

**PALM VALLEY CITY COUNCIL
MINUTES
REGULAR MEETING
May 16, 2023**

The City Council of the City of Palm Valley met in a Regular Meeting on the 16th day of May 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 Michael Galvan
Councilwoman Annette Baker
Councilman Scott Nelson
Councilman Gilbert Lucio
Councilman Jerry Wade
Councilman Mike Vargas

Present:

Jason Mann, City Attorney

Staff present (all in person):

City Secretary: Kathy J Cherry
Interim Chief A. Quintanilla
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. **INVOCATION** - The Legislative Prayer was recited by Councilwoman Baker.
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.

4. **PUBLIC COMMENTS**

Lester Grisham, Park and Rec have a duty to promote a positive environment for Palm Valley through volunteer initiatives, movements have been and brought much value to the residents of Palm Valley residents. Some of the successful stories such as 4th of July, lighting of the Palms. As a resident of Palm Valley, I ask that you not punish all of us by removing the board. Reasonably review the allegations and work through them to sustain the services rendered by Park and Rec. I also ask, Palm Valley has nothing to gain by removing Park and Rec. They have volunteers that give up their time and energy because they care. Just like everyone here today, they care.

Katie Burk, 5627 Ben Hogan for 28 years. Several years ago, I spoke against the variance for the first 6-foot privacy wood fence facing Palm Valley West and the Country Club. The variance was granted in favor of the owner. A 6-foot wood fence on the corner of Palm Valley West and Ben Hogan presents a safety concern for myself and anyone turning and exiting and visibility will be diminished. My

husband and I had no objections to our neighbor installing a rod iron fence. I ask the committee to deny the request and appoint a committee to review the variance.

5. **OFFICIAL CANVASS OF ELECTION RESULTS FROM MAY 6, 2023, GENERAL ELECTION TO ELECT ONE (1) MAYOR, AND TWO (2) COUNCILMEMBERS FOR PLACE 3 AND PLACE 5.**

Councilwoman read the agenda item #5 as Mayor Pro Tem and candidate Lucio had to abstain.

FOR MAYOR – PLACE

GILBERT LUCIO

EARLY VOTING	129
ELECTION DAY	51
TOTALS	180

MICHAEL GALVAN

EARLY VOTING	132
ELECTION DAY	72
TOTALS	204

FOR COUNCIL MEMBER – PLACE 3

MIKE VARGAS

EARLY VOTING	172
ELECTION DAY	86
TOTALS	258

FOR COUNCIL MEMBER – PLACE 5

SCOTT NELSON

EARLY VOTING	178
ELECTION DAY	94
TOTALS	272

NUMBER OF ELECTION DAY VOTERS: 124

**NUMBER OF EARLY VOTERS:
(INCLUDES 18 BALLOTS BY MAIL) 264**

OFFICIAL TOTAL NUMBER VOTERS: 388

Councilwoman Taylor made a motion to accept the Canvassing results for ONE (1) MAYOR, AND TWO (2) COUNCILMEMBERS FOR PLACE 3 AND PLACE 5.

Councilman Wade, second motion

Mayor Pro Tem and candidate G. Lucio abstain.

6. **DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION CANVASSING THE RETURN AND DECLARING THE RESULTS OF THE CITY'S GENERAL ELECTION FOR ONE (1) MAYOR AND TWO (2) COUNCILMEMBERS FOR PLACE 3 AND PLACE 5.**

Councilwoman Taylor made a motion to accept the Canvassing results for ONE (1) MAYOR, AND TWO (2) COUNCILMEMBERS FOR PLACE 3 AND PLACE 5.

Councilman Wade, second motion

Mayor Pro Tem and candidate G. Lucio abstain.

Councilwoman Taylor, the record reflects FOUR (4) are FOR and ONE (1) abstain.

7. **ISSUANCE OF CERTIFICATES OF ELECTION AND STATEMENT OF ELECTED OFFICIALS (FORMS) AND ADMINISTER OATHS AND SWEAR INTO OFFICE THE ONE (1) MAYOR, AND TWO (2) NEWLY ELECTED COUNCILMEMBERS:**
MAYOR-MICHAEL GALVAN
PLACE 3- MIKE VARGAS
PLACE 5 SCOTT NELSON

Councilwoman Taylor made a motion to the Issuance of Certificates of election AND STATEMENT OF ELECTED OFFICIALS (FORMS) AND ADMINISTER OATHS AND SWEAR INTO OFFICE THE ONE (1) MAYOR, AND TWO (2) NEWLY ELECTED COUNCILMEMBERS

Councilman Hoff second motion.

Motion was carried unanimously by those present.

Councilwoman Taylor, the record reflects FOUR (4) are FOR and NONE against, and Mayor Pro Tem ONE (1) abstain.

Councilwoman Taylor, pursuant to the election results and the canvass, we name the incoming Mayor, Michael Galvan, the incoming council person for Place 3 is Mike Vargas, and incoming Councilmember for Place 5 is Scott Nelson.

Judge Elroy Cano. Jr administered the Oath of Office and swore Mr. Michael Galvan into office.

Judge Oscar Guerra administered the Oath of Office and swore Mr. Mike Vargas into office.

Judge Elroy Cano, Jr. administered the Oath of Office and swore Mr. Scott Nelson into office.

8. PRESENTATION OF GIFTS OF APPRECIATION TO OUTGOING COUNCILMEMBERS: LISA TAYLOR AND ERIC HOFF.

Councilwoman Baker, the way you handled people coming in and how you were sensitive. And I was very impressed with that. We are going to miss you. Councilwoman Baker, I also wanted to say something about Eric too. I felt he stood up for what was right when maybe we are afraid to. I appreciate him as Mayor Pro Tem and how he trained and walked alongside Gil. He showed a lot of integrity.

Councilman Lucio, working with you over the last year and very professional. I appreciated the fact that you were very detailed when you looked at stuff. Also, the same with Eric. He was a good mentor. I was new and he guided me.

9. DISCUSSION AND POSSIBLE ACTION TO APPOINT A MAYOR PRO TEM FOR 2024-25.

Mayor Galvan proceeds to read agenda item #9.

Councilman Lucio, does anybody want to be the Mayor Pro Tem?

**Councilman Wade, I nominate Scott Nelson as Mayor Pro Tem
Councilman Lucio, I second motion.**

Mayor Galvan, Jerry Wade has been her many years and he has given a lot of spare time to the City of Palm Valley. And I hear this will be his last year. I'm asking for reconsideration and maybe you will consider Jerry Wade

Councilman Wade, I nominate Scott Nelson

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

10. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF April 18, 2023.

City Secretary, with the Councils permission I am requesting that we table that until June?

Mayor Galvan, you're not ready?

City Secretary, no, due to elections.

Councilman Wade, motion to table minutes for next meeting

Councilwoman Baker, second motion.

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

11. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE 2023 POWER KIDS DUATHLON HELD IN PALM VALLEY ON JULY 22, 2023.

Tracy Roberts, owner of Bicycle World. Seeking approval from Council to put on a Kids Duathlon, which is a Bike Run on July 22, 2023. Location will be at the Country Club South side parking lot. The route will go south and back to the parking lot. The goal is to try to make it as non-invasive as possible. Allotted time will be 1 hour to 1 hour and ½ maybe a little longer. Arrival time will be from 5:00am to 6:00am to set up.

Mayor Galvan, have you run this by the Country Club?

Tracy Roberts, owner of Bicycle World, we have. We have to run it through Council first before we tell them the decision.

Councilwoman Baker, they did not let us have access to the parking lots. Hopefully they will cooperate. It's a good thing to support the community.

Will you go around 3 miles?

Tracy Roberts, owner of Bicycle World, Rick will have more details. The plan is to stay on the south side of the club (s mile circle) The route is not set in stone, but it was just an idea.

Councilman Lucio, is it going to go into Stuart Place Road?

Rick from Bicycle World, no we're keeping it inside the club because it's slow traffic and safe for the kids. The longest mile is the 1-mile run followed by 2-mile bike.

Councilman Lucio, I think if you could come up with the streets, maybe. Then the Mayor and the Chief can see what streets to close down. If you could get that to them as soon as possible. I don't have a problem with it at all.

Councilman Nelson, do you have an idea as to how many?

Bicycle World, 50 maybe to 100

Councilman Wade made a motion to approve the 2023 Power Kids Duathlon held in Palm Valley on July 22, 2023.

Councilman Nelson, second motion

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

Councilwoman made a motion to go into Executive Session for items 13, 14, and 16 on the agenda.

Councilman Wade, second motion

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

Time 6:33 p.m., Executive Session.

Mayor Galvan, back from Executive Session, time 7:02 p.m.

12. **DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE REQUEST FOR A FENCE AT 5610 BEN HOGAN CIRCLE.**

Councilman Lucio made a motion to not approve a variance request for a fence at 5610 Ben Hogan Circle.

Councilman Wade, second motion

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

13. **DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE REQUEST FOR A FENCE AT 146 EL CIELO CIRCLE.**

Councilman Lucio made a motion to not approve a variance request for a fence at 146 El Cielo Circle.

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

14. **DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE REQUEST FOR A PATIO AT 508 PALM VALLEY DRIVE WEST.**

Councilwoman Baker made a motion to table, and we postpone indefinitely so we can determine why it was denied by the Building Inspector and get more information.

Councilman Lucio, second motion.

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

15. **DISCUSSION AND POSSIBLE ACTION TO APPROVE REQUEST FOR PROPOSALS (RFP) FOR AN ENTERPRISE SYSTEM FROM VENDORS.**

Councilman Lucio explains the current system we are using (Access Database). Each time information is needed, we have to reach out to our IT guy which raises the cost. There are enterprise systems that can meet the needs of the City.

Mayor Galvan, do we have specs built out before we do an RFP?

City Secretary, we are currently drafting specs right now.

Councilman Lucio made a motion to approve action to approve Request for Proposals pending specs.

Councilman Nelson, second motion.

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

16. DISCUSSION AND POSSIBLE ACTION OF THE REMOVAL OF THE CURRENT PARK AND RECREATION ADVISORY BOARD AND CANNOT BE APPOINTED FOR 1 YEAR AFTER REMOVAL.

Councilman Lucio made a motion to remove the current Park and Recreational Advisory Board individually and they cannot be appointed for 1-year after removal.

- Karin Hansen

Councilman Lucio made a motion to remove Karin Hansen for the Park and Rec Board.

Councilwoman Baker, second motion

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

- Julie Herrington

Councilman Lucio made a motion to remove Julie Herrington from the Park and Rec Board and cannot be re-appointed for 1-year after removal.

Councilwoman Baker, second motion

Mayor Galvan, anyone opposed?

Councilman Wade, Opposed.

Councilman Nelson, Opposed.

Mayor Galvan 2, opposed.

City Attorney, she did not get enough votes to be removed. Only at 66%.

- **Jennifer Gresham**
Councilman Lucio made a motion to remove Jennifer Gresham from the Park and Rec Board.

Councilwoman Baker, second motion

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

Mayor Galvan, those opposed?

Councilman Nelson, opposed.

Mayor Galvan, motion carries, one opposed.

- **Melissa Tice**
Councilman Lucio made a motion to remove Jennifer Gresham from the Park and Rec Board.

Councilwoman Baker, second motion

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

Mayor Galvan, those opposed?

Councilman Nelson, opposed.

Mayor Galvan, motion carries, one opposed.

City Attorney, we will use the Mayor and the Council until additional board members can be appointed.

17. CONSENT AGENDA:

- A. Police Monthly Report-April 2023
- B. Municipal Court Monthly Report- April 2023
- C. Monthly Investment Report- April 2023
- D. Monthly Financial Report (Budget) - April 2023
- E. Monthly Check Listing- April 2023
- F. Council/Staff liaison report
- G. Park and Recreation Advisory Board- April 2023

Councilman Wade made a motion to accept the consent agenda as presented to the Council.

Councilman Vargas, second motion

Mayor Galvan took the votes, and the motion was carried unanimously by those present.

Councilwoman Baker made a motion to adjourn the meeting.


Councilman Wade, second the motion.

There being no further business, the meeting adjourned at 7:12 p.m.



Michael Galvan, Mayor

Attest:



Kathy J. Cherry, City Secretary