

**CITY OF PALACIOS
CITY COUNCIL MEETING**

AGENDA

**THURSDAY, JULY 14, 2022
6:00PM ~ REGULAR MEETING**

**City of Palacios Council Chambers
311 Henderson
Palacios, Texas 77465**

**CALL TO ORDER ~ Mayor Gardner
CERTIFICATON OF QUORUM ~ Mayor Gardner
INVOCATION ~ Councilmember Woolf
PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG
PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG
PLEDGE OF ALLEGIANCE TO THE PALACIOS FLAG**

NOTICE:

The City Council may, for its convenience or the convenience of City Staff or persons in attendance, modify the order in which the City Council considers items on the agenda.

VISITOR / CITIZEN FORUM

This time is set aside for anyone who wishes to address the City Council. Each person should fill out the speaker's register before the meeting. Presentations should be limited to no more than 3 minutes.

All remarks shall be addressed to the Council as a body and not to any individual member person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.

Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual data given in response to any inquiry, a recitation of existing policy in response to an inquiry, and a proposal to place the item on a future agenda. During the Visitor/Guest Forum portion of the agenda, the presiding officer will call on those persons who have signed up to speak in the order they have registered.

PROCLAMATION

1. Designation of July as Park and Recreation Month

PRESENTATION ONLY

2. Tax Increment Reinvestment Zones (TIRZ) Presentation – DC Dunham, Planning & Zoning Committee Chairperson
3. Grant Update – Mei Alston

4. Palacios Swimming Pool / YMCA Update. Cynthia Raleigh, City Manager
5. City Manager's Report, Recognition, and Announcements. Cynthia Raleigh, City Manager

CONSENT AGENDA ITEMS ~ OLD BUSINESS

Discuss, consider and/or take possible action on the following consent agenda items:

6. Ratify Pool Agreement with YMCA.
7. MINUTES – June 23, 2022 – Regular City Council Meeting.
8. MINUTES – June 16, 2022 – Budget Workshop Meeting.

DISCUSSION AND ACTION ITEMS ~ NEW BUSINESS

9. **Municipal Operations Consultants, Inc.** ~ Discussion and possible action granting permission to the City Manager to negotiate an agreement with Municipal Operations Inc. for contracted activities to improve the financial impact of the Utility Department.
10. **Street Assessment Project** ~ Discuss, consider, and/or approve engineering services with Urban Engineering for a Street Assessment Project. Cynthia Raleigh
11. **ORDINANCE #2022-O-09** ~ Discuss, consider, and/or act on an ordinance amending current solid waste fees. **FIRST READING.** Cynthia Raleigh, City Manager
12. **ORDINANCE #2022-O-10** ~ Discuss, consider and/or act on an ordinance setting the processing fee for electronic payments at the City of Palacios, Texas. **FIRST READING.** Cynthia Raleigh, City Manager
13. **Lease Agreement with Friends of Elder Citizen's, Inc., 705 Commerce St.** ~ Discuss, consider, and/or act on a Lease Agreement with Friends of the Elder Citizen's Inc. Cynthia Raleigh, City Manager
14. **Lease Agreement with Simple Simon's Pizza, 309 Henderson Ave.** ~ Discuss, consider, and/or act on a Lease Agreement with Simple Simon's Pizza. Cynthia Raleigh, City Manager
15. **Lease Agreement with Subway Restaurant, 307 Henderson Ave.** ~ Discuss, consider, and/or act on a Lease Agreement with Subway Restaurant. Cynthia Raleigh, City Manager
16. **Community Development Block Grant** ~ Discuss, consider, and/or approve authorizing procurement of administrative and engineering services for the Community Development Block Grant Regional COG Method of Distribution (CDBG COG MOD) administered

through the Texas General Land Office (GLO) for the City of Palacios, Texas. Tammy McDonald, Finance Manager

17. **RFP and RFQ for the Texas Community Development Block Grant Program ~**
Discuss, consider, and / or approve the City of Palacios' authorization to issue requests for proposals for administrative services (RFP) and requests for qualifications (RFQ) for the Texas Community Development Block Grant Program funds administered by the Texas Department of Agriculture. Tammy McDonald, Finance Manager

CLOSED / EXECUTIVE SESSION

All items in this section may be considered Action Items and the City Council may take action on any item listed in this section without further notice.

18. Texas Government Code, § 551.072, deliberate the purchase, exchange, lease, or value of real property if deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
19. Texas Government Code, § 551.071, the council will go into Executive Session pursuant to Texas Government Code §551.071(1) to discuss pending litigation styled Cause No. 22-F-0245, in the 130th Judicial District Court of Matagorda County, Texas, Joseph Monk and Mark Rusk, Contestants v. James L. Gardner as Mayor and City of Palacios, Contestees.
20. Texas Government Code, § 551.087, deliberation regarding Economic Development Negotiations.
21. Texas Government Code, § 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; PEDC Board of Directors; Cynthia Raleigh, City Manager; Tobie Bias, Police Chief; David Holubec, City Secretary; Tammy McDonald, Finance Manager; and Robert Garrett, Municipal Court Judge.

RECONVENE TO OPEN / REGULAR SESSION

22. City Council shall reconvene in Open Session and may discuss, consider, and take possible action on any item listed above that was considered and discussed in Executive/Closed Session (If necessary).

ADJOURNMENT

AGENDA NOTICES:

Action by Council Authorized: The City Council may vote and act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open

Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person or appear in executive session by conference call in accordance with applicable state law.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city boards, commissions, and committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions, and committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions, and committees of the City, whose members may be in attendance. The members of the boards, commissions, and committees may participate in discussions on the same items listed on the agenda, which occur at the meeting. Still, such in attendance will not take any action unless such item and action are expressly provided for on the agenda for that board, commission, or committee subject to the Texas Open Meetings Act.

Executive Sessions Authorized: This agenda has been reviewed and approved by the City’s legal counsel, and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally addressed in the closed portion of the meeting considering public views of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c). The meeting is conducted by all participants in reliance on this opinion.

Certification of Posting: This is to certify that the above notice of a Regular Called Council Meeting was posted on the front bulletin board of the City Hall of the City of Palacios, Texas, on **Friday, July 8, 2022, before 6:00 PM**. If you have any questions concerning the above items, please contact City Manager Cynthia Raleigh at (361) 972-3605. This Notice was posted under the Texas Open Meeting Act (TEX.REV.CIV.STAT.ANN. Chapter 551) and recent guidelines from the Texas Attorney General.

David Holubec, City Secretary

This facility is accessible in accordance with the Americans with Disabilities Act. Accessible parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 361-972-3605 at least 24 hours before the meeting.

Mayor Gardner Airport Committee Liaison Emergency Management	Councilmember Lewis – Place 4 Housing Authority Liaison
Councilmember Glenn – Place 1 Planning and Zoning Committee Liaison	Councilmember Samora – Place 5 Parks and Recreation Liaison Emergency Management Liaison
Councilmember Trainor – Place 2 Zoning Board of Adjustments Liaison	Councilmember Dotson – Place 6 Pavilion Committee Liaison
Mayor Pro Tem Woolf – Place 3	