

**PALM VALLEY CITY COUNCIL
MINUTES
REGULAR MEETING
January 19, 2022**

The City Council of the City of Palm Valley met in a Regular Meeting on the 19th day of January 2022 at 6:00 p.m. at 1313 N. Stuart Place Road, Palm Valley, Texas. (ZOOM videoconferencing was available for the public).

Council members present:

Mayor George Rivera
Councilman Jerry Wade
Councilman Eric Hoff
Councilwoman Cynthia Thompson

VIA ZOOM
Councilwoman Lisa Taylor
Councilman Michael Galvan
Jason Mann, City Attorney

City Secretary: Sylvia R. Trevino (in person)

Staff present (all in person):

Chief A. R. Garcia
Rosendo Flores, Director of Public Works
Jose Rivera, Support Services Aide

1. **CALL TO ORDER** - The meeting was called to order by Mayor Rivera.
2. **PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance followed led by Mayor Rivera.
3. **LEGISLATIVE PRAYER** - The Legislative Prayer was recited by Councilman Wade.
4. **PUBLIC COMMENTS** – None
5. **MINUTES OF THE REGULAR MEETING OF NOVEMBER 15, 2021, APPROVED WITH CORRECTIONS.**

Councilman Wade noted that he was present at the meeting, but the minutes did not reflect that. He asked that this correction be made.

Councilman Wade made a motion to approve the minutes with the noted correction.

Councilman Hoff seconded the motion.

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

6. **CONTRACT WITH HARLINGEN IRRIGATION DISTRICT CAMERON COUNTY #1 FOR WATER ALLOTMENT TABLED**

City Attorney Mann stated that the contract did not have a term and he recommended that the approval be tabled until he could discuss with the District. He believed without a term the rates could be changed at any time. He would not have an issue with renewing the contract with the other provisions but not until a term could be defined.

Councilman Hoff made a motion to table the approval based on the City Attorney's recommendation.

Councilman Wade seconded the motion.

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

7. **PRESENTATION OF RECOMMENDATIONS FROM THE WATER/WASTEWATER STUDY BY REAL STRATEGIC SOLUTIONS.**

David Garcia and Dan Serna were present to offer their recommendations as shown below:

- Assumes no change in rate structure for water in the current year, uniform percentage adjustments for base and volume charges
- Structure changes for wastewater. Moving forward a base rate is implemented as well as volume charges per 1,000 gallons.
- Rate adjustments assumed to be effective April 1, 2022, for current fiscal year then October 1 of each thereafter. First year will start as soon as practicable.
- Council has the option to adopt multi-year plan or single adjustment; RSS recommended a multi-year plan.
- Given rapidly changing economic conditions, RSS recommends rate plan be reviewed every year.

The recommended changes are necessary to keep up with the maintenance and operations of the Water Department and to account for potential capital improvements.

Regarding the sewer fees, currently the fee is based on a 'per drain' basis. The recommendation is to change this to a 'consumption' basis for a base fee of \$21.00 and then a consumption fee of \$1.25/1,000 gallons. This can hold steady for the first three years and a 3% increase in operations will allow Council to adjust the fees if the water usage increases. RSS suggested this fee be implemented right away.

As for the drinking water, RSS recommended a 2% increase for the next two years and then a 3% for the next 7 years but this adjustment could be implemented in October 2022.

Mayor Rivera commented that charging for the wastewater on a consumption basis is fairer for everyone especially for those with sprinkler systems. They will be billed for actual consumption.

Councilwoman Thompson added that these rate adjustments will also help to be prepared financially into the future.

David Garcia commented that if the City does not do anything the City's Water Department will be in the red soon. He stated that the proposed rates are comparable with other surrounding cities.

There was minor discussion regarding the City's water loss. Mayor Rivera explained that Rosendo Flores, the Director of Public Works, was able to locate the source of a major water loss that the City was experiencing. Once the leak was identified the billing from Harlingen Waterworks decreased tremendously. David Garcia added that with the savings generated from this water loss the City could consider the purchase of smart meters.

Both Councilwomen Thompson and Taylor expressed gratitude and appreciation to RSS for their diligence in bringing their recommendations to the Council and thanked David Garcia and Dan Serna for all their hard work.

Other recommended changes were to increase the reconnect fees to \$100.00 and the backflow prevention inspections to \$75.00.

Councilwoman Thompson made a motion to amend the existing ordinance with the recommended changes as presented by RSS.

Councilman Wade seconded the motion.

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

(Note: These recommended changes will be incorporated into an ordinance for adoption at the next Council meeting.)

8. **EXTENDED EARLY VOTING HOURS SET FOR THE UPCOMING CITY ELECTION ON MAY 7, 2022.**

Mayor Rivera explained that the two (2) 12-hour early voting days previously required by law have been eliminated. The law states that early voting shall be conducted for 9 hours, not earlier than 6:00 a.m. and no later than 10:00 p.m.

City Secretary Trevino commented that although the extended hours are not required the City Council can choose to continue the same requirement or set different hours if those hours comply with the Election Code. She offered to conduct early voting on two days from 8:00 to 6:00 p.m. However, Councilwoman Thompson felt that closing at 7:00 p.m. would provide a better opportunity for those that work until 6:00 to come in and still be able to vote.

Councilman Galvan made a motion to hold early voting on two days of the voting period from 8:00 a.m. to 7:00 p.m.

Councilwoman Taylor seconded the motion.

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

(Note: specific dates and times will be implemented into the ordinance calling/ordering the election to be presented at the next Council meeting).

At this time, Mayor Rivera proceeded to the Consent Agenda.

10. **CONSENT AGENDA:**
- a. Police Monthly Report – November/December 2021**
 - 1. Racial Profiling Report**
 - b. Municipal Court Monthly Report – November/December 2021**
 - c. Monthly Investment Report – November/December 2021**
 - d. Monthly financial report – November/December 2021**
 - e. Ordinance adopted amending 2021-22 budget to allocate additional funds for the newly purchased police vehicle.**
 - F. Ordinance adopted amending 2021-22 budget to allocate a new line item for recycling services.**
 - G. Monthly check listings – November/December 2021**
 - H. Council/staff liaison reports.**

There being no discussion of the Consent Agenda, Councilman Hoff 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.

9. **EXECUTIVE SESSION PURSUANT TO SECTION 551.074 OF THE OPEN MEETINGS ACT: PERSONNEL MATTERS REGARDING A LEAVE OF ABSENCE REQUEST BY A CITY EMPLOYEE**

Councilwoman Thompson made a motion to go into Executive Session pursuant to Section 551.074 of the Open Meetings Act: Personnel Matters Regarding a Leave of Absence Request by a City Employee.

Councilman Wade seconded the motion.

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


The Executive Session convened at 6:40 p.m. and concluded at 6:56 p.m. upon a motion by Councilman Wade and a second by Councilwoman Thompson.

Returning into open session, Councilman Hoff made a motion to accept the leave of absence request for a term of six months.

Councilwoman Thompson seconded the motion.

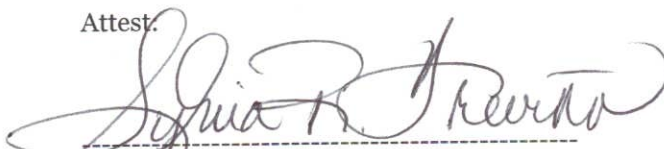
Mayor Rivera took the votes and the motion carried unanimously by those present.

There being no further business, the meeting adjourned at 6:57 p.m. upon a motion by Councilman Hoff and a second by Councilman Galvan.



George Rivera, Mayor

Attest.



Sylvia R. Trevino, City Secretary