

**PALM VALLEY CITY COUNCIL**  
**MINUTES**  
**REGULAR MEETING**  
**November 13, 2017**  
(rescheduled from November 21, 2017)

The City Council of the City of Palm Valley met in a Special Meeting on the 13<sup>th</sup> day of November 2017 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: John Widger, Debe Wright, Cynthia Thompson

Absent: Julie Martin, Paul Powers

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.  
(at this time Mayor Rivera took items out of order).

**4. RESOLUTION APPROVED SUPPORTING THE PROPOSAL BY THE CAMERON APPRAISAL DISTRICT FOR RENOVATIONS OF THE APPRAISAL DISTRICT HEADQUARTERS**

Loretta Salinas and Eliza Valle, representing the Appraisal District, explained that the Appraisal District is in the process of adding to their existing headquarters and they are seeking support from the taxing entities. Tax Code Section 6.051(b) *“requires that the acquisition or conveyance of real property or the construction or renovation of a building or other improvement by an appraisal district must be approved by the governing bodies of the three-fourths of the taxing units entitled to vote on the appointment of board members.”*

Eliza Valle, the District’s taxpayer liaison, added that the approximate cost is \$650,000. The District currently has \$850,000. She explained that the two alternative options are to demolish the existing facility and purchase land to construct a new facility. The

District is not choosing these options. Ms. Valle stated that the District is not asking for additional funds either.

Mayor Rivera explained that he met with Mr. Richard Molina, the Tax Assessor-Collector, to discuss the project. Mayor Rivera recommended approval of the resolution.

Councilman Widger made a motion to approve the resolution.

Councilwoman Wright seconded the motion.

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

**3. PUBLIC COMMENTS - None**

**5. MINUTES FOR APPROVAL – SPECIAL MEETING OF OCTOBER 9, 2017**

Councilman Widger made corrections to better clarify his comments at the bottom of Page 5, second to the last paragraph.

Councilwoman Wright made a motion to approve the minutes with the noted corrections made by Councilman Widger.

Councilwoman Thompson seconded the motion.

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

**6. ORDINANCE ADOPTED ADOPTING SETTLEMENT AGREEMENT, SETTING RATES AND ESTABLISHING TARIFFS FOR THE PROVISION OF NATURAL GAS SERVICE BY TEXAS GAS SERVICE COMPANY, A DIVISION ONE GAS, INC. WITHIN THE CITY OF PALM VALLEY; DECLARING THIS ORDINANCE TO BE A FINAL DETERMINATION OF RATES; REQUIRING ACCEPTANCE BY TEXAS GAS SERVICE COMPANY OF THE RATES PRESCRIBED HEREIN; AND ESTABLISHING AN EFFECTIVE DATE.**

Mayor Rivera indicated that is part of the standard procedures as they relate to tariff increases and settlement.

Councilwoman Thompson made a motion to approve the ordinance as presented.

Councilman Widger seconded the motion.

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

**7. ORDINANCE ADOPTED AMENDING ORDINANCE NO. 81-13: ILLEGAL DUMPING TO INCREASE THE PENALTY AMOUNT FROM NOT LESS THAN TEN DOLLARS (\$10.00) NOR MORE THAN ONE HUNDRED DOLLARS (\$100.00) TO NOT LESS THAN FIFTY DOLLARS (\$50.00) NOR MORE THAN \$500.00 (FIVE HUNDRED DOLLARS)**

Mayor Rivera explained that this came about through Public Comments that were expressed by Larry Crow, a local resident, at the last meeting.

Mayor Rivera stated that he met with County Commissioner Gus Ruiz about the illegal dumping issue on the alley between Palm Valley and Country Club Estates. This ordinance applies only to our side of the alley and to anyone dumping illegally in our City.

Councilwoman Thompson asked Chief Garcia if this is an ongoing problem. Chief Garcia replied that sometimes it depends on who moves in. He has put up signs in the past and it has kind of helped the issue. When asked if citations have been issued, Chief Garcia replied that staff goes through the process of sending out the appropriate letters and he tries to keep it from getting to a citation.

Because the fines are between a certain range, it was noted that the Judge would ultimately decide on what amount of fine to assess based on the violation.

Jason Mann added that littering and dumping are interchangeable and that increased misdemeanors are better enforced in a bigger court.

Councilman Widger made a motion to adopt the ordinance.

Councilwoman Thompson seconded the motion.

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

(at this time Item 9 was taken out of order)

**9. RESOLUTION APPOINTING RICARDO MORADO TO HOLD POSITION NINE (9) ON THE CAMERON APPRAISAL DISTRICT BOARD OF DIRECTORS BEGINNING JANUARY 2018**

Mayor Rivera stated that the nomination for Position Nine is Ricardo Morado who has served in the position previously. He comes with high credentials and Mayor Rivera recommended his appointment to serve on the Appraisal District's Board of Directors.

Councilwoman Wright made a motion to approved the resolution.

Councilwoman Thompson seconded the motion.

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

**8. DISCUSSION (ONLY) HELD REGARDING AN ORDINANCE ESTABLISHING STANDARDS FOR THE CONSTRUCTION OF SMALL CELL FACILITIES IN THE RIGHTS-OF-WAY OF THE CITY OF PALM VALLEY, TEXAS.**

Mayor Rivera explained the law that recently passed through the Legislature. He stated that there are wireless companies coming into cities to set up small cell nodes. Although he does not foresee companies coming into Palm Valley, the City needs to be prepared with the necessary documents, otherwise the companies can do whatever they want to do.

Mayor Rivera made reference to the documents that were prepared by the City of Alamo----an ordinance, a design manual and an application and he stated that these samples could be tailored to fit the City of Palm Valley.

After some review, it was noted that any reference in the ordinance or design manual be changed from Mayor only to Mayor 'or designee'.

The companies will still have to go through the permitting process. The application fees are significant and there is an annual fee that also applies. Mayor Rivera was of the opinion that if the companies came into Palm Valley, they could possibly set up on Stuart Place Road. He added that the design manual will be updated from time to time. He made reference to all of the red text in the Alamo 'sample' manual.

Mayor Rivera asked that the Council give further review to the sample documents in preparation for the next Council meeting where the ordinance will be adopted in final format for the City of Palm Valley.

**9. CONSENT AGENDA:**

- A. Police Monthly Report – October 2017
- B. Municipal Court Monthly Report – October 2017
- C. Check Listing – October 2017
- D. Financial reports (budget) – October 2017
- E. Investment Reports – October 2017
- F. Council/staff liaison reports – October 2017

Chief Garcia reported on the Halloween activity and commented that it was rather busy but controllable and there were no incidents.

Regarding the sale of the old vehicles, instruction was given to review previous minutes to see if the Mayor was given authority to proceed to accept any bids without Council approval.

Councilwoman Thompson reported briefly on a meeting held with MPC Studios and the possibility of adding the City of Palm Valley on Facebook. Another possibility is the gathering of

email addresses for residents who want to receive the City's newsletter via email. She added that she is seeking the best sources of communication for the City besides what it currently has: Next Door Blog and the City's website.

Mayor Rivera stated that the banners for Christmas have been received and will be installed this week. They will be strategically placed throughout the City. He indicated that the Lighting of the Palms Event is on November 24 at 5:00 p.m.

Councilman Widger commented that the City's Investment Report now contains another line item for the new money market accounts that were opened for special accounts.

Mayor Rivera informed the Council that he met with County Commissioner Gus Ruiz for help to seal coat the City's streets. The question was raised if the City would have to bid out the project if the County does the project. Jason Mann was asked to look into this.


Councilman Widger made a motion to approve the Consent Agenda.

Councilwoman Thompson 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 6:38 p.m. upon a motion by Councilwoman Wright and a second by Councilwoman Thompson.

  
\_\_\_\_\_  
George Rivera, Mayor

Attest:  
  
\_\_\_\_\_  
Sylvia R. Trevino, City Secretary