

**PALM VALLEY CITY COUNCIL
MINUTES
REGULAR MEETING
May 17, 2022**

The City Council of the City of Palm Valley met in a Regular Meeting on the 17th day of May 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:

Councilman Jerry Wade

Councilman Eric Hoff

Councilwoman Cynthia Thompson

Councilman Michael Galvan

VIA ZOOM

Councilwoman Lisa Taylor

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 Pro Tem Galvan.
2. **PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance followed led by Mayor Pro Tem Galvan.
3. **LEGISLATIVE PRAYER** - The Legislative Prayer was recited by Councilman Wade.
4. **PUBLIC COMMENTS** - None
5. **MINUTES OF THE REGULAR MEETING OF APRIL 19, 2022, AND SPECIAL MEETING OF MAY 2, 2022, APPROVED**

There being no corrections to the sets of minutes, Councilman Wade made a motion to approve both sets of minutes.

Councilwoman Thompson seconded the motion.

Mayor Pro Tem Galvan took the votes and the motion carried by the following votes:

AYE: Wade, Thompson, Galvan

NAY: none

ABSTAINED: Hoff (due to his absence from the meeting of April 19, 2022)

6. **OFFICIAL CANVASS OF ELECTION RESULTS FROM THE MAY 7, 2022, GENERAL ELECTION TO ELECT THREE (3) COUNCILMEMBERS, ONE EACH FOR PLACE 1, PLACE 2 AND PLACE 4**

Mayor Pro Tem Galvan appointed Councilwoman Thompson and Councilman Hoff as the canvass committee.

City Secretary Trevino presented the tally sheets from the election for both the early voting count and the election day count. Both Councilmembers verified and confirmed the totals.

7. **RESOLUTION APPROVED CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE CITY'S GENERAL ELECTION FOR THREE (3) COUNCILMEMBERS, ONE EACH FOR PLACE 1, PLACE 2 AND PLACE 3.**

Councilwoman Thompson made a motion to approve the resolution canvassing the results.

Councilman Hoff seconded the motion.

The results are:

Place 1

Annette Baker	Early Voting	126
	Election Day	40
	Total:	166

Michael Galvan	Early Voting	117
	Election Day	29
	Total:	146

Place 2

Melissa Tice	Early Voting	84
	Election Day	26
	Total:	110

Gilberto Lucio	Early Voting	101
	Election Day	28
	Total:	129

William "Bill" Elmer	Early Voting	58
	Election Day	15
	Total:	73

Place 4

Jerry Wade	Early Voting	176
	Election Day	56
	Total:	232

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

8. **CERTIFICATES OF ELECTION AND STATEMENT OF ELECTED OFFICIALS AND OATHS OF OFFICE ADMINISTERED TO THE THREE NEWLY ELECTED OFFICIALS:**

PLACE 1 – ANNETTE BAKER
PLACE 2 – GILBERTO LUCIO
PLACE 4 – JERRY WADE

City Secretary Trevino administered the Oath of Office and swore Ms. Baker into office.

Judge Rigoberto Flores administered the Oath of Office and swore Mr. Lucio into office.

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

**9. GIFTS OF APPRECIATION PRESENTED TO OUTGOING COUNCIL MEMBERS
CYNTHIA THOMPSON AND MICHAEL GALVAN**

Councilman Wade presented the gifts of appreciation for both Councilmembers for their years of service to the City of Palm Valley. Councilwoman Thompson exited the meeting.

(At this time the newly elected city officials took their seats at the table)

10. MAYOR PRO TEM APPOINTED FOR 2022-23

Councilwoman Baker nominated Councilman Lucio to serve as Mayor Pro Tem.

Councilman Hoff commented that while he realizes Councilman Lucio has a very impressive resume it would be tough for him to support someone with no experience in municipal government, however, he would fully support him for Mayor Pro Tem next year.

There was no second to the motion by Councilwoman Baker.

Councilwoman Taylor made a motion to appoint Councilman Hoff as Mayor Pro Tem being he has served the Council longer.

Councilman Wade seconded the motion.

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

The motion carried 3 to 1.

(At this time, Mayor Pro Tem Galvan exited the meeting and newly appointed Mayor Pro Tem Hoff presided over the remainder of the meeting).

**11. RESOLUTION APPROVED DESIGNATING SIGNATORIES FOR TRANSACTIONS
WITH THE CITY'S BANKING DEPOSITORIES**

Councilman Wade made a motion to approve the resolution.

Councilwoman Taylor seconded the motion.

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

**12. RESOLUTION TO APPOINT A MAYOR FOR THE REMAINING UNEXPIRED TERM
OF LESS THAN ONE YEAR PURSUANT TO THE TEXAS LOCAL GOVERNMENT CODE
SECTIONS 22.001 ET SEQ (EXECUTIVE SESSION IF NEEDED)**

City Attorney Mann recommended that the Council proceed with Item No. 15 and take up Item No. 12 later in the meeting.

15. CHANGE ORDER #1 FOR LAKE #3 PROJECT APPROVED

Councilman Wade made a motion to approve the Change Order as recommended by David Flinn in the amount of \$24,147.00-----a decrease to the net contract price. The original amount of the contract was \$654,480. The revised contract amount incorporating this change order is now \$630,333.00.

David Flinn further explained the project with regards to the pumps and the pipes.

Councilman Wade commented that the low lake levels are also due to intermittent water delivery by the Harlingen Irrigation District and the demand for irrigation water. There had been no delivery of water in the last three weeks.

Councilwoman Baker added that low water levels are not a bad thing as there is space for stormwater to go to prevent flooding.

Councilwoman Baker seconded the motion.

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

16. CONSENT AGENDA:

- A. Police Monthly Report – April 2022**
- B. Municipal Court Monthly Report – April 2022**
- C. Monthly Investment Report – April 2022**
- D. Monthly financial report – April 2022**
- E. Monthly check listings – April 2022**
- F. Council/staff liaison reports.**

Councilwoman Taylor made a motion to approve the Consent Agenda.

Councilman Wade seconded the motion.

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

12. RESOLUTION TABLED TO APPOINT A MAYOR FOR THE REMAINING UNEXPIRED TERM OF LESS THAN ONE YEAR PURSUANT TO THE TEXAS LOCAL GOVERNMENT CODE SECTIONS 22.001 ET SEQ (EXECUTIVE SESSION)

ACTION TO RESOLVE ISSUES CONCERNING THE APPOINTMENT OF A CITY ADMINISTRATOR PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 22.071, 22.072, 22.077, AND SECTIONS 22.001 ET SEQ.

Councilman Wade made a motion to go into Executive Session.

Councilwoman Taylor seconded the motion.

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

The Executive Session convened at 6:29 p.m. and concluded at 7:06 p.m.

Returning to open session Councilman Wade made a motion to table the appointment of a Mayor.

Councilman Lucio seconded the motion.

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

13. ACTION TAKEN TO RESOLVE ISSUES CONCERNING THE APPOINTMENT OF A CITY ADMINISTRATOR PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, SECTION 22.001 ET SEQ.

Councilwoman Baker made a motion to remove the position of City Administrator pursuant to Texas Local Government Code 22.077(B).

Councilman Lucio seconded the motion.

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

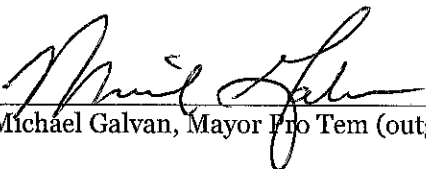
14. ACTION TAKEN TO APPOINT A CITY SECRETARY PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, SECTION 22.001 ET SEQ.

Councilman Lucio made a motion to reappoint City Secretary Sylvia Trevino through December 31, 2022, with a prorated salary of \$70,000 effective immediately for the remaining months.


Councilwoman Taylor seconded the motion.

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

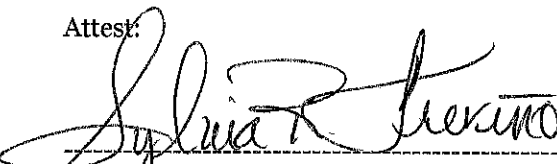
There being no further business, the meeting adjourned at 7:10 p.m. upon a motion by Councilman Wade and a second by Councilman Lucio.



Michael Galvan, Mayor Pro Tem (outgoing)



Eric Hoff, Mayor Pro Tem

Attest:


Sylvia R. Trevino, City Secretary