

**PALM VALLEY CITY COUNCIL
MINUTES
REGULAR MEETING
JULY 18, 2017**

The City Council of the City of Palm Valley met in a Regular Meeting on the 18th day of July 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, Julie Martin, Debe Wright, Cynthia Thompson,
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.

3) PUBLIC COMMENTS

Luis Gonzalez, 100 La Cana Circle, expressed his concern over speeding in front of his house and asked that speed limit signs be placed in the vicinity. He indicated that the only speed limit sign is at the entrance to La Cana.

4) MINUTES FOR APPROVAL – REGULAR MEETING OF JUNE 20, 2017

Mayor Rivera made a correction to his comments on Page 4 regarding the dredging of the pond. His statement should now read *“Mayor Rivera reiterated that while the City is obligated to do the project, he is not in a hurry to do it.”*

With the correction to be made, Councilwoman Martin made a motion to approve the minutes.

Councilman Widger seconded the motion.

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

5) APPEAL OF THE BUILDING INSPECTOR'S DENIAL OF ELECTRICAL WORK DONE AT #34 LOS AMIGOS DENIED

The applicant, Daniel Martinez, was not present at this time. Mayor Rivera recommended denying the appeal based on the information that was in the agenda packet that explained the issue.

Councilman Powers made a motion to deny the appeal.

Councilwoman Thompson seconded the motion.

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

(At this time Mayor Rivera skipped to Item 7 on the agenda)

7) RESOLUTION APPROVED SUSPENDING THE JULY 20, 2017 EFFECTIVE DATE OF THE STATEMENT OF INTENT OF TEXAS GAS SERVICE COMPANY TO INCREASE RATES WITHIN INCORPORATED AREAS OF ITS SERVICE TERRITORY TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND ESTABLISH REASONABLE RATE AND OTHER RELATED PROVISIONS

Mayor Rivera explained that this is an annual filing and requires no cost on behalf of the cities. He recommended approval of the resolution.

Councilwoman Thompson made a motion to approve the resolution.

Councilman Powers seconded the motion.

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

8) BUDGET ADJUSTMENT APPROVED

Councilman Widger explained that this budget adjustment was necessary due to the increase in water sales and frequent flushing of lines to meet TCEQ guidelines. The original budget for Water Treatment was \$175,000 and the adjustment recommended is \$40,000 bringing the entire amount to \$215,000.00

Councilwoman Wright made a motion to approve the budget adjustment.

Councilwoman Martin seconded the motion.

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

9) CONSENT AGENDA:

- A. Police Monthly Report – June 2017**
- B. Municipal Court Report – June 2017**
- C. Monthly Check Listing – June 2017**
- D. Monthly Financial Report – June 2017**
- E. Monthly Investment Report – June 2017**
- F. Council/staff liaison reports**

Chief Garcia briefed the Council on his monthly report as provided in the agenda packet.

Chief Garcia added there have been reports on drones with privacy concerns. He commented that the City could pass an ordinance prohibiting these but as of right now there is nothing the City can do.

Council/staff liaison reports:

Mayor Rivera commended the Directors for staying within their budgets and saving an anticipated \$101,746.

Councilman Widger stressed the need to have a quorum for the public hearings scheduled on the budget and the tax rate: August 15, August 29 and final adoption of both on September 5.

Mayor Rivera reminded the Council that Council members could participate via face time with a quorum present.

At this time, Daniel Martinez, the applicant seeking the appeal of the Building Inspector's denial, (Item No. 5) walked in.

Mayor Rivera informed him that the Council unanimously denied his appeal.

There being no further comments under Consent Agenda, Councilwoman Thompson made a motion to approve the Consent Agenda.

Councilman Widger seconded the motion.

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

6) DREDGING OF AND CONSTRUCTION OF A SEAWALL ON A POND LOCATED ON THE CITY'S EASEMENT USED FOR THE DISCHARGE OF CITY EFFLUENT LOCATED NEXT TO THE CITY'S WASTEWATER TREATMENT PLANT DISCUSSED AND AUTHORIZATION TO SEEK FORMAL BIDS FOR SUCH PROJECT NOT APPROVED

At this time, Councilwoman Thompson made a motion to go into Closed/ Executive Session pursuant to Chapter 551, Subchapter D; *V.T.C.A. Government Code*, Section 551.072: deliberations about real property; dredging of and construction of a seawall on a pond located on the City's easement used for the discharge of City effluent next to the City's wastewater treatment plant and authorizing the solicitation of formal bids for such project.

Councilman Widger seconded the motion and it carried unanimously.

The Executive Session convened at 6:18 p.m. and concluded at 6:24 p.m. with no action taken in closed session.

Returning to open session, Mayor Rivera explained that he and Rosendo Flores, the City's Waterworks Supervisor, met with Alan Moore from the Drainage District on June 27. There is a good possibility that the District will dredge the ponds at no cost to the City. They will include Palm Valley as part of one big grant project. Their whole justification would be to building another detention pond. The agreement between the Club and the City indicates that the City has an obligation to maintain the ponds, however, he

recommended that the City move forward with just the one pond and wait about two years to do the rest.

Councilwoman Martin commented that she did not see the reason why the City would spend lots of money to do even one pond.

The seawalls were briefly discussed and a comment was made that there can be no seawall rebuilds until the dredging is done.

Mayor Rivera reiterated that the City has an obligation and the question would be whether to proceed to bid the project at the City's cost and do the remaining ponds two years down the road OR not do anything at this time and just wait the two years.

Councilman Widger was of the opinion that the City should wait as there are other priorities.

Councilman Powers felt the City should pursue the project for that one pond.

Councilwoman Martin pointed out that the engineering fee just for the bid package is \$15,000.

Councilwoman Wright felt that the City just did not have enough information as to what the optimal solution could be.

Councilman Widger added that the City already maintains the ponds by cleaning out the culverts and there is no emergency to dredge right now. The Club still gets the water to irrigate the Course. If the City does the work that cost would need to be added to the water bill similar to the fire service fee and it would be a significant added expense. Councilman Widger felt it would be best to revisit the project after the City hears back from the Drainage District.

Mayor Rivera commented that the Council should be united in what the City conveys to the Club.

Jason Mann stated that a response to the Club could be that the City is maintaining the pond and could show examples of the cost. Under the spirit of cooperation, the Club can know that there is a long term plan.

Mayor Rivera suggested producing a letter under his signature assuming the Council does not want to do the pond dredging this year.

Councilman Widger made a motion to not seek formal bids for the project.
Councilman Powers seconded the motion.

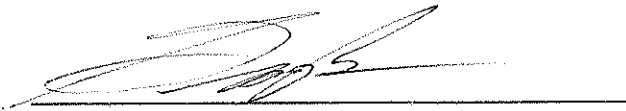
Mayor Rivera took the votes and the motion carried by the
following votes:

Aye: Widger, Powers, Martin, Wright

Nay: None

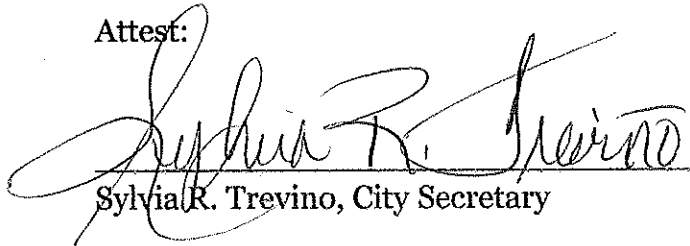
Abstained: Thompson

There being no further business, the meeting adjourned at 6:44 p.m. upon a
motion by Councilwoman Martin and a second by Councilwoman Thompson,



George Rivera, Mayor

Attest:



Sylvia R. Trevino, City Secretary