

**PALM VALLEY CITY COUNCIL
MINUTES
REGULAR MEETING
February 15, 2023**

The City Council of the City of Palm Valley met in a Regular Meeting on the 15th day of February 2023 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 Pro Tem Gilberto Lucio
Councilman Eric Hoff
Councilman Jerry Wade
Councilwoman Annette Baker

Not in attendance:

Councilwoman Lisa Taylor

Present:

Jason Mann, City Attorney

Staff present (all in person):

City Secretary: Kathy J Cherry
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 Pro Tem Gilberto Lucio.
2. **LEGISLATIVE PRAYER** - The Legislative Prayer was recited by City Secretary.
3. **PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance followed led by Mayor Pro Tem Lucio.

Mayor Pro Tem Lucio read the "Conflict of Interest" under section state law.

Councilman Hoff made mention of noticing there's no public speaking and was it omitted.
Attorney Jason Mann stated, "it's on item #5"

4. **APPROVAL OF MINUTES OF THE REGULAR MEETING FOR JANUARY 17, 2023**
Upon a motion by Councilman Hoff, the minutes were approved without any corrections.

Councilman Wade seconded the motion.

Mayor Pro Tem Lucio took the votes and the motion carried unanimously by those present.

5. **PUBLIC COMMENTS**
None

6. **DISCUSSION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE CALLING/ORDERING A GENERAL ELECTION ON MAY 6, 2023, FOR THE PURPOSE OF ELECTING ONE MAYOR AND TWO COUNCILMEMBERS, ONE EACH FOR PLACE 3, AND PLACE 5.**

Councilman Wade, "Are the only items on the ballot for Palm Valley?"

Mayor Pro Tem Lucio, "Yes"

Councilman Wade, "Any other thing, you will have to go some other place to vote?"

Mayor Pro Tem Lucio, "Yes, that is correct."

Councilman Wade, move that we approve an ordinance calling/ordering a general election on May 6, 2023 for the purpose of electing one Mayor, and Two Councilmembers. One for Place 3 and Place 5.

Councilwoman Baker second the motion

Mayor Pro Tem Lucio took the votes and the motion carried unanimously by those present.

7. **DISCUSSION AND POSSIBLE ACTION TO TERMINATE REDFISH RECYCLING CONTRACT AND PROVIDING 0 DAYS WRITTEN NOTICE.**

Councilman Wade, "What has changed?"

Mayor Pro Tem Lucio, "We sat down with the owner last week. The owner stated, you do not have to give us 90-day written notice and we can terminate now. Mayor Pro Tem Lucio stated, we will terminate the contract at the City Council meeting. The owner of Redfish did not agree with the trash cans. He (the owner of Redfish) was sorry for the trash cans being out there and they were ugly."

Councilman Hoff, "For your information, we are moving towards individual recycling." We will allow Redfish to go house to house if we can get 100." It is \$15 per month, twice per month"

Councilman Wade, "He said 200."

Mayor Pro Tem Lucio "A motion to terminate RedFish Recycling?"

Councilwoman Baker made a motion to terminate Redfish Recycling

Councilman Hoff, second the motion

Mayor Pro Tem Lucio took the votes and the motion carried unanimously by those present.

8. **DISCUSSION (ONLY) A SUBSCRIPTION-BASED RECYCLING SERVICE WITH REDFISH TO THE CITIZENS OF PALM VALLEY.**

Mayor Pro Tem Lucio, "The owner of RedFish came here and discussion options. It would be more beneficial for him if we did a subscription-based curbside pickup in the City. He mentioned he wanted 200 people but he's ok with 100 at \$15/per month and Redfish will give us 1-month free. The owner of Redfish also stated if we, the City of Palm Valley encourage your citizens through the City in order to pitch in and get everyone involved, they will take \$5 off their 1st or 2nd month bill and the City will pay that a month. It would be twice a month if we get 100 people. The Redfish truck looks like a UPS truck. If we get 300 or 400, they are willing

to bring the price down to \$10 to come once a week. He (owner of Redfish) saw the bins and kept apologizing.

Attorney Jason Mann, "Will this be something where we would come back if we get a number and have City Council to approve in essence operating recycling service in the City."

Mayor Pro Tem, "I don't know how that works. How would you recommend it?"

Attorney Jason Mann, giving them authority like we did with the garbage services."

Mayor Pro Tem, They (Redfish) will do all the marketing because as a City, we could not get involved to try any promote them. But we did state we will send out a questionnaire to the citizens and ask them a few questions how willing they would want to participate in recycling and we will get our numbers from there."

Councilwoman Baker, "I have a suggestion, if we're give any type of discount. Maybe have a deadline. Because people think like "Yeah, that's a great idea", but they will forget about it, they'll get busy." If we have a deadline or certain date, if you sign up by this day, then the City will help pay to do a discount."

Councilman Hoff, "I will do that with my next phone call and leave a voicemail and I am going to put a deadline on the return."

Councilwoman Baker, "See, deadlines are important."

Councilman Wade, "Is it a similar size container?"

Mayor Pro Tem Lucio, "It is a similar size container. Here's is where we are going to run into a problem. It is a dark red burgundy, and it has a bright yellow lid." Redfish will not change and those are their colors." So those are the numbers he did say that right now Rancho Viejo is doing the work that we are doing right now and they will start pretty soon and Los Fresnos has entered into a similar contract that we just discussed and they will be doing the same thing too. "

Councilman Wade, "How do they market it?"

Mayor Pro Tem Lucio, "They will go door to door and put door knockers." We will post something on our Newsletter. We do have a Facebook."

Mayor Pro Tem Lucio, "Any other discussion?"

9. DISCUSSION (ONLY) THE CITY OF PALM VALLEY HOSTING THE TRI CITY CLASSIC 5K AND 10K RUN TO BE HELD AT PALM VALLEY CITY HALL ON APRIL 29, 2023.

Mayor Pro Tem Lucio, "Last year 3 cities held a run and it was hosted by Primera. They reached out to Combes and they could not do it this year, but they will do it next year. And they called us (City of Palm Valley) to host the run. It will start and end here at City Hall. It will be a 1-mile Fun Run. It will be a 5k run is exactly one circle around Palm Valley. 10k, one City will always be excluded, and Combes will be excluded. They will cut across through Tangerine, go down

Wilson to Wilcox to Primera Rd and back to Stuart. Combes and Primera will provide their police department, but I need to get it in writing."

Councilman Hoff, "We want to make sure we have PD."

Mayor Pro Tem Lucio, Yes, we are having a meeting here this Friday at 6:00pm at City Hall to make sure who the vendors are. To also get T-shirts, medals, banners, etc." Last year, the city of Primera raised \$11,200.00 dollars on the race, and they spent \$5,696.52 and made a profit of \$9,183.48 with 150 runners. They are anticipating 180 runners this year.

Councilman Wade, "Where is the revenue coming from?"

Mayor Pro Tem Lucio, "Entry fee and sponsors."

Councilman Hoff, "It said the City of Primera? Are the checks written to Primera?"

Mayor Pro Tem Lucio, "We're changing all of that." In the packet we are changing the logo. Everything is going to be Palm Valley."

Councilman Hoff, "We are going to get the money." "Are we going to segregate the funds?"

City Secretary, "We will change the line items to reflect Palm Valley."

Councilman Wade, "Is it one year we (City of Palm Valley) get the revenue and the other 2 years it goes to the other cities."

Mayor Pro Tem Lucio, "Yes, we get the revenue this year. Last year, Primera made the revenue last year, we're going to make it this year and Combes will make it next year."

Councilwoman Baker, "Where will they sign up?" Where would they congregate and where will they go to the bathroom?"

Mayor Pro Tem Lucio, "we will have porta potties. We will start at Palm Valley West. We will start at the club. We reached out to the club to see if we could use the parking lot closes to the street so we can put the booths and where everyone can see them. We can use the center median as well."

Councilwoman Baker, "Do sponsors have booths like with water?"

Mayor Pro Tem Lucio, "No, they just push their material." Last year the two biggest sponsors were political candidates and Orange Theory." We also set up an account with Active.com, for people to sign up." The 10k is \$25 and the 5k is \$20, active.com add an addition \$3.25, for processing fee.

Councilman Wade, "This is a discussion only and we do not have to vote on this?"

Mayor Pro Tem Lucio, "No, we do not need to vote on this. I just wanted to bring it up to you guys to see if it's ok."

Councilman Wade, "How long do you want the parking lots?"

Mayor Pro Tem Lucio, "We have to start around 5 a.m., the race starts at 7:00 a.m. and the slowest runner will come in about 2-hours around 11:00 a.m."

Councilman Hoff "How many participants did you have last year?"

Mayor Pro Tem, "Around 150 and they are expecting quite a few more this year."

Councilman Hoff, "Well the sponsorship has to be jumped on fast."

Mayor Pro Tem Lucio, "They are already working on sponsors." You can see the sponsorship packet. If you are a platinum, it's 1500.00 you get booth priority, race the announcements, and a goodie bag. The gold sponsor is \$1000.00, logo on the website, and booth priority. Silver sponsors are \$500.00, logo on the website, and Bronze, logo on the website. Any other questions?"

No questions at this time.

10.

CONSENT AGENDA:

A. Police Monthly Report-January 2023

a. Racial Profiling Report

B. Municipal Court Monthly Report- January 2023

C. Monthly Investment Report- January 2023

D. Monthly Financial Report (Budget) - January 2023

E. Monthly Check Listing- January 2023

F. Council/Staff liaison report

G. Park and Recreation Advisory Board- January 2023

Julie Herrington along with Scott Nelson from Park and Recreation Advisory Board.

Julie Herrington, "Does everyone have a budget?"

Mayor Pro Tem Lucio, "Yes."

Julie Herrington, "Since this is my first time up here, I'm going to kind of go through. The ordinance that was approve in 2015 that set the perimeters of how the park and rec operate. So our purpose is vehicle to the citizens and Council to maintain and improve the quality of life in Palm Valley, and structure process to receive these ideas and to see where the needs lie."

"How the Park Board is structured, is there will be 7 members on the park board and appointed by the City Council, serving 3-years. There will be 2 officers and vice chair, serving as an advisory committee for whatever is priority for the commissioners. There have been some talk on having a treasurer and that can be done in general, when looking at the budget. The Chair is responsible for following the budget to a tea and anything that is not within a budget, that would need to come back to the council."

"As far as meetings, we follow the Texas Open Meeting Act, and run our meetings just like the Council."

"As far as the rules and regulations, it states "The Advisory board will make their own rules and regulations for the meeting and they are responsible for carrying out any of the provisions and shall advise the Council and from time to time."

Mayor Pro Tem Lucio, "Yes, so we are getting with Jason to re-write the whole thing to be concise and every item is checked off and there's no misunderstanding." "So, Jason is going through the ordinance right now."

Julie Herrington, "I understand you are going through the ordinance right now." "Advise from time to time as needed. We present a budget before the Council do an actual do the fiscal year budget, and whatever is approved, we try to stay within that budget." "If extra is needed, we will try to raise that extra money." "As far as the ordinance goes now, best efforts to secure and support civil clubs and conduct city beautification programs and provide an annual report to you." "It's not a problem to come every month and give a report and give you the opportunity to see something or citizens in the community making a comment." "An example of ways we have tried to support you as council members. Park and Recreation did a survey." "On the budget, the budget is updated with every single meeting. You will see the list of events, the dates, who the chair and vice chair, and we give a detailed list." "We talked about accountability and wanting some feedback on how we can be more accountable and present information to you?"

Mayor Pro Tem Lucio, "I think Kathy had a great idea and that's why you are here today and she came up with putting you on the consent agenda, that way everyone knows what's going on with Park and Rec. I think it's great you guys are up here,"

Julie Herrington, "In reconciling I did not know the check did not come in yet and that was good to sit down with Kathy. We \$3400.00 for our budget moving forward for the events we have not executed. \$1100 over budget for the year, but since are going to cover the system, that's \$1000.00, so we are right on track." "So that's one of the things we talked about accountability and transparency with the money. The budget is updated every single meeting and anything above this such as Lighting of the Palms, replacement needed to be done such as tress from the freeze and to keep the island looking nice."

Councilman Hoff, "Since you are on the agenda every month, you guys are welcome to speak."

Scott Nelson, "If I may add one thing, we don't meet every month so we're not going to have anything to say."

Julie Herrington, "So right now we have 2 open positions and a possible third. We let it be known in the newsletter and getting applications. We have open positions and we talked about pulling the 2 applications and to see if they still want to serve. We have someone else that would like to serve on the committee. I know you are looking at redoing the ordinance. We have an ordinance that we are following, and you are wanting to make some changes and we are accountable to following this."

Mayor Pro Tem Lucio, we will probably bring it up at the next council meeting. I talked to Jason and it's not just your ordinance we are revamping."

Scott Nelson, "So it's business as usual?"

Julie Herrington, "So you're noting wanting to fill any positions at this time and you're going to come up with a new system?" "there were items mentioned as far as someone using influence at a altercation at the Harlingen Country Club and there were issues with people entering in the building after hours. An example, none of us have keys and we always talk to the Police. So after Lighting of the Palms, I maximized the large space to decorate." "Made sure the council chambers were cleaned after used." "If you hear of any altercations, that should be brought to the Council immediately and addressed."

"What are we doing for you that's working well? What are things that are not really serving the community? Are there things you want us to focus on?"

Mayor Pro Tem Lucio, "The events, I have no problem with them at all." "I think on the beautification part, I was talking to Chendo and there are some areas that belong to the City and maybe have community clean up and we will provide the flowers that need to be put out there and I believe there are 3 or 4 sections that are over grown weeds."

Julie Herrington, "If you're driving by and see something or someone make a complaint, take a picture and send it to Park and Rec and we will put it on thee agenda to address those issues."

Councilwoman Baker, "I think its great to come to the meetings as I did not know you all did the Christmas and patriotic banners on the lights. Also, coming to the meetings, it's on our website and the public will know."

Mayor Pro Tem Lucio, "Also, we put on our social media website concerning a health event in 3 cities and they tried to come in here and they were put away."

Scott Nelson, "If it's in the public interest and if it's a recreational event." If that comes up, please let us know.

Julie Herrington, "And we actually did a triathlon in the past."

Mayor Pro Tem Lucio, "They are having health classes and fitness classes and we missed the boat on that one."

Julie Herrington, "We have an ordinance that we are currently following until you all vote on something else, but we are willing and the things you want us to speak on, we are happy to do it.

Scott Nelson, "My only concern is that you may not get the same person every meeting."

Mayor Pro Tem Lucio, "That's ok."

Councilman Hoff, "I want to go on record, as a Councilman I've been to your events and you guys have done a terrify job."

Julie Herrington, "The example of the center island, lighting of that area. If that is something that we're not wanting to do next year, I hope maybe down size it. There are residents have donated. This past year we spent \$1500 on lighting because they truly last longer than the ones we've been getting in the past." "You don't want someone to donate the money and we decide we are not going to do that anymore."

Mayor Pro Tem Lucio, "Thank you Julie."

City Secretary, "With the permission of Mayor Pro Tem and the City Council under Consent Agenda letter D, Monthly Financial Report Budget for January 2023, I'm requesting if we could table that until the next meeting."

Councilman Wade, "I make a motion to approve, and we table item D Monthly Financial Report

Councilman Hoff second the motion.

Mayor Pro Tem Lucio took the votes and the motion carried unanimously by those present.

Councilman Hoff made a motion to adjourn the meeting.

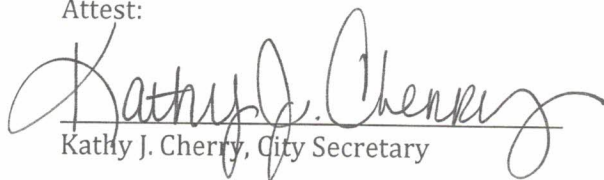
Councilman Wade, second the motion.

There being no further business, the meeting adjourned at 6:49 p.m.

A handwritten signature in dark ink, appearing to be "Gilberto Lucio", written over a horizontal line.

Gilberto Lucio, Mayor Pro Tem

Attest:

A large, stylized handwritten signature in dark ink, appearing to be "Kathy J. Cherry", written over a horizontal line.

Kathy J. Cherry, City Secretary