

**PALM VALLEY CITY COUNCIL  
MINUTES  
REGULAR MEETING  
April 20, 2021**

The City Council of the City of Palm Valley met in a Regular Meeting on the 20th day of April 2021 at 6:00 p.m. at 1313 N. Stuart Place Road, Palm Valley, Texas. Council members attended in person. (ZOOM videoconferencing was available for the public).

Council members present VIA ZOOM

Mayor George Rivera  
Councilwoman Lisa Taylor  
Councilwoman Cynthia Thompson

Absent: Michael Galvan

Council members present in person.

Councilman Eric Hoff  
Councilman Jerry Wade

Jason Mann, City Attorney (Via Zoom)

City Secretary: Sylvia R. Trevino (in person)

Staff present (all in person):

Chief A. R. Garcia  
Rosendo Flores, Director of Public Works  
Elsa Guajardo, 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 led by Mayor Rivera.
4. **MINUTES FOR APPROVAL – REGULAR MEETING OF MARCH 16, 2021**

There being no corrections to be made, Councilman Hoff made a motion to approve the minutes.

Councilman Wade seconded the motion.

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

7. **DRAINAGE FEES ASSESSED TO COMMERCIAL PROPERTIES IN PALM VALLEY – DISCUSSION TABLED**

Mayor Rivera stated that after discussion with the City's bond counsel more information is needed and he recommended that the item be tabled until the next meeting. The

Council needs to be fully informed before any changes are made. More discussion needs to be made with bond counsel and the financial advisors.

Councilman Hoff asked that Cameron Properties be exempted from any further action for the next few days until this issue gets resolved.

City Attorney Jason Mann pointed out that this action to table was only regarding the feasibility of the fees.

Councilman Hoff made a motion to table this item until the next meeting.

Councilwoman Taylor seconded the motion.

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

5. **EMPLOYEES DISCUSSION (ONLY) HELD TO AMEND PERSONNEL POLICY (IF NECESSARY) AS IT RELATES TO ACCRUED VACATION FOR EMPLOYEES**

A lengthy discussion was held on this topic. Mayor Rivera commented that this something that pointed out by the auditors. He stated that most employees have gone past their cap in accrued vacation. The Personnel Policy has been in effect since 2004 and nothing has changed. He recalled that he has never approved any carryover of vacation time since he has been Mayor, as required by the Personnel Policy. He questioned whether the policy needs to change or not. He would suggest allowing the carry over of only 1 week.

Councilwoman Taylor commented that most companies have a policy of using their vacation by a certain time or they lose it altogether.

Mayor Rivera stated that the issue is the accruals which becomes a liability for the City because it is something that is not budgeted.

Councilman Hoff commented that a policy should be set up, but it should not be up to the will of one individual to decide whether to approve a carryover or not. We should pay but a policy should be set.

Mayor Rivera stated that the policy is well written and wondered if it is worded correctly. It just has never been enforced.

Councilwoman Taylor stated that the approval should come from the Mayor of no more than 5 days. Currently, there are amounts for accruals that are not budgeted.

Councilwoman Thompson agreed that the Mayor should do the approvals and the policy should remain the same.

In conclusion there was a consensus that the City Attorney, Jason Mann, come up with revised language that would suggest using vacation time or lose it except for the carryover of only 5 days (40 hours).

6. **DISCUSSION HELD AND ACTION TABLED REGARDING EMPLOYEES' ACCRUED VACATION**

The question was what to do with the accruals. The payouts will require that the budget be amended.

At this time Councilman Hoff made a motion to pay the accruals for the impacted employees soon accruals and come up with a comprehensive policy and not have only one person to approve the carryovers.

Mayor Rivera stated that he foresees having the employees sign off on their carryovers and a document be placed in their personnel files so that they will know that if they carry over, they will need the Mayor's approval.

Councilman Thompson expressed concern over where the funds will come from to pay for these accruals.

Mayor Rivera replied it would come from the general fund and part could come from this fiscal year's budget and part from next year's budget.

Councilwoman Taylor commented that there is a policy in place that was not followed and questioned whether there is documentation to prove that these employees have the number of accruals that have been submitted.

City Attorney Mann suggested an analysis be done to determine if these accruals can be compared to over time. What if these hours were worked overtime instead of taking vacation? What would that impact be?

Mayor Rivera pointed out that vacation time is earned, and it is on a 40-hour week.

Councilman Hoff was still of the opinion that the policy be clarified to avoid confusion. He commented 'let us be fair' and pay out the accruals and have a good policy in place. Again, he made the motion to pay the employees the accruals.

There was no second to his motion.

Chief Garcia spoke about calendar year versus anniversary date. The accruals are based on anniversary dates of the employees. He cited an example of how he allocates the vacation time for his officers and he has them come down to 40 hours by their anniversary date.

City Attorney commented that the policy could be amended to allow directors to approve any carryovers.

Councilwoman Thompson stated that the Mayor should retain that approval. But her concern is still the taxpayers' money and where the money will come from to pay for the accruals.

Councilman Hoff made a motion to table this item to get further documentation.



Councilman Wade seconded the motion.

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

8. **DATE OF NEXT COUNCIL MEETING CHANGED FROM MAY 18, 2021 TO MAY 12, 2021 TO COMPLY WITH THE STATUTORY TIME PERIOD FOR THE OFFICIAL CANVASS OF THE ELECTION RESULTS OF MAY 1, 2021.**

A motion was made by Councilwoman Thompson to change the date to comply with the statutory time for the official canvass of the election results of May 1, 2021.

Councilman Hoff seconded the motion.

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

9. **CONSENT AGENDA:**

- A. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE POLICE CHIEF'S ATTENDANCE TO THE TEXAS POLICE CHIEF LEADERSHIP SERIES TRAINING COURSE IN SAN ANTONIO IN SAN ANTONIO**
- B. Police Monthly Report – March 2021**
- C. Municipal Court Monthly Report – March 2021**
- D. Monthly Investment Report – March 2021**
- E. Monthly Financial Report – March 2021**
- F. Monthly Check Listings – March 2021**
- G. Council/staff liaison reports**

Councilwoman Thompson made a motion to approve the Consent Agenda.

Councilman Hoff seconded the motion.

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

There being no further business, Councilman Hoff made a motion to adjourn the meeting and Councilwoman Thompson seconded the motion. The meeting adjourned at 7:04 p.m.



George Rivera, Mayor

Attest:



Sylvia R. Trevino, City Secretary