



- 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
December 10, 2019**

Notice is hereby given of a Regular Council Meeting of the Palacios City Council to be held at 7pm on December 10, 2019, in the Council Chambers of City Hall, 311 Henderson Avenue, Palacios, TX, for the purpose of considering the following items:

RETIREMENT RECEPTION FOR JUDGE CHAU AT 6PM

Please join us for a retirement reception honoring Judge Chau at 6 pm.

REGULAR COUNCIL MEETING

CALL TO ORDER

INVOCATION – Councilmember Dodd

PLEDGE OF ALLEGIANCE – Councilmember Tran

PLEDGE TO TEXAS FLAG – Councilmember Tran

PLEDGE TO PALACIOS FLAG – Councilmember Tran

VISITOR / CITIZEN FORUM

ADMINISTRATIVE REPORTS

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

ITEMS TO BE CONSIDERED

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

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

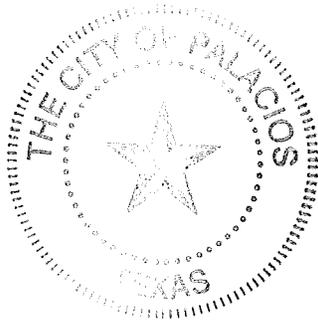
In compliance with the Americans with Disabilities Act, the City of Palacios will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact City Hall, at 361.972.3605.

CERTIFICATION

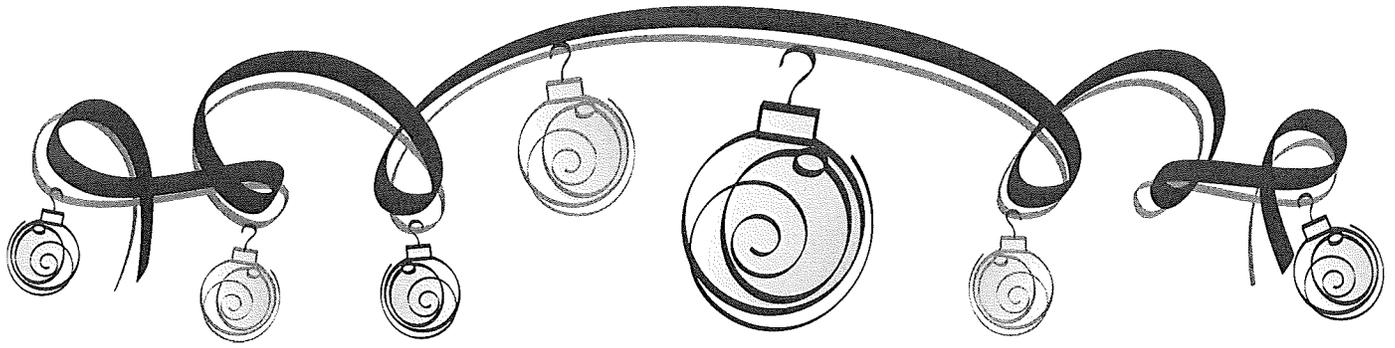
I certify that a copy of the December 10, 2019 agenda of items to be considered by the City Council was posted on the City Hall bulletin board by 5:00 p.m. on December 6, 2019.

Clissa Mills

Clissa Mills, City Secretary



*posted
3pm
12/6/19
cm*



CITY OF PALACIOS
Cordially Invites You to Our

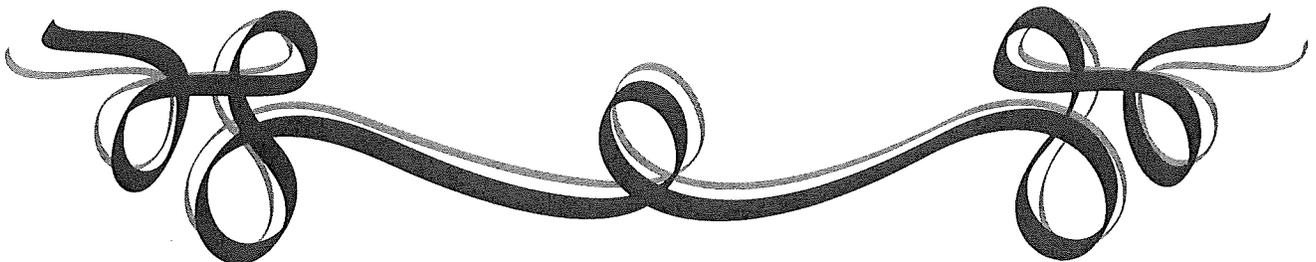
CHRISTMAS PARTY

Friday, December 13, 2019
6:00 p.m. to 11:00 p.m.

Palacios Pavilion
693 South Bay Blvd.
Palacios, Texas

*If you would like to participate in the gift exchange (\$20 limit)
Please contact Tammy McDonald at 361-972-3605
Or tmcdonald@cityofpalacios.org*

BYOB



City Manager's
MONTHLY REPORT
November 2019

HURICANE HARVEY

- GrantWorks submitted application for drainage and street improvements to GLO for Harvey CDBG-DR funds. Waiting on the GLO to review and approve grant.

ADMINISTRATION

- Contractor 90% complete on the IKE CDBG-DR grant for improvements to the WWTP.
- TxDOT Aviation Department for Palacios Airport Improvements Grant to repair Runway 13-31, taxiways, and terminal apron; TxDOT Aviation division is rebidding the project in January.
- Construction is 98% complete on the sidewalk project utilizing the Downtown Revitalization Grant from Texas Department of Agriculture. Lamp posts and handrails to be installed.
- Generator Installation for City Hall is complete utilizing the Rebuild Texas Grant funds.

PUBLIC WORKS

- Work Orders Completed: 3 water leaks, 16 animal calls, 0 sewer stoppage calls, 40 miscellaneous work orders, 74 completed work orders; cleaned ditches, resetting culverts and cleaning out existing culverts; repaired potholes.
- Mowed RR Park and other city properties, water plants, and 14 lift stations.

AIRPORT

- Mowed and sprayed around buildings, runways, and hangers
- 50/50 Ramp Grant up to \$40,000 for Maintenance projects at the Airport has been approved by TxDOT Aviation Division.

POLICE

- Calls for Service 501
- Citations 97 Warnings 80 issued, and 13 arrests
- Cases Assigned 6, Cases Closed 95
- Traffic accidents 4

FIRE

- The new Fire Station is 90% complete.

BUILDING PERMITS AND CODE ENFORCEMENT

- Permits - New construction 1, Remodel 5, Electrical 8, Plumbing 3, Mechanical 4, Gas 0, Roof 0, Leveling 1, Demo 1, Driveway 1, Misc. permits 3, Plan Reviews, & Consultations, and Inspections 25.
- Code Enforcement – Contacts 5, Letters 3, door hangers 2 and performed 8 Manufacture Home/ RV Parks annual inspections.

**City of Palacios
Planning and Zoning Commission
Annual Report
FY 2019
Oct. 2018 – Sept. 2019**

This report is submitted in accordance with City Charter Section 10.03 and with City Ordinance Section 12.700 (10) to submit “an annual progress report to the City Council summarizing its activities, major accomplishments for the prior year, and a proposed work program for the coming year. This report shall contain for the year the attendance record of all members and identify commission officers”.

The Revised City Charter approved May 2018 provides for an annual report to be submitted to Council.

Commission Membership: Home Rule Charter Section 10.01 states the City Council appoints “a City Planning Commission consisting of five (5) members who shall be residents of the City”. “The City Manager shall be an ex-officio member of the Commission and shall be responsible for ensuring that minutes of meetings are recorded and maintained”.

At the start of the fiscal year, the five Commissioners were: Chair: Robert Garrett, Vice-Chair Patricia Loving, and Members: Leonard Lamar, Wayne Dodd, and Judy Chavez. City Manager David Kocurek, ex-officio member

At the end of the fiscal year, two Commissioners remained: Chair: Robert Garrett and Vice-Chair Patricia Loving and Troy Lewis as City Council liaison.

Vacancies: This remains an ongoing issue for the Commission. The City has placed ads in the newspaper and Commission members have contacted various residents without positive results.

Commission Meetings:

October 3, 2018: Members in attendance: Robert Garrett, Patricia Loving, Wayne Dodd. Staff: David Kocurek, Clissa Mills

March 4, 2019: Members in attendance: Robert Garrett, Patricia Loving, Wayne Dodd. City Council liaison Troy Lewis. Staff: David Kocurek, Clissa Mills, Peggy Georgi.

April 22, 2019 Members in attendance: Patricia Loving, Wayne Dodd, Judith Chavez. Staff: David Kocurek, Clissa Mills

Accomplishments:

1. First meeting of the fiscal year: reviewed duties and responsibilities; determined annual priorities;
2. Approved all meeting minutes.
3. Held Public Hearing on rezoning of property located at 1210 Mosier Drive from AG to WF-3.
4. Recommend City Council approve rezoning of property located at 1210 Mosier Drive from AG to WF-3 for a proposed 60 site RV park.
5. Recommended City Council approve the replat of Rauch addition, Lot 4 & 5.
6. Recommended City Council approve the final replat of Cruz subdivision contingent on property being cleaned up and filing fee paid.
7. Commission discussed reviewing subdivision ordinance to require plans meet state requirements.

Commission/Staff Partnership:

In FY 2019 the Commission continued to work with city staff to ensure our City Ordinances, under which they work, meet all federal, state, and local requirements; as well as, enhance their ability to perform their daily activities

in an efficient and effective manner. The Commission thanks David Kocurek, Clissa Mills, and Peggy Georgi for their hard work this past year.

FY 2020 Plans: The Commission will continue to work on: increasing Commission membership in order to have an active Commission; review and revision of the 2009 City Planning document; review and revision of ordinances for approval by City Council; and present proposed annexed properties to City Council for approval.

Powers and Duties of the Commission

Home Rule Charter Section 10.04

“The Planning Commission shall: (a) be responsible to and act as an advisory board to the City Council. (b) approve, amend, extend, and add to a master plan for the physical development of the City, subject to approval of the City Council; (c) review and approve all plats for new subdivisions of land within the City and within adjacent areas as permitted by law and submit findings and recommendations to the City Council for City Council review and approval; and (d) perform such other duties and be vested with such other powers as the City Council may prescribe or as imposed upon the Commission by State Law”

City of Palacios Ordinance Section 12.700

- (1) Inspect property and premises at reasonable hours where required in the discharge of its responsibilities under the laws of the State of Texas and of the City.
- (2) Recommend to the City Council approval or disapproval of proposed changes in the zoning plan.
- (3) Formulate and recommend to the City Council, for its adoption, a comprehensive plan for the orderly growth and development of the City and its environs and from time-to-time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the City.
- (4) Formulate a zoning plan as may be deemed best to carry out the goals of the City Plan; hold public hearings and make recommendations to the City Council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in Chapter 211, Section 211.007 of the Local Government Code of the State of Texas. All powers granted under said Section are specifically adopted and made a part hereof[.]
- (5) Exercise all the powers of a Commission as to approval or disapproval of plans, plats, or replats set out in Chapter 212, Section 212.006 of the Local Government Code of the State of Texas.
- (6) Study and recommend the location, extension and planning of public rights-of-way, parks or other public places, and on the vacating or closing of same.
- (7) Study and recommend on the general design and location of public buildings, bridges, viaducts, street fixtures and other structures appurtenances. Study and recommend on the design or alteration and on the location or relocation of works of art which are, or may become, the property of the City.
- (8) Initiate in the name of the City, for consideration at public hearing, all proposals: (a) for the opening, vacating or closing of public rights-of-way, parks or other public places; or closing of public rights-of-way, parks or other public places; (b) for the change of zoning district boundaries on an area-wide basis. No fee shall be required for the filing of any such proposal in the name of the City.
- (9) Formulate and recommend to the City Council for its adoption policies and regulations consistent with the adopted City Plan governing the location and/or operation of utilities, public facilities, and services owned or under the control of the City.
- (10) The Planning and Zoning Commission shall submit at a time determined by City Council, an annual progress report to the City Council summarizing its activities, major accomplishments for the prior year, and a proposed work program for the coming year. The report shall contain for the year the attendance record of all members and identity of commission officers.

**NOTICE OF DEADLINE TO FILE APPLICATIONS FOR
PLACE ON THE BALLOT**
*(AVISO DE FECHA LÍMITE PARA PRESENTAR SOLICITUDES PARA
UN LUGAR EN LA BOLETA)*

Notice is hereby given that applications for a place on the City of Palacios Regular Election ballot may be filed during the following time:

(Se da aviso por la presente que las solicitudes para un lugar en la boleta Elección Regular de Ciudad de Palacios se pueden presentar durante el siguiente horario:)

Filing Dates and Times:

(Fechas y Horario para Entregar Solicitudes)

Start Date: January 15, 2020

(Fecha Inicio): 15 de Enero 2020

End Date: February 14, 2020

(Fecha Limite): 14 de Febrero 2020

Office Hours: 8:30 a.m. to 12:00 p.m. and 1:00 p.m. to 4:30 p.m. Monday through Friday

Except Friday, February 14, 2020 when the office will be open until 5:00 p.m.

(Horario de la Oficina: 8:30 de la mañana hasta las 12:00 continuamos a la 1:00 de la tarde hasta las 4:30 de la tarde Lunes a Viernes)

(Con la excepción de Viernes día 14 de Febrero vamos a cerrar a las 5:00 de la tarde)

Physical address for filing applications in person for place on the ballot:

(Dirección física para presentar las solicitudes en persona para un lugar en la boleta)

Clissa Mills, City Secretary
City of Palacios, Texas
311 Henderson Avenue
Palacios, Texas 77465

Clissa Mills, *La Secretaria de la Ciudad*
La Ciudad de Palacios, Tejas
311 Henderson Avenue
Palacios, Texas 77465

Address to mail applications for place on the ballot (if filing by mail):

(Dirección a donde enviar las solicitudes para un lugar en la boleta (en caso de presentar por correo))

City Secretary
City of Palacios, Texas
PO Box 845
Palacios, Texas 77465

Secretaria de la Ciudad
La Ciudad de Palacios, Tejas
PO Box 845
Palacios, Texas 77465

Clissa Mills

Printed Name of Filing Officer

(Nombre Impreso del Oficial de Archivos)

Signature of Filing Officer

(Firma del Oficial de Archivos)

Date Posted

(Fecha archivada)



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 JOHNNY TRAN – Councilmember Place 1
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 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
 November 12, 2019**

REGULAR COUNCIL MEETING 7PM

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

VISITOR / CITIZEN FORUM

1. Jennifer Chau updated Council on the Lucky Strykes Mayoral Dog Race Fundraiser.
2. Robert Piscasio stated that he is opposed to the acceptance of the bid from Matagorda County Hospital District for the purchase of property owned by the City of Palacios located at 312 Main Street, Palacios and requested the item to be tabled.
3. Judge Chau announced his retirement as of December 31, 2019.
4. Chip Woolf suggested that Council proceed with caution on a 380 agreement between the City of Palacios and SAL Holdings, LLC.

PROCLAMATION – Proclaim January 2020 as School Board Recognition Month

ADMINISTRATIVE REPORTS

1. Update on Downtown Revitalization Project – City Manager David Kocurek updated Council on the project stating that touch up work, lights, and handrails should be complete before Christmas.
2. Thanksgiving Lunch at City Hall November 14th at Noon
3. Seaside Holiday is Saturday December 7th, 2019
4. Christmas Party Friday December 13th at 6pm at the Pavilion
5. Update on Fire Station – Mike Hooper updated Council on the project stating that it is 95% complete and should finish below budget.

ITEMS TO BE CONSIDERED

1. Discuss and consider award of hospital equipment contract for base bid and alternate for contract CEF #7218250 to Imaging Associates in the amount of \$98,000.00
Councilmember McGovern motioned to award the contract to Imaging Associates in the amount of \$98,000.00
Councilmember Lewis seconded
There was no opposition
With no opposition, the motion carried
2. Discuss and consider accepting the bid of Matagorda County Hospital District for the purchase of property owned by the City of Palacios located at 312 Main Street, Palacios, Texas
Councilmember Schulman motioned to accept the bid from Matagorda County Hospital District for the purchase of 312 Main Street, Palacios, Texas
Councilmember Crocker seconded
Mayor Glen Smith abstained from voting
Councilmember Tran – absent
AYE – 4
NAY – 1
The motion carried
3. Discuss and consider award of construction contract for base bid and alternate for contract 7218351 Water Improvements Grant to Mercer Construction in the amount of \$268,482.00
Mayor Glen Smith motion to award a construction contract to Mercer Construction in the amount of \$268,482.00
Councilmember McGovern seconded
There was no opposition
With no opposition, the motion carried
4. Discuss and consider action to approve Resolution 2019-R-17 to dissolve the City of Palacios Bingo Tax Fee paid to the City of Palacios
Councilmember McGovern motion to approve Resolution 2019-R-17
Councilmember Crocker seconded
There was no opposition
With no opposition, the motion carried
5. Discuss and consider action to approve Resolution 2019-R-21 nominating John Connor to serve on the Matagorda County Appraisal District's Board of Directors for the 2020/2021 term.
Councilmember Dodd motion to approve Resolution 2019-R-21
Councilmember Lewis seconded
There was no opposition
With no opposition, the motion carried
6. Discuss and consider approving a Chapter 380 Economic Development agreement between the City of Palacios and SAL Holdings, LLC
Councilmember McGovern motioned to approve a Chapter 380 agreement between the City of Palacios and SAL Holdings, LLC
Councilmember Dodd seconded
Councilmember Tran – absent
AYE – 4
NAY – 2
The motion carried

7. Discuss and consider approving the use of Govdeals.com for the City of Palacios online auctions for surplus property such as vehicles, furniture, etc
Councilmember McGovern motioned to approve the use of Govdeals.com for the City of Palacios online auctions for surplus property
Councilmember Lewis seconded
There was no opposition
With no opposition, the motion carried
8. Discuss and consider cancelling the November 26, 2019 Regular Council Meeting.
Mayor Glen Smith motioned to cancel the November 25, 2019 Regular Council Meeting
Councilmember Dodd seconded
There was no opposition
With no opposition, the motion carried
9. Discuss and consider cancelling the December 24, 2019 Regular Council Meeting.
Councilmember Crocker motioned to cancel the December 24, 2019 Regular Council Meeting
Councilmember McGovern seconded
There was no opposition
With no opposition, the motion carried
10. Discuss and consider action to approve the following consent agenda items:
Minutes of the October 22, 2019 Regular Council Meeting
Approve the absence of Mayor Glen Smith from the October 22, 2019 Regular Council Meeting
Councilmember Lewis motioned to approve the consent agenda items
Councilmember Crocker seconded
There was no opposition
With no opposition, the motion carried

EXECUTIVE SESSION - Council adjourned for Executive Session at 7:41pm

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)

1. Discuss City Manager's Compensation

2. Municipal Court Associate Judge

Deliberation regarding security devices (551.076)

Discuss economic development negotiations (551.087)

Council reconvened from executive session at 7:59 pm

ACTION ON EXECUTIVE SESSION:

1. Discuss and make a recommendation regarding City Manager's Compensation
Councilmember Crocker motioned to increase the City Manager's compensation by 3%
Councilmember Lewis seconded
There was no opposition
With no opposition, the motion carried

2. Appointment of Associate Municipal Judge for a 2 year term.
Councilmember McGovern motioned to appoint Robert Garrett as Associate Municipal Judge for a 2 year term
Councilmember Dodd seconded
There was no opposition
With no opposition, the motion carried

ADJOURN

Councilmember Dodd motioned to adjourn the meeting at 8:01 pm
Councilmember Lewis seconded
There was no opposition
With no opposition, the motion carried

Glen Smith, Mayor

Clissa Mills, City Secretary