**PALM VALLEY CITY COUNCIL**

**MINUTES**

**REGULAR MEETING**

**OCTOBER 18, 2016**

The City Council of the City of Palm Valley met in a Regular Meeting on the 18th day of October 2016 at 5:00 p.m. at 1313 N. Stuart Place Road, Palm Valley, Texas. The meeting was attended by the following persons:

Mayor George Rivera

Council members: John Widger, Debe Wright, Cynthia Thompson, Joe Jones

Absent: Julie Martin

City Attorney: Jason Mann

City Secretary: Sylvia R. Trevino

Staff Present: A. R. Garcia, Police Chief

Rosendo Flores, Waterworks Supervisor

1. **CALL TO ORDER** – Mayor Rivera called the meeting to order.
2. **PLEDGE OF ALLEGIANCE** – Mayor Rivera led the Pledge of Allegiance.
3. **PUBLIC COMMENTS**

Gary Mason, 317 Palm Valley Drive West, spoke in reference to brush/debris in his neighborhood, right across the street that has been there for 59 days. The abatement is for only 10 days. He indicated that he received a letter to pick up his brush/debris and yet the other brush/debris has been there for a long period of time.

Mayor Rivera will get back to him on this matter.

1. **MINUTES FOR APPROVAL** – August 30, 2016 and September 8, 2016

Councilman Widger made some minor corrections to the minutes of September 8 on Page 2.

Councilman Jones made a motion to approve the minutes with the corrections as pointed out by Councilman Widger.

Councilwoman Thompson seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

(Mayor Rivera announced that he would be taking some items out of order).

1. **APPOINTMENT OF PAUL POWERS TO THE PARKS AND RECREATION ADVISORY BOARD RATIFIED**.

Mayor Rivera explained that the Parks Board was recommending the appointment of Paul Powers to the Parks Board.

Councilman Widger made a motion to accept the recommendation by the Parks Board.

Mayor Rivera took the votes and the motion carried unanimously by those present.

1. **ORDINANCE ADOPTED RENEWING THE ADOPTION OF THE CITY’S WATER CONSERVATION DROUGHT AND EMERGENCY CONTINGENCY PLAN PREVIOUSLY RENEWED IN 2011**

No major discussion was held on this item other than to state that the City has never had to implement these stages as outlined in the ordinance.

Councilman Jones made a motion to adopt the ordinance renewing the City’s Water Conservation Drought and Emergency Contingency Plan.

Councilman Widger seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

1. **ORDINANCE ADOPTED AMENDING ORDINANCE NO. 2016-8 PREVIOUSLY ADOPTED ON SEPTEMBER 8, 2016 REGARDING THE FIRE SERVICE FEE FOR COMMERCIAL FIRE SERVICE PER MONTH**

Councilman Widger presented the revised ordinance and explained that the correct amount for the fire service fee for commercial accounts is $62.00.

Councilman Jones made a motion to adopt the amended ordinance

Councilman Widger seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

1. **ORDINANCE AMENDING ORDINANCE NO. 2013-6 ADOPTED ON JULY 16, 2013 TO REMOVE THE NON-RESIDENTS RESTRICTION IN SECTION 72.18 OF THE PARKING REGULATIONS TABLED**

There was discussion on the existing ordinance that was amended in 2013. Discussion centered on the number of permits that can be issued and the fact that the permits are for non-residents. Chief Garcia suggested that if the ordinance is changed that there be a restriction on the number of permits that can be issued---right now there is no limit.

Councilman Jones asked what if someone needs a permit after hours when City Hall is closed. Chief Garcia replied that the police have the permits in their possession and you just need to call the police officer on duty.

Councilman Widger suggested tabling action on this item so that there is further discussion with the Chief to gather his input and recommendation.

Mayor Rivera assigned Councilwoman Wright and Councilman Jones to work with the Chief and bring back a recommendation to the next meeting.

Councilwoman Thompson made a motion to table action on this item.

Councilman Widger seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

1. **PAYMENT OF SETTLEMENT OFFER FROM THE RAILROAD COMMISSION OF TEXAS AUTHORIZED**

A settlement offer of $1250 was offered by the Railroad Commission for the damage to a gas line at 5508 Palm Valley Drive North.

An opinion from the City Attorney indicated that the City consider paying the amount offered.

Councilman Widger made a motion to approve the payment in the amount of $1,250.

Councilman Jones seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

1. **DISCUSSION HELD REGARDING THE PROVISION OF WATER SERVICE TO THE LANDSCAPED MEDIAN BETWEEN THE ENTRANCE AND EXIT OF EL CAMINO REAL**

Mayor Rivera commented that he would combine this item with Item F on the Consent Agenda (Council /staff liaison reports.

Mayor Rivera explained that the median belongs to the Harlingen Country Club but the City utilizes it for Christmas décor. His thought was if the City would be interested in purchasing that piece of land. He appointed Councilman Widger and Councilman Jones as a task force to discuss this possibility with the Harlingen Country Club.

He further explained that the Harlingen Development Corporation deeded it to the Harlingen Country Club in 1975. He asked, first of all, if it would be possible to purchase the piece of land and then also come up with an agreed amount.

Since last year, the City has been providing free water to service the median.

Councilman Widger stated that the cost has been about $1500. Mayor Rivera added that the Council agreed to provide free water for one year to keep the median looking nice. That agreement is now here and the question is whether the City should continue to watering the median although it does not belong to the City. Mayor Rivera commented that this could be a conflict later on.

Councilwoman Wright made a motion to allow the continuance of free water service to the Club for another three months while the two members appointed by Mayor Rivera discuss and negotiate the purchase.

Councilwoman Thompson seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

1. **CONSENT AGENDA**
2. **Police Monthly Report – September 2016**
3. **National Night Out event**
4. **Halloween 2016**
5. **Municipal Court Monthly Report – September 2016**
6. **Monthly Check Listing – September 2016**
7. **Monthly Financial Report – September 2016**
8. **Investment Report – September 2016**
9. **Council/Staff Liaison Reports**

Chief Garcia reported briefly on the National Night Out stating that there had not been a very big crowd due to other cities having the same event on the same evening.

He reported that one reserve resigned and that he is currently recruiting others.

Halloween evening will be fully staffed with all officers on patrol; the bike patrol and officers on golf carts.

Councilwoman Wright pointed out that there is a parked trailer at a residence that faces Dilworth Road that has been there for more than three days. Chief Garcia will check this out.

Charles Ramsey reported briefly on the Neighborhood Watch Program. He indicated that some of the volunteers are leaving and he is seeking more volunteers for whatever hours they can volunteer.

Chief Garcia stated that he has some potential buyers for the old truck. Hopefully, next month he will be able to report that it is sold.

Under Council/liaison reports, Councilman Widger reported on the final budget for the year. He reported that the general fund budget reflected $60,000 above budget in income due to increase in permit fees and fines. It also included the $8,000 that came in from the forfeiture vehicle and donations to the Parks budget.

On the expense side it reflected about $60,000 less---$8,200 in savings gathered from the resignation of one employee.

Councilwoman Wright reported on the remodeling of City Hall explaining that there is about $12,000 left in the budget. Councilman Widger explained that this amount would be deducted from the surplus of $105,000. Councilwoman Wright added that the intent is to set up a barrier for the front office staff to serve as added protection and more security.

Councilman Widger continued explaining that the Public Works budget came in under $6,400 on the expense side and the police budget expenses were $28,000 under budget. The low gas prices helped as did reduced overtime.

The water budget reflected a larger than budgeted surplus of $48,000. This resulted from higher water sales along with payroll savings.

Councilman Jones asked if the City is getting its fair share of sales tax considering that we share the same zip code as Harlingen. Councilman Widger replied that in general, yes.

Councilwoman Thompson reported on the website development project. She stated that various website developers have been contacted. The intent is to improve the current website for the City to make it more user friendly and to promote the City. Various options are being researched.

Councilman Jones made a motion to approve the consent agenda.

Councilwoman Wright seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

There being no further business the meeting adjourned at 5:52 p.m. upon a motion by Councilman Widger and a second by Councilwoman Thompson.

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George Rivera, Mayor

Attest:

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Sylvia R. Trevino, City Secretary