



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

**CITY OF PALACIOS
 CITY COUNCIL REGULAR MEETING AGENDA
 September 24, 2019**

Notice is hereby given of a Regular Council Meeting of the Palacios City Council to be held September 24, 2019, 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 Crocker

PLEDGE OF ALLEGIANCE – Councilmember Schulman

PLEDGE TO TEXAS FLAG – Councilmember Schulman

PLEDGE TO PALACIOS FLAG – Councilmember Schulman

VISITOR / CITIZEN FORUM

PROCLAMATION – NATIONAL NIGHT OUT OCTOBER 1, 2019

ADMINISTRATIVE REPORTS

1. Update on Downtown Revitalization Project
2. City Manager's Report for October 2019
3. PEDC Open House September 25, 2019 from 4-6pm at Palacios Chamber of Commerce
4. Palacios Medical Clinic Box Supper Thursday, September 26, 2019 at 5:30 pm

ITEMS TO BE CONSIDERED

1. Discuss and consider approving the request by the Palacios Economic Development Corporation to expend \$37,500 for the Downtown Revitalization Project to be allocated after the 30 day waiting period from a public hearing date of September 18, 2019.
2. Discuss and consider action to approve the first reading of ORDINANCE 2019-O-9 amending section A2.04.004 of Appendix "A" Article A2.04 "Impoundment" of the Code of Ordinances of the City of Palacios, Texas to change the charges for the impoundment of unlicensed animals; containing a savings clause; repealing inconsistent ordinances; and providing for the effective date thereof.
3. Discuss and consider approving Resolution 2019-R-19 approving an offer of incentives to a residential subdivision developer should it construct a minimum 19+ acre subdivision

4. Discuss and consider action to approve the following consent agenda items:
 - Minutes of the September 10, 2019 Regular Council Meeting
 - Approve the absence of Councilmember Schulman from the September 10, 2019 Regular Council Meeting
 - Minutes of the September 17, 2019 Special Council Meeting
 - Approve the absence of Councilmember Tran and Councilmember Schulman from the September 17, 2019 Special 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

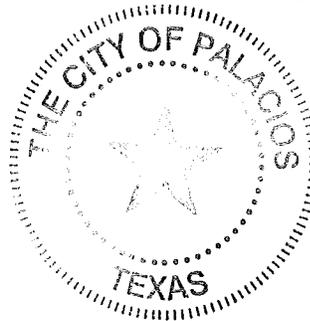
In compliance with the Americans with Disabilities Act, the City of Palacios will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact City Hall, at 361.972.3605.

CERTIFICATION

I certify that a copy of the September 24, 2019 agenda of items to be considered by the City Council was posted on the City Hall bulletin board by 5:00 p.m. on September 20, 2019.

Clissa Mills

Clissa Mills, City Secretary



posted
9/20/19
4:45 pm
CM

NATIONAL NIGHT OUT 2019

WHEREAS, the City of Palacios Police Department will be participating in the nationwide crime, drug and violence prevention program on October 1, 2019, entitled “national Night Out”; and

WHEREAS, the “36th Annual National Night Out” provides an opportunity for the City of Palacios to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the local residents play a vital role in assisting the Palacios Police Department through joint crime, drug and violence prevention efforts in the City of Palacios and is supporting “National Night Out 2019” locally; and

WHEREAS, it is essential that all citizens of Palacios be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs, and violence in Palacios; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” program.

NOW, THEREFORE, I Glen Smith, Mayor of the City of Palacios, do hereby call upon all residents of the City of Palacios to participate in “National Night Out” on Tuesday, October 1, 2019.

Glen Smith, Mayor

City Manager's
MONTHLY REPORT
August 2019

HURICANE HARVEY

- Closing out FEMA damage projects
- Grantworks and the City completed surveying the community for Harvey CDBG-DR project applications for the City.
- GrantWorks submitted application for drainage and street improvements to GLO for Harvey CDBG-DR funds.

ADMINISTRATION

- Contractor 100% complete on the IKE CDBG-DR grant to rehabilitate Lift Stations.
- Submitted application to GLO to fund the match for generators through CDBG-DR Program.
- TxDOT Aviation Department for Palacios Airport Improvements Grant to repair Runway 13-31, taxiways, and terminal apron; TxDOT Aviation division is advertising for bids. Bids to be opened September 16th. Held Pre-bid meeting on September 5th.
- Working with H-GAC to submit a grant for the Recycle Center.
- Construction has begun on the sidewalk project utilizing the Downtown Revitalization Grant from Texas Department of Agriculture.
- Ordered generator for City Hall utilizing the Rebuild Texas Grant funds.

PUBLIC WORKS

- Work Orders Completed: 15 water leaks, 24 animal calls, 3 sewer stoppage calls, 30 miscellaneous work orders, 110 completed work orders; cleaned ditches, resetting culverts and cleaning out existing culverts; repaired potholes.
- Completed sewer line extension for 1016 Humphrey.
- Mowed RR Park and other city properties, water plants, and 14 lift stations.
- Working on the demo of the building on 1st and Welch; owner providing the roll-offs and dumping fees.

AIRPORT

- Mowed and sprayed around buildings, runways, and hangers
- Submitting documents for 50/50 Ramp Grant up to \$40,000 for Maintenance projects at the Airport.

POLICE

- Calls for Service 613
- Citations 122 Warnings 130 issued, and 21 arrests
- Cases Assigned 29, Cases Closed 14
- Traffic accidents 5

FIRE

- Fire Department continues to search for additional grants for new Fire Station.
- Contractor is completed the pouring the foundation and started erecting the building for the Fire Station.

BUILDING PERMITS AND CODE ENFORCEMENT

- Permits - New construction 1, Remodel 6, Electrical 10, Plumbing 2, Mechanical 3, Gas 0, Roofing 1, Leveling 1, Demo 0, Driveway 0, Misc. permits 3, Plan Reviews, & Consultations, and Inspections 40.
- Code Enforcement – Contacts 7, Letters 2, door hangers 1 and working 2 complaints and dilapidated homes for future demolition.

ORDINANCE NO. 2019-O- 9

AN ORDINANCE AMENDING SECTION A2.04.004 OF APPENDIX “A” ARTICLE A2.04 “IMPOUNDMENT”, OF THE CODE OF ORDINANCES OF THE CITY OF PALACIOS, TEXAS TO CHANGE THE CHARGES FOR THE IMPOUNDMENT OF UNLICENSED ANIMALS; CONTAINING A SAVINGS CLAUSE; REPEALING INCONSISTENT ORDINANCES; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the City Administration has determined that the current charges by the City of Palacios for the impoundment of unlicensed animals found within the City of Palacios needs to be adjusted so that the City can recover the costs charged by veterinarians for vaccinating animals held by the City; and

WHEREAS, the City incurred cost for vaccinations has increased as the veterinarians have increased their charges; and

WHEREAS, the City Council of the City of Palacios has determined the requested new charges are reasonable and that approving the new charges will better preserve the health, safety and welfare of the citizens of Palacios; NOW THEREFORE,

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

SECTION 1: That Section A2.04.004, Disposition of impounded animals of Appendix “A” of the Code of Ordinances of the City of Palacios, Texas is hereby amended to read as follows:

Article A2.04 Impoundment

Sec. A2.04.004 Disposition of impounded animals

(b) Impound fee for licensed impounded animal: \$20.00 and \$5.00 per day for each day or portion of day. Impounded fee for second and subsequent impoundment: \$30.00.

(c) Impound fee for unlicensed impounded animal: \$40.00 and \$5.00 per day board fee for each day, plus a city tag fee of \$5.00 and reimbursement to the City of the cost incurred by the City in vaccinating the animal. Impound fee for second and subsequent impoundment: \$60.00.

SECTION 2: If any provisions, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and to this end all provisions of this ordinance are declared to be severable.

SECTION 3: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 4: This Ordinance shall become effective after its approval and adoption upon second and final reading.

PASSED AND APPROVED on first reading this 24th day of September, 2019.

PASSED, APPROVED AND ADOPTED on second and final reading
this _____ day of _____, 2019.

CITY OF PALACIOS, TEXAS

GLEN SMITH, Mayor

ATTEST:

CLISSA MILLS, City Secretary

APPROVED AS TO FORM:

RANDALL B. STRONG

RESOLUTION NO. 2019-R-19

**APPROVING AN OFFER OF INCENTIVES TO A RESIDENTIAL
SUBDIVISION DEVELOPER SHOULD IT CONSTRUCT A
MINIMUM 19+ ACRE SUBDIVISION**

WHEREAS, the City of Palacios, Texas (the "**City**") is a duly created political subdivision of the State of Texas (the "**State**") operating as a home-rule municipality pursuant to the laws of the State and its City Charter; and

WHEREAS, the City of Palacios desires a Residential Developer ("**Developer**") to develop a viable Residential Subdivision ("**Development**"), including all utilities, including, but not limited to, underground electricity, water, sewer and natural gas, and provide for drainage and roads to City's specifications; and

WHEREAS, Developer agrees to invest a minimum of One Million Dollars (\$1,000,000.00) in a minimum of Twenty (19+) acres of land and infrastructure needed to construct a Development;

WHEREAS, Developer agrees to put in all the needed public infrastructure for the Development as described above, at its own cost and expense;

WHEREAS, Developer agrees to satisfy and comply with the terms and conditions of this Agreement in exchange for and as consideration for economic development incentives from the City in the form of a rebate of ad valorem real property taxes paid to the City in the Development that shall be memorialized in an economic development agreement to be agreed upon between the parties;

WHEREAS, the City agrees that these provisions substantially advance a legitimate interest of the City by expanding the tax base of the City, creating new housing units with accompanying installed infrastructure, increasing employment, and stimulating local economic development; and

WHEREAS, the City Council of the City agrees to authorize the City to make certain economic incentives that will be set forth in an economic development agreement between Developer and City in recognition of the positive economic benefits which will accrue to the City through the Developer's efforts to develop certain real property located in Palacios, Matagorda County, Texas as a Development; and

WHEREAS, the City believes this development of a residential subdivision will contribute to the economic development of the City by generating sales taxes, ad valorem taxes, and employment, which will help stimulate the overall local economy; and

WHEREAS, the City anticipates that the Development would provide substantial economic benefits that will directly benefit Palacios, Matagorda County and their citizens and existing businesses and is in line with the City's vision and goals set forth by the Mayor, Council, and staff; and

WHEREAS, various costs of infrastructure for the Development present a significant barrier to Developer's investment in the Development; and

WHEREAS, the City can provide financial assistance to help lessen the costs to the Developer of the infrastructure costs.

NOW, THEREFORE, in consideration of the foregoing, be it resolved by the City:

RESOLVED, that should the Developer commit to a one million dollar (\$1,000,000) investment for a Development within the 24 months following the date of this Resolution, the CITY shall enter into a 380 Agreement with the Developer as mutually agreed upon by the parties; and

RESOLVED, the City shall develop and enter into a Chapter 380 Agreement as mutually agreed with Developer within 60 days of the commitment by Developer and as part of the Chapter 380 Agreement, shall agree to refund up to 75% of the City's portion of the amount of increase property taxes directly attributable to the Development, incurred by Developer; and

RESOLVED, that the City's Chapter 380 Agreement a term of a Maximum of twenty-five (25) years commencing one year after the effective of the executed 380 agreement.

PASSED AND APPROVED this ___th day of **SEPTEMBER, 2019**.

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY



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

**CITY OF PALACIOS
 CITY COUNCIL REGULAR MEETING MINUTES
 September 10, 2019**

REGULAR COUNCIL MEETING 7PM

CALL TO ORDER – Mayor Glen Smith at 7:00 pm
INVOCATION – Councilmember Dodd
PLEDGE OF ALLEGIANCE – Councilmember Tran
PLEDGE TO TEXAS FLAG – Councilmember Tran
PLEDGE TO PALACIOS FLAG – Councilmember Tran

VISITOR / CITIZEN FORUM

1. Patricia Loving thanked Councilmember Lewis for his participation at the rural health program presented by the Palacios Wellness Council at the Pavilion. She suggested that a community celebration be held when the downtown sidewalk project is completed. Patricia invited everyone to National Night Out on October 2, 2019 at Railroad Park.
2. Chip Woolf discussed the budget and tax rate.

ADMINISTRATIVE REPORTS

1. Update on Downtown Revitalization Project – David Kocurek updated Council that the project should be completed by the end of this year.
2. FEMA Proposed Flood Hazard Map – No changes for Palacios
3. Bayfest is September 1, 2019 – Chamber fundraiser that provides scholarships for Seniors

ITEMS TO BE CONSIDERED

1. Discuss and consider action to approve Ordinance 2019-O-6 adopting the City of Palacios Budget for Fiscal Year 2019-2020.
 Councilmember Crocker motioned to approve Ordinance 2019-O-6
 Councilmember Lewis seconded
 There was no opposition
 With no opposition, the motion carried
2. Discuss and consider action to ratify the proposed property tax rate as reflected in the City of Palacios Budget for Fiscal Year 2019-2020.
 Councilmember McGovern motioned to ratify the proposed property tax rate as reflected in the City of Palacios Budget for Fiscal Year 2019-2020.

- Councilmember Dodd seconded
 There was no opposition
 With no opposition, the motion carried
3. Discuss and consider action to approve Ordinance 2019-O-7 adopting the Ad Valorem Tax Rate for 2019-2020.
 Councilmember Tran motioned to approved Ordinance 2019-O-7
 Mayor Smith seconded
 There was no opposition
 With no opposition, the motion carried
4. Discuss and consider awarding a bid to McKesson for hospital equipment for Palacios Medical Center.
 Councilmember Tran motioned to award a bid to McKesson for hospital equipment for Palacios Medical Center
 Councilmember McGovern seconded
 There was no opposition
 With no opposition, the motion carried
5. Discuss and consider rejecting the bid for an Ultrasound Unit for Palacios Medical Center from Imaging Associates.
 Councilmember McGovern motioned to reject the bid for an Ultrasound Unit for Palacios Medical Center from Imaging Associates
 Councilmember Lewis seconded
 There was no opposition
 With no opposition, the motion carried
6. Discuss and consider approving the advertising for new bids for an Ultrasound Unit for Palacios Medical Center.
 Councilmember Tran motioned to approve the advertising for new bids for an Ultrasound Unit for Palacios Medical Center.
 Councilmember McGovern seconded
 There was no opposition
 With no opposition, the motion carried
7. Discuss and consider approving the Application for a Residential Tax Abatement from Sammy Tomczyszyn for the property located at 3445 Palm Coast Lane, Palacios, Texas (Beachside Lot 254)
 Councilmember Crocker motioned to approve the Application for a Residential Tax Abatement from Sammy Tomczyszyn for the property located at 3445 Palm Coast Lane, Palacios, Texas (Beachside Lot 254)
 Councilmember Dodd seconded
 There was no opposition
 With no opposition, the motion carried
8. Discuss and consider action to approve the following consent agenda items:
 Minutes of the August 27, 2019 Regular Council Meeting
 Approve the absence of Councilmember Stephen McGovern from the August 27, 2019 Regular Council Meeting
 Minutes of the September 3, 2019 Special Council Meeting
 Approve the absence of Mayor Glen Smith from the September 3, 2019 Special Council Meeting
 Councilmember Tran motioned to approve the minutes of the August 27, 2019 council meeting and the absence of Councilmember McGovern from the August 27, 2019 regular council meeting, and the minutes of the September 3, 2019 Special Council meeting and

the absence of Mayor Smith from the September 3, 2019 Special Council meeting
Councilmember Crocker seconded
There was no opposition
With no opposition, the motion carried

EXECUTIVE SESSION – Council adjourned for Executive Session at 7:25 pm

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) – Discuss the duties and performance of the Municipal Court
Judge and the possible renewal of the Judge’s term of office
Deliberation regarding security devices (551.076)
Discuss economic development negotiations (551.087) - Mike Ferdinand to discuss economic
development project

Council reconvened from Executive Session at 8:20 pm

ACTION ON EXECUTIVE SESSION

1. Council discussed and considered the duties and performance of the Municipal Court Judge and possible renewal of the Judge’s term of office

ADJOURN

Councilmember Dodd motioned to adjourn the meeting at 8:21 pm
Councilmember Crocker seconded
There was no opposition
With no opposition, the motion carried

Glen Smith, Mayor

Clissa Mills, City Secretary



GLEN SMITH – Mayor
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 TROY LEWIS – Councilmember Place 4
 WAYNE DODD – Councilmember Place 5
 STEPHEN MCGOVERN – Councilmember Place 6

**CITY OF PALACIOS
 CITY COUNCIL SPECIAL MEETING MINUTES
 September 17, 2019**

SPECIAL COUNCIL MEETING 7PM

CALL TO ORDER – Mayor Smith at 7 pm
INVOCATION – Councilmember McGovern
PLEDGE OF ALLEGIANCE – Councilmember Lewis
PLEDGE TO TEXAS FLAG – Councilmember Lewis
PLEDGE TO PALACIOS FLAG – Councilmember Lewis

VISITOR / CITIZEN FORUM

There were no comments.

ITEMS TO BE CONSIDERED

1. Discuss and consider action to approve Ordinance 2019-O-8 repealing Ordinance 2019-O-7 and adopting the Ad Valorem Tax Rate for 2019-2020

Votes on Ordinance 2019-O-8

Mayor Smith – aye

Councilmember Tran – absent

Councilmember Schulman – absent

Councilmember Crocker – aye

Councilmember Lewis – aye

Councilmember Dodd – aye

Councilmember McGovern - aye

Mayor Smith motioned to approve Ordinance 2019-O-8

Councilmember McGovern seconded

There was no opposition

With no opposition, the motion was carried

EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, (Open Meetings Law) the Council
May go into Executive (closed) session in order to:

Consult with its attorney (551.071)

Discuss Real Estate transaction (551.072)

Deliberation regarding prospective gifts or donation (551.073)

Discuss personnel matters (551.074)

Deliberation regarding security devices (551.076)

Discuss economic development negotiations (551.087)

ADJOURN

Councilmember McGovern motioned to adjourn the meeting at 7:04 pm

Councilmember Lewis seconded

There was no opposition

With no opposition, the motion carried

Glen Smith, Mayor

Clissa Mills, City Secretary