.

No job trailer for construction included.

BID BOND
(Expansion of the Palacios Recycling Center)

Bond No. _____
Name of Surety: Merchants Bond Company (Mutual)
Name of Bidder, as Principal: BLS Construction, Inc.
Name of Owner, as Obligee: City of Palacios, Texas
Name of Project: Expansion of the Palacios Recycling Center
Bond Amount (5% of Bid Amount): 5% of Greatest Bid Amount

RECITALS:

The Owner has advertised for Bids for construction of the Project (Request for Bid). The Bidder submitted a Bid to the Owner in response to the Request for Bid that requires the Bidder to submit this Bid Bond.

AGREEMENT:

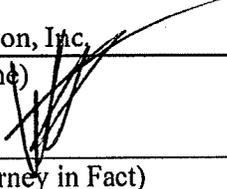
The Surety and Bidder enter into this Bid Bond and bind themselves in favor of the Owner in the Bond Amount shown above. The Surety and the Bidder, both jointly and severally, and for themselves, their heirs, administrators, executors, successors and assigns agree, as follows:

1. **BID BOND OBLIGATION.** If the Surety receives written notice from the Owner that the Bidder has failed to comply with the Bidder's contractual obligation to provide the Owner with a Performance Bond and Payment Bond and/or execute a Contract, in the forms attached to the Request for Bid, within ten days after written notice of award by the Owner, the Surety will tender the lesser of: (1) the full amount of this Bid Bond to the Owner within 30 days of receipt of the notice of Bidder's failure to comply; or (2) the difference in the Contract Sum of the Principal and that of the next highest ranked Bidder.
2. **NOTICE TO SURETY.** Notice is deemed delivered when actually received or, if earlier, three business days after the date of deposit in the United States mail, postage prepaid, registered or certified mail with return receipt requested addressed to Surety's Attorney in Fact, at the address identified in this Bid Bond.
3. **DURATION OF BOND OBLIGATION.** This Bid Bond remains in effect until either:
 - (1) The Bidder executes the Contract and submits to the Owner the Performance Bond and Payment Bond required by the Request for Bid, if the Owner awards the Contract to the Principal.
 - (2) The City rejects the Bid by:
 - (a) awarding the Contract to another Bidder;
 - (b) City Council action rejecting all Bids for the Project; or

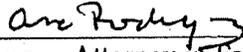
(c) not acting timely on the Bid as provided in the Request for Bid.

4. **GOVERNING LAW AND VENUE.** Texas law governs this Bid Bond and any lawsuit on this Bid Bond must be filed in a court that has jurisdiction in Matagorda County, Texas.
5. **SURETY REPRESENTATIONS.** The Surety represents that it meets the requirements of Chapter 3503 of the Texas Insurance Code, as amended.

Bidder:

BLS Construction, Inc.
(Typed Firm Name)
(Seal)
By: 
(Signature—Attorney in Fact)
William R. Key
(Printed Name)
President
(Title)
207 Fahrenthold Street
El Campo, Texas 77437
(Physical Address)
Same
(Mailing Address)
979-543-2696
(Telephone No. with Area Code)
Facsimile No. 979-543-5006
September 28, 2018
(Date of Execution)

Surety:

Merchants Bonding Company (Mutual)
(Typed Firm Name)
(Seal)
By: 
(Signature—Attorney in Fact)
Ana Rodriguez
(Printed Name)
Attorney-in-Fact
(Title)
202 E Jackson
El Campo TX 77437
(Physical Address)
same
(Mailing Address)
979-475-1170
(Telephone No. with Area Code)
Facsimile No. 512-327-8337
September 28, 2018
(Date of Execution)

(Attach original Power of Attorney. Attach document with registered agent's name, mailing address, physical address, telephone number with area code, and facsimile number, if not same as attorney in fact).

MERCHANTS
BONDING COMPANYTM
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually, Ana Rodríguez; Chad Meyer; Denise Dugan; Gary John Grissom; James Russell; Kristie Rodriguez; Ronda Brown; W R Reynolds

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 9th day of May, 2018.

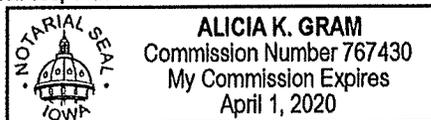


MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this this 9th day of May 2018, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Alicia K. Gram
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this _____ day of _____, 2018.



William Warner Jr.
Secretary

CONFLICT OF INTEREST QUESTIONNAIRE**FORM CIQ**

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

None

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

N/A

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

 Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

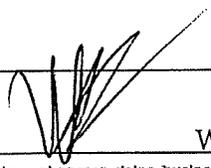
 Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

 Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

None

4


William Key
Signature of person doing business with the governmental entity

September 26, 2018
Date

CONFLICT OF INTEREST QUESTIONNAIRE**FORM CIQ**

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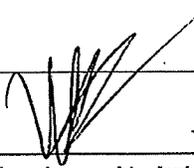
 Yes No

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 Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

None

4
William Key
Signature of person doing business with the governmental entitySeptember 26, 2018
Date

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

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Yes No

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Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

None

4



Signature of person doing business with the governmental entity

September 26, 2018

Date

PETITION FOR VOLUNTARY ANNEXATION

TO: THE MAYOR AND CITY COUNCIL OF THE CITY OF PALACIOS,
MATAGORDA COUNTY, TEXAS:

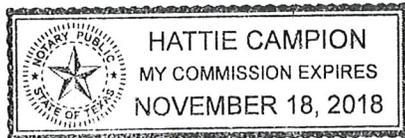
The undersigned owners of the hereinafter described tract of land which is vacant and without residents, or on which less than three (3) qualified voters reside, hereby petition your honorable body to extend the present municipal limits so as to include and annex as a part of the City of Palacios, Matagorda County, Texas, the property described by metes and bounds on the attached Exhibit "A" which is incorporated herein for all purposes. We certify that this Petition is signed and acknowledged by each and every corporation and persons owning said land or having any part thereof.

STATE OF TEXAS

COUNTY OF Bastrop

Tammy L. Pearcy
Danny R. Pearcy

This instrument was acknowledged before me by Tammy Pearcy + Daniel (Danny) Pearcy
on the 1 day of October, 2018



Hattie Campion
Notary Public, State of Texas
My commission expires: 11/18/2018



VOLUNTARY ANNEXATION APPLICATION

Project Name/Address: CR 309 MOSIER Dr. Date: Oct 1, 2018

The following items must be submitted to the Planning Department in order for the application to be accepted for review.

- 1. Letter requesting annexation, signed and dated by all property owners and detailing the following information:
 - A. The name(s) of the property owner(s)
 - B. The street address of the property
 - C. Tax appraisal district property ID number(s)
 - D. Acknowledgement that the property is contiguous to the current city limits
 - E. Identify the number of residents living on the property
 - F. Current use of the property
 - G. Proposed use of the property
 - 2. Map of the subject property.
 - 3. A legal description of the property (including a survey, field notes or legal description- subdivision, lot, and block) - label as **Exhibit A.**
1. Ownership documents. Clean copy of recorded warranty deed or other document(s) conveying ownership of all the property to be annexed. If the property is owned by a partnership, corporation, trust, or other entity, documents demonstrating signatory's authority to sign Petition on behalf of entity must be included.

Property Information

Owners: TAMMY LYNN PEARCY AND DANNY RICHARD PEARCY

Address: CR 309 MOSIER Dr. Phone: 409 201 0864 Email: PHALCON1@GMAIL.COM

Acreage: 9.31 Property ID (R#) 17961 Matagorda CAD # _____

Legal Description: Number of lots and proposed use: 9.31 ACRES RESIDENTIAL, RECREATION

Please Note: The signature of owner authorizes City of Palacios staff to visit and inspect the property for which this application is being submitted. The signature also indicates that the applicant or his agent has reviewed the requirements of this checklist and all items on this checklist have been addressed and complied with. **The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.**

(Check One:)

I will represent my application before city staff, all Commissions and Boards, and City Council.

I hereby authorize the person named below to act as my agent in processing this application before city staff, all Commissions and Boards, and City Council.

Owner Name: DANNY R PEARCY Phone: 409 201 0864 Email: PHALCON1@gmail.com

Mailing Address, City, State, Zip Code: 176 River Front Drive Cedar Creek TX 78612

Owner Signature: Danny R Pearcy

Agent's Name: _____ Phone: _____ Email: _____

Agent's Company Name: _____

Mailing Address, City, State, Zip Code: _____

Agent Signature: _____



Google Earth

feet
meters



1000

400

© 2017 Google

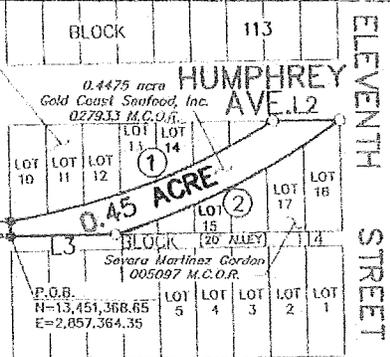
Google Earth



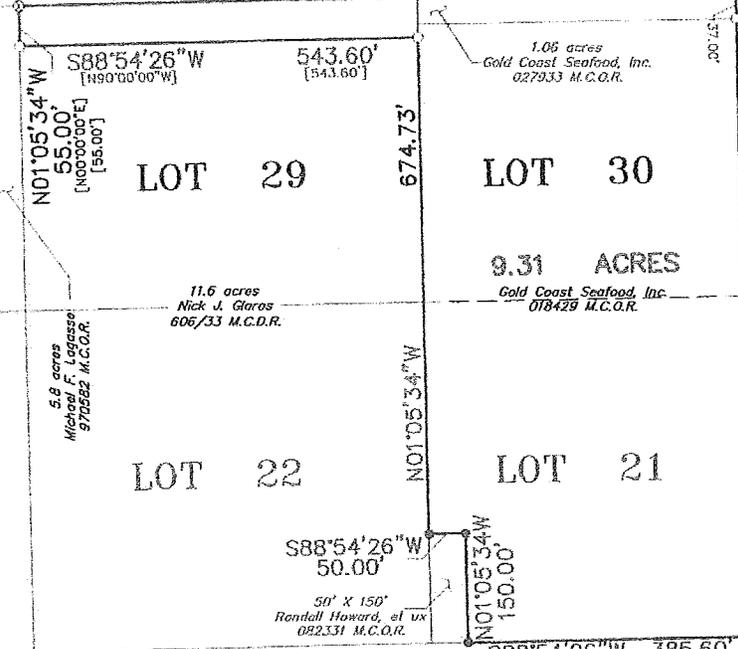
COURSES & DISTANCES		
LINE	BEARING	DISTANCE
L1	N01°05'34"W	20.15' [20.15']
L2	N88°54'26"E	90.37' [90.37']
L3	S88°54'26"W	142.13' [142.13']

L. D. Dendrick
175/332 M.C.D.R.

P.O.B.
N=13,451,370.54
E=2,857,302.59



COLLINS DRIVE [S90°00'00"E] N88°54'26"E [679.20'] 979.20'



MOORE AVENUE

① CURVE DATA
 DELTA= 23°01'52"
 RADIUS= 957.64' [957.64']
 LONG CH.= N69°03'15"E
 382.35'

② CURVE DATA
 DELTA= 19°34'05"
 RADIUS= 1007.63' [1007.64']
 LONG CH.= S62°55'52"W
 342.47'

0.45 ACRE SURVEY
 BEING A PART OF LOTS 10-18 OF
 THE PALACIOS TOWNSITE
 VOLUME 14, PAGE 374 OF THE
 MATAGORDA CO. DEED RECORDS
 AND A 9.31 ACRE SURVEY
 BEING A PART OF LOTS 21, 29 & 30 OF THE
 J. C. CARRINGTON SUBDIVISION OF THE
 SOUTHEAST 1/4 OF SECTION 7 OF THE
 TEXAS RICE DEVELOPMENT CO. SUBDIVISION
 VOLUME 17, PAGE 215 OF THE
 MATAGORDA CO. DEED RECORDS
 THOMAS DASHER SURVEY
 ABSTRACT NO. 146
 MATAGORDA COUNTY, TEXAS
 BEING THE SAME PROPERTY DESCRIBED IN CORRECTION
 WARRANTY DEED DATED NOVEMBER 7, 2001 FROM EUNICE
 GLAROS PAPPADAS TO GOLD COAST SEAFOOD, INC.,
 RECORDED IN FILE NO. 018429 OF THE OFFICIAL RECORDS
 OF MATAGORDA COUNTY, TEXAS AND THE SAME PROPERTY
 DESCRIBED AS 1.06 ACRES IN EXHIBIT "A" AND 0.4475
 ACRE IN EXHIBIT "B" OF DEED WITHOUT WARRANTIES
 DATED NOVEMBER 12, 2002 FROM MATAGORDA COUNTY
 NAVIGATION DISTRICT NO. 1 TO GOLD COAST SEAFOOD,
 INC., RECORDED IN FILE NO. 027933 OF THE OFFICIAL
 RECORDS OF MATAGORDA COUNTY, TEXAS.

LEGEND

- EXISTING 5/8" IRON ROD
- ⊙ EXISTING RAILROAD RAIL
- SET 5/8" IRON ROD WITH PLASTIC CAP
- M.C.D.R. MATAGORDA COUNTY DEED RECORDS
- M.C.O.R. MATAGORDA COUNTY OFFICIAL RECORDS
- P.O.B. POINT OF BEGINNING
- [] PLAT OR DEED CALL

NOTE: THE BEARINGS AND COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE SOUTH CENTRAL ZONE NAD'83 GRID.

I, HENRY A. DANYSH, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON AND A PROPERTY DESCRIPTION PREPARED REPRESENTS THE RESULT OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION ON OCTOBER 31, 2017.

G & W ENGINEERS, INC.
 HENRY A. DANYSH
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5088



G & W ENGINEERS, INC.

ENGINEERING SURVEYING PLANNING
 205 W. LIVE OAK STREET
 PORT LAVACA, TEXAS 77979
 TBPLS FIRM NO.: 10022100
 (361) 552-4509; PORT LAVACA
 (979) 323-7100; BAY CITY

STACEY GARVIN

DRAWN BY: J.E.T.	RECORD'D BY: H.A.D.	DATE: OCTOBER 30, 2017	SCALE: 1" = 200'	JOB NO.: 7745 001	DRAWING NO.: 7745-001
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PROPERTY DESCRIPTION
9.31 ACRES

STATE OF TEXAS }
COUNTY OF MATAGORDA }

All of that certain tract or parcel containing 9.31 acres situated in the Thomas Dasher Survey, Abstract No. 146 of Matagorda County, Texas and being a part of Lots 21, 29 and 30 of the J. C. Carrington Subdivision of the Southeast Quarter of Section 7 of the Texas Rice Development Company Subdivision relative to the Plat recorded in Volume 17, Page 215 of the Deed Records of Matagorda County, Texas and being the same property described in Correction Warranty Deed dated November 7, 2001 from Eunice Glaros Pappadas to Gold Coast Seafood, Inc., recorded in File No. 018429 of the Official Records of Matagorda County, Texas and also the same property described as 1.06 acres in Exhibit "A" of Deed without Warranties dated November 12, 2002 from Matagorda County Navigation District No. 1 to Gold Coast Seafood, Inc., recorded in File No. 027933 of the Official Records of Matagorda County, Texas. This 9.31 acres is more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap (N=13,451,370.54; E=2,857,302.59) set at the intersection of the South line of Collins Drive with the West line of Twelfth Street and at the Northeast corner of the above referenced 1.06 acre tract for the Northeast corner of this 9.31 acres being described;

THENCE South 01° 05' 34" East, with the West line of Twelfth Street and the East line of the said 1.06 acre tract and the East line of the above referenced Lots 30 and 21, passing an existing 5/8 inch iron rod located on line at the Southeast corner of the said 1.06 acre tract at a distance of 37.00 feet [deed call = 37.00 feet] and continuing a total distance of 879.73 feet to a 5/8 inch iron rod with plastic cap set at the intersection of the West line of Twelfth Street with the North line of Mosier Street and at the Southeast corner of the said Lot 21 for the Southeast corner of this 9.31 acres being described;

THENCE South 88° 54' 26" West, with the North line of Mosier Street and the South line of the said Lot 21, a distance of 385.60 feet to a 5/8 inch iron rod with plastic cap set at the Southeast corner of a 50' X 150' tract described in deed recorded in File No. 082331 of the Official Records of Matagorda County, Texas for the lower Southwest corner of this 9.31 acres being described;

THENCE North 01° 05' 34" West, with the East line of the said 50' X 150' tract, a distance of 150.00 feet to a 5/8 inch iron rod with plastic cap set at the Northeast corner of the said 50' X 150' tract for an interior corner of this 9.31 acres being described;

**PROPERTY DESCRIPTION
9.31 ACRES**

(continued)

THENCE South 88° 54' 26" West, with the North line of the said 50' X 150' tract, a distance of 50.00 feet to a 5/8 inch iron rod with plastic cap set in the common line between Lots 21 and 22 of the above referenced subdivision and at the Northwest corner of the said 50' X 150' tract for the upper Southwest corner of this 9.31 acres being described;

THENCE North 01° 05' 34" West, with the East line of said Lots 21 and 29 and the West line of the said Lots 21 and 30, a distance of 674.73 feet to an existing 5/8 inch iron rod located at a corner of the said 1.06 acre tract for an interior corner of this 9.31 acres being described;

THENCE South 88° 54' 26" West [deed call = North 90° 00' 00" West], crossing the said Lot 29 with the South line of the 1.06 acre tract, a distance of 543.60 feet [deed call = 543.60 feet] to an existing 5/8 inch iron rod located in the common line between Lots 28 and 29 of the said subdivision and at the Southwest corner of the said 1.06 acre tract for the lower Northwest corner of this 9.31 acres being described;

THENCE North 01° 05' 34" West [deed call = North 00° 00' 00" East], with the common line between the said Lots 28 and 29 and the West line of the said 1.06 acre tract, a distance of 55.00 feet [deed call = 55.00 feet] to an existing railroad rail located in the South line of Collins Drive and at the Northwest corner of the said 1.06 acre tract for the upper Northwest corner of this 9.31 acres being described;

THENCE North 88° 54' 26" East [deed call = South 90° 00' 00" East], with the South line of Collins Drive and the North line of the said 1.06 acre tract, a distance of 979.20 feet [deed call = 979.20 feet] to the **PLACE OF BEGINNING**, containing within these metes and bounds 9.31 acres.

The bearings and coordinates recited herein are Texas State Plane South Central Zone NAD'83 Grid. This property description and a plat were prepared from a survey made on the ground under my direction on October 31, 2017.


G & W ENGINEERS, INC.
TBPLS Firm No. 10022100
Henry A. Danysh
Registered Professional
Land Surveyor, No. 5088



Page Two

PROPERTY DESCRIPTION
0.45 ACRE

STATE OF TEXAS }
COUNTY OF MATAGORDA }

All of that certain tract or parcel containing 0.45 acre situated in the Thomas Dasher Survey, Abstract No. 146 of Matagorda County, Texas and being a part of Lots 10, 11, 12, 13, 14, 15, 16, 17 and 18 in Block 114 of the Palacios Townsite relative to the Plat recorded in Volume 14, Page 374 of the Deed Records of Matagorda County, Texas and being the same property described as 0.4475 acres in Exhibit "B" of Deed without Warranties dated November 12, 2002 from Matagorda County Navigation District No. 1 to Gold Coast Seafood, Inc., recorded in File No. 027933 of the Official Records of Matagorda County, Texas. This 0.45 acres is more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap (N=13,451,368.65; E=2,857,364.35) set at the intersection of the North line of a 20 foot wide alley in the said Block 114 with the East line of Twelfth Street and at the Southwest corner of the above referenced Lot 10 and at the lower Southwest corner of the above referenced 0.4475 acre tract for the lower Southwest corner of this 0.45 acre being described;

THENCE North 01° 05' 34" West, with the East line of Twelfth Street and the West line of the said Lot 10 and the West line of the said 0.4475 acre tract, a distance of 20.15 feet [deed call = 20.15 feet] to a 5/8 inch iron rod with plastic cap set at the upper Southwest corner of the said 0.4475 acre tract for the upper Southwest corner of this 0.45 acre being described;

THENCE crossing the said Lots 10, 11, 12, 13, 14, 15, 16 and part of 17 with the Northwest line of the said 0.4475 acre tract along a curve to the left with a Radius of 957.64 feet [deed call = 957.64 feet], a Delta of 23° 01' 52" and a Long Chord of North 69° 03' 15" East a distance of 382.35 feet to an existing 5/8 inch iron rod located in the South line of Humphrey Avenue and in the North line of the said Lot 17 and at the Northwest corner of the said 0.4475 acre tract for the Northwest corner of this 0.45 acre being described;

THENCE North 88° 54' 26" East, with the South line of Humphrey Avenue and the North line of the above referenced Lots 17 and 18 and the North line of the said 0.4475 acre tract, a distance of 90.37 feet [deed call = 90.37 feet] to an existing 5/8 inch iron rod located at the intersection of the South line of Humphrey Avenue with the West line of Eleventh Street and at the Northeast corner of the said Lot 18 and at the Northeast corner of the said 0.4475 acre tract for the Northeast corner of this 0.45 acre being described;

THENCE crossing the said Lots 18, 17, 16, 15, 14, 13 and a part of 12 with the Southeast line of the said 0.4475 acre tract along a curve to the right with a Radius of 1007.63 feet [deed call = 1007.64 feet], a Delta of 19° 34' 05" and a Long Chord of South 62° 55' 52" West a distance of 342.47 feet to an existing 5/8 inch iron rod located in the North line of a 20 foot wide alley and in the South line of the said Lot 12 and at the Southeast corner of the said 0.4475 acre tract for the Southeast corner of this 0.45 acre being described;

THENCE South 88° 54' 36" West, with the North line of the said 20 foot wide alley and the South line of the said Lots 12, 11 and 10 and the South line of the said 0.4475 acre tract, a distance of 142.13 feet [deed call = 142.13 feet] to the **PLACE OF BEGINNING**, containing within these metes and bounds 0.45 acre.

The bearings and coordinates recited herein are Texas State Plane South Central Zone NAD'83 Grid. This property description and a plat were prepared from a survey made on the ground under my direction on October 31, 2017.


G & W ENGINEERS, INC.
TBPLS Firm No. 10022100
Henry A. Danysh
Registered Professional
Land Surveyor, No. 5088



Property Search Results > 17961 PEARCY TAMMY LYNN & DANNY RICHARD for Year 2019

Property

Account

Property ID: 17961

Legal Description: AB 0146, T DASHER, ACRES 9.039, AB
146 LOTS 21 & 30 9.0390 AC SE 1/4 SEC
7

Geographic ID: 0146-0702-002100

Agent Code:

Type: Real

Property Use Code:

Property Use Description:

Location

Address: 0 CR 309 MOSIER DR
PALACIOS, TX 77465

Mapsc0:

Neighborhood: PALACIOS SEC 1 ABS LAND, MISC

Map ID: 557V

Neighborhood CD: P1

Owner

Name: PEARCY TAMMY LYNN & DANNY RICHARD Owner ID: 220635
Mailing Address: 176 RIVER FRONT DRIVE % Ownership: 100.00000000000000%
CEDAR CREEK, TX 78612

Exemptions:

Values

(+) Improvement Homesite Value: + N/A

(+) Improvement Non-Homesite Value: + N/A

WARRANTY DEED WITH VENDOR'S LIEN

GF# SW1807144

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: August 17, 2018

Grantor: GOLD COAST SEAFOOD, INC., a Texas Corporation

Grantor's Mailing Address (including county):

Gold Coast Seafood, Inc.
PO Box 931
Palacios, Texas 77465
Matagorda County

Grantee: TAMMY LYNN PEARCY and DANNY RICHARD PEARCY

Grantee's Mailing Address (including county):

Tammy Lynn Percy
176 River Front Drive
Cedar Creek, Texas 78612
Bastrop County

Danny Richard Percy
176 River Front Drive
Cedar Creek, Texas 78612
Bastrop County

Consideration: \$10.00 and other good and valuable consideration together with the execution and delivery of Grantee's Promissory Note of even date in the amount of \$60,300.00, payable to EDUCATION FIRST FEDERAL CREDIT UNION, as therein provided, additionally secured by the Vendor's Lien herein retained and by Deed of Trust of even date herewith the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

All of that certain tract or parcel containing 9.31 acres situated in the Thomas Dasher Survey, Abstract No. 146 of Matagorda County, Texas and being a part of Lots 21, 29 and 30 of the J. C. Carrington Subdivision of the Southeast Quarter of Section 7 of the Texas Rice Development Company Subdivision relative to the Plat recorded in Volume 17, Page 215 of the Deed Records of Matagorda County, Texas and being the same property described in Correction Warranty Deed dated November 7, 2001 from Eunice Glaros Pappadas to Gold Coast Seafood, Inc., recorded in File No. 018429 of the Official Records of Matagorda County, Texas and also the same property described as 1.06 acres in Exhibit "A" of Deed without Warranties dated November 12, 2002 from Matagorda County Navigation District No. 1 to Gold Coast Seafood, Inc., recorded in File No. 027933 of the Official Records of Matagorda County, Texas; and being more particularly described in Property Exhibit attached hereto.

Reservations from Conveyance:

1. Grantor reserves to Grantor and Grantor's heirs and assigns, all of the interest in the Mineral Estate belonging to Grantor. Grantor does not reserve or retain any implied rights of ingress and egress or of reasonable use of the property (including surface minerals) for mining, drilling, exploring, operating, developing, or removing the oil, gas, and other minerals.

Exceptions to Conveyance and Warranty:

1. Prior reservation of oil, gas and other minerals in deed dated November 7, 2001, from Eunice Glaros Pappadas to Gold Coast Seafood, Inc., recorded in Volume 641, Page 672, Official Records, Matagorda County, Texas;
2. Prior reservation of oil, gas and other minerals in deed dated September 17, 2002, from Union Pacific Railroad Company to Matagorda County Navigation District #1, recorded under Document No. 026483, Official Records, Matagorda County, Texas.

Subject to the following, to the extent and only to the extent, each is valid and in effect at this time:

1. Any condition as shown on Plat dated October 31, 2017 prepared by Henry A. Danysh, RPLS No. 5088;
2. Any valid and outstanding Oil, Gas and Mineral lease; and
3. All Reservations, Restrictions, Covenants, Conditions, Rights-Of-Way, Easements, Building Set-Backs of record, which would be shown by a current survey, or in visible use upon the premises.

Vendor's Lien:

It is expressly agreed and stipulated that the vendor's lien and superior title is retained against the above described property and premises until the above described note, and all interest thereon, is fully paid, according to its face and tenor, effect and reading, at which time this deed shall become absolute; and the vendor's lien and the superior title are hereby transferred, assigned, sold and conveyed to EDUCATION FIRST FEDERAL CREDIT UNION, its successors and assigns, the payee named in said note, without recourse.

As additional security for the payment of the above-described note, the said TAMMY LYNN PEARCY and DANNY RICHARD PEARCY, have executed this day a deed of trust to KEITH BRENEK, Trustee.

Grantor, for the Consideration and subject to the Reservations from and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

GOLD COAST SEAFOOD, INC., a Texas Corporation

By:

James R. Milam, Jr.
James R. Milam, Jr., President

STATE OF TEXAS

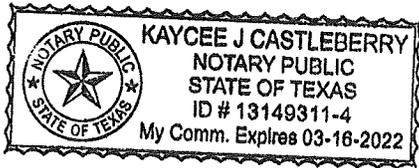
§

COUNTY OF MATAGORDA

§

§

This instrument was acknowledged before me on the 17 day of August, 2018, by James R. Milam, Jr., President of GOLD COAST SEAFOOD, INC., a Texas Corporation.



Kaycee J Castleberry
Notary Public in and for
The State of Texas

After Recording Return to:
Southwest Land & Title
1803 Seventh Street
Bay City, Texas 77414

Prepared by:
LAW OFFICES OF GWIN & GWIN
Lawrence P. Gwin, Jr.
P.O. Box 150
Bay City, Texas 77404-0150
(979) 245-7383

ANNEXATION OR CITY LIMITS EXTENSION

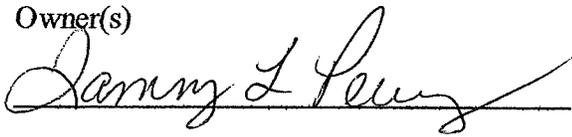
TO THE MAYOR AND GOVERNING BODY OF THE CITY OF PALACIOS, TEXAS.

The undersigned owners of property ID #1796 hereby petition to extend the present city limits so as to include as a part of the City of Palacios, Texas, the property described in property ID #17961.

We hereby certify, that:

WE ARE THE TRUE AND ONLY OWNERS OF THE ABOVE DESCRIBED PROPERTY, as conveyed to us in Deed recorded as Document No. 2018-5043, Official Public Records of Matagorda County.

Owner(s)



Tammy Lynn Percy
176 River Front Drive
Cedar Creek, Texas 78612
Bastrop County



Danny Richard Percy
176 River Front Drive
Cedar Creek, Texas 78612
Bastrop County

409 - 201 - 0864



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 SEPTEMBER 25, 2018

REGULAR COUNCIL MEETING 7PM

CALL TO ORDER – Mayor Smith at 7pm

INVOCATION – Councilmember McGovern

PLEDGE OF ALLEGIANCE – Councilmember Crocker

PLEDGE TO TEXAS FLAG – Councilmember Crocker

PLEDGE TO PALACIOS FLAG – Councilmember Crocker

VISITOR / CITIZEN FORUM

There were no visitor/citizen comments.

ADMINISTRATIVE REPORTS

1. City Manager's Report for August 2018 – City Manager, David Kocurek, discussed his report for August 2018 and introduced our new Building Inspector, Jason Ellison
2. City of Palacios Fall Clean Up is on Saturday, September 29th, 2018, 8am to 1 pm
3. PCMC Annual Box Supper is on Thursday, September 27, 2018 at 5:30 pm at the Recreation Center
4. Neighborhood Night Out is Tuesday, October 2, 2018 from 6-8pm at Railroad Park
5. Palacios Pirate Festival is October 5-6, 2018
6. Harvest Moon Dinner and Dance is Saturday, October 20, 2018 at 6pm at the Recreation Center
7. Public Works spraying for mosquitoes

ITEMS TO BE CONSIDERED

1. Discuss and consider approving a Certificate of Appreciation for Lowe's Market for their support and donations to the City of Palacios during Hurricane Harvey
 Councilmember McGovern motioned to approve a Certificate of appreciation for Lowe's Market for their support and donations to the City of Palacios during Hurricane Harvey

- Councilmember Lewis seconded
 There was no opposition
 With no opposition, the motion carried
2. Proclaim October 7-13, 2018 as Fire Prevention Week
 Mayor Smith proclaimed October 7-13, 2018 as Fire Prevention Week
 3. Review and consider action to approve the Residential Tax Abatement Application from Richard and Angie Pratt for the property located on Lots 64, 64x, 65, 65x in Beachside Subdivision (3133 Bay Ridge Dr., Palacios, Texas)
 Councilmember Crocker motioned to approve the Residential Tax Abatement Application from Richard and Angie Pratt for the property located on Lots 64, 64x, 65, 65x in Beachside Subdivision (3133 Bay Ridge Dr., Palacios, Texas)
 Councilmember Tran seconded
 There was no opposition
 With no opposition, the motion carried
 4. Review and consider action to approve the Residential Tax Abatement Application from Eric Smith for the property located at Lot 118 Beachside (2453 Baypoint Drive, Palacios, Texas)
 Councilmember Tran motioned to approve the Residential Tax Abatement Application from Eric Smith for the property located at Lot 118 Beachside (2453 Baypoint Drive, Palacios, Texas)
 Councilmember McGovern seconded
 There was no opposition
 With no opposition, the motion carried
 5. Review and consider action to approve the Residential Tax Abatement Application from Michael and Anna Weil for the property located at Lot 257 Beachside (3501 Pelican Way, Palacios, Texas)
 Councilmember McGovern motioned to approve the Residential Tax Abatement Application from Michael and Anna Weil for the property located at Lot 257 Beachside (3501 Pelican Way, Palacios, Texas)
 Councilmember Lewis seconded
 There was no opposition
 With no opposition, the motion carried
 6. Discuss and consider action to approve the following consent agenda items:
 Minutes of the September 11, 2018 Regular Council Meeting
 Excuse the absence of Councilmember Johnny Tran from the September 11, 2018 Regular Council Meeting
 Councilmember Erdelt motioned to approve the minutes and excuse the absence of Councilmember Tran from the September 11, 2018 regular Council meeting.
 Councilmember Schulman 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)

1. Discuss possible 380 Agreement to support Point of Destination Attraction with PEDC
2. Update on the Hotel Project

Council to Re-Convene in Open session for Official Action:

ACTION ON EXECUTIVE SESSION:

1. Discuss and consider action about possible 380 Agreement to support Point of Destination Attraction with PEDC
Mayor Smith tabled the Executive Session

ADJOURN

Councilmember Tran motioned to adjourn the meeting at 7:36 pm

Councilmember McGovern seconded

There was no opposition

With no opposition, the motion carried

Glen Smith, Mayor

Clissa Mills, City Secretary