

**PALM VALLEY CITY COUNCIL
MINUTES
REGULAR MEETING
March 20, 2018**

The City Council of the City of Palm Valley met in a Regular Meeting on the 20th day of March 2018 at 6:00 p.m. at 1313 N. Stuart Place Road, Palm Valley, Texas. The meeting was attended by the following persons:

Mayor George Rivera

Councilmembers: Debe Wright, Cynthia Thompson, Paul Powers
Absent: John Widger, Julie Martin

City Attorney: Jason Mann
City Secretary: Sylvia R. Trevino

Staff: Chief A. R. Garcia
Rosendo Flores, Waterworks Supervisor

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE** – Led by Mayor Rivera.
- 3. CITIZEN COMMUNICATION** – None

(At this time Mayor Rivera took items out of order)

9. RESOLUTION APPROVED SUPPORTING AEP TEXAS-CENTRAL DIVISION 'LED' PILOT PROGRAM' TO PROVIDE LED STREET LIGHTING SERVICES TO THE CITY OF PALM VALLEY

Daniel Lucio, External Affairs Manager-AEP, explained that passing the resolution does not obligate or commit the City to anything. It just enables AEP to move forward with discussions. The LED Pilot Program is available to municipalities and other entities to install, upon request, LED street lighting for the purpose of illuminating public streets, highways and parking lots. The LED lighting will reduce the per kilowatt hours cost. The anticipated payback is about five years.

Mayor Rivera asked about decorative light poles. Mr. Lucio replied AEP can certainly look into this. At this time, there is only one city that has a decorative light

pole. Each city does their lighting differently. Mr. Lucio recommended doing a small section of the city first. Mr. Lucio reiterated that adopting the resolution just opens up all kinds of dialogue.

Councilman Powers made a motion to approve the resolution as presented. Councilwoman Wright seconded the motion.

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

4. PRESENTATION – METROPOLITAN PLANNING ORGANIZATION 101

Joel Garza, MPO Director, gave a brief presentation explaining that the Metropolitan Planning Organization is a federally funded transportation planning agency. The MPO agreement was executed on October 4, 1988 and the City of Harlingen was designated as the MPO and fiscal agent for the Harlingen-San Benito urbanized area. The Transportation Policy Committee, which the City of Palm Valley, is a member of, is the responsible group for the MPO's overall transportation policy guidance.

Mr. Garza stated that one of the projects that was done through the MPO was the noise barrier wall on Stuart Place Road. The only road that would be eligible for transportation funds in Palm Valley would be Stuart Place Road. MPO cannot fund county road, only local roads. The purpose is to allow funds for local roads that connect to a state road facility.

Mr. Garza added that the MPO also funds the Valley Metro transportation system.

Mr. Garza touched briefly on the pending merger of the three county MPOs. He stated that this is being considered for the purpose of attaining more funding as one big MPO.

Councilwoman Thompson asked how the projects are prioritized. Mr. Garza replied that each project is prioritized through ranking criteria.

5) MINUTES OF THE REGULAR MEETING OF FEBRUARY 12, 2018 APPROVED

With no corrections to be made, Councilwoman Thompson made a motion to approve the minutes.

Councilman Powers seconded the motion.

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

6) SELECTION OF FINAL DESIGN FOR THE EXTERIOR SIGN IN FRONT OF CITY HALL APPROVED AND STAFF AUTHORIZED TO PROCEED TO SEEK A CONTRACTOR FOR DEMOLITION OF EXISTING SIGN AND TO SEEK A CONTRACTOR FOR THE CONSTRUCTION OF A NEW SIGN

Pictures of the revised signs based on the previous Council meeting were displayed and discussed.

After various comments made among the Council members, a final selection was made with further modifications.

Councilman Powers made a motion to go with Design #1 with an adjustment in the slope and to remove the metal top portion of the sign, add darker lettering and add lighting.

Councilwoman Thompson seconded the motion.

Councilwoman Thompson made a motion to authorize staff to proceed to seek a contractor for the demolition of the existing sign and seek a contractor for the construction of the new sign.

Councilwoman Wright seconded the motion,

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

7) ORDINANCE ADOPTED TO AMEND ORDINANCE NO. 2011-2 (BACKFLOW ORDINANCE) TO AUTHORIZE AND ALLOW THE CITY TO DO INSTALLATION OF BACKFLOW PREVENTION ASSEMBLIES, WHEN NECESSARY, AND TO ALLOW THE DESIGNATED STAFF TO DO THE ANNUAL TESTING OF SUCH ASSEMBLIES AND TO CHARGE FEE(S) ACCORDINGLY.

Mayor Rivera explained that the purpose of this ordinance is to allow city staff to conduct the annual testing and repair or replace backflow assemblies in order for there to be consistency in the amount that is charged. This ordinance assesses a flat fee of \$50 for the testing, pass or fail. Doing this will bring in revenue to the City.

The ordinance will not allow others to do the testing. This ordinance is to take effect on May 1 to allow time to set up the database that will assess the fees accordingly in the water bill.

Mayor Rivera added the ordinance contents will be communicated via the City's newsletter, on the Next Door blog and on the City's website.

Councilman Powers made a motion to adopt the ordinance to be effective May 1.

Councilwoman Wright seconded the motion.

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

8) CITY ENTERS INTO CONTRACT FOR ENERGY CONSUMPTION AS RECOMMENDED BY THE TEXAS COALITION FOR AFFORDABLE POWER (TCAP)

Mayor Rivera commented that he recently attended a meeting of other cities' Mayors and they were not familiar with the Texas Coalition for Affordable Power (TCAP) or even knew who their energy provider was.

Jason Mann expressed his concerns with the contract and stated that the lock in rate is not a true rate. TCAP can raise the rate on its own authority. If the rates go down, there is a potential for, perhaps, a refund to the entity members. He stated that he does not agree with the broker (TCAP). He just felt that the rate is not a true locked in rate.

Mayor Rivera stated that the City is already a member of TCAP by action taken at a previous Council meeting and TCAP is made up of many other municipalities.

Jason Mann added that TCAP is building a reserve fund for any variations to the contract. There could be peaks and spikes and the City would not get billed for it, however, this could work in the opposite as well.

Mayor Rivera added that TCAP will do the shopping around for good rates on behalf of the City and recommended that the City enter into a contract.

Jason Mann commented that TCAP is not necessarily a group buying power, but rather it is more of a relationship between broker and a power company.

Councilwoman Thompson made a motion to enter into a contract with GEXA Energy at a rate of \$0.03800 per KWH.

Councilman Powers seconded the motion.

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

10) ORDINANCE ADOPTED APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY OF PALM VALLEY AND TEXAS GAS SERVICE REGARDING THE COMPANY'S COST OF SERVICE ADJUSTMENT TARIFF FILING AND OTHER PROVISIONS RELATED TO THE ORDINANCE

Mayor Rivera explained that Texas Gas Service filed its Cost of Service Adjustment (COSA) tariff filing on Monday, March 12 the attorneys representing the cities that are impacted by the tariff changes met and discussed the proposed tariff filing. Settlement discussion resulted in lower cost to consumers. The attorneys recommended adoption of the ordinance.

Councilwoman Thompson made a motion to adopt the ordinance as presented and recommended.

Councilwoman Wright seconded the motion.

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

11) CONSENT AGENDA:

- A. Police Monthly Report – February 2018**
- B. Municipal Court Monthly Report – February 2018**
- C. Check Listing – February 2018**
- D. Financial Reports – February 2018**
- E. Investment Reports – February 2018**
- F. Council/staff liaison reports**

Chief Garcia was absent and Officer Cody Hunt commented that things were going well in Palm Valley.

Council/Staff Liaison reports:

Mayor Rivera informed the Council that the barrier wall had cracked due to someone hitting it with, possibly, a trailer. The cost to replace is would be about \$6,000. However, Rosendo Flores has offered to try to repair it himself.

Mayor Rivera also commented briefly on the budget status and stated that next month should reflect a better overall picture.

Mayor Rivera also commented on the possibility of the City holding a 'city' garage sale to try to sell any items that are no longer in use by the City. He also commented about re-doing the Council's table to look more like a Council dais.

Officer Cody Hunt was asked to look into the possibility of placing a speed limit sign in front of Hector Garcia's residence, at his request, due to speeders that come through on Palm Valley East.

Councilwoman Thompson made a motion to approve the Consent Agenda. Councilman Powers seconded the motion.

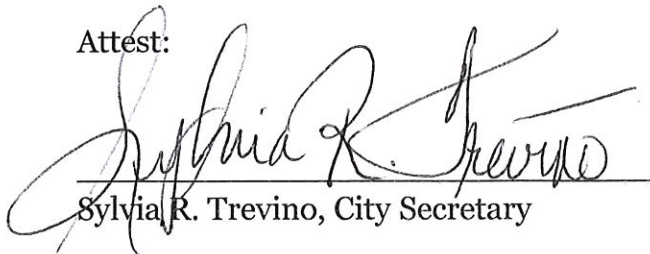
Mayor Rivera took the votes and the motion carried unanimously by those present.

There bearing no further business, the meeting adjourned at 7:08 p.m. upon a motion by Councilwoman Wright and a second by Councilwoman Thompson.



George Rivera, Mayor

Attest:



Sylvia R. Trevino, City Secretary