

STATE OF TEXAS §  
COUNTY OF CAMERON §  
TOWN OF LAGUNA VISTA §

**MINUTES OF A SPECIAL MEETING  
OF THE LAGUNA VISTA TOWN COUNCIL**

DATE: January 12, 2021  
TIME: 6:00 pm  
PLACE: Roloff Park at Basketball Court

MEMBERS PRESENT: Nadine Smith, Mayor  
Michael Carter, Mayor Pro-Tem  
Johvonne Howard, Council Member Place 2  
Bettina Tolin, Council Member Place 3  
Rolando Gonzalez, Council Member Place 4  
Victor Worrell, Council Member Place 5  
Silke De Gobeo, Council Member Place 6  
  
Ana Hernandez, City Secretary  
Rendie Gonzales, Town Bookkeeper  
Alan Ozuna, Town Attorney  
Ricky Gonzalez, Police Commander

MEMBERS ABSENT: All Present

ALSO PRESENT: Karen Watt  
Miguel A Sosa  
Orlando Cruz, Cruz Hoggan  
Robb Edmonds, Deguello Operating LLC

**ORDER OF BUSINESS**

- 1) **Call to Order** Mayor Smith called the meeting to order at 6:02 p.m.
- 2) **Invocation and Pledge of Allegiance** was led by Council Member Rolando Gonzalez.
- 3) **Roll Call/Excused Absences** – Council Member Howard was absent.
- 4) **OPEN FORUM** - Due to COVID-19 emergency, the Town will live stream the meeting on the Town's Facebook page at <https://www.facebook.com/lvtexas/>. Viewers will be allowed to comment during our live stream on any topic. Comments submitted after the close of the open forum may be read at the end of the meeting. Each commenter

will be identified by Facebook Username. There is no discussion or formal action taken during this agenda item.

- 5) **CONSENT AGENDA ITEMS** – All matters listed under this item are routine by the Council and will be enacted for approval by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. Discussion, consideration, and possible action on each of the following items:

- a) **MINUTES** – Consideration and action to approve the minutes of the November 30, 2020 Special Meeting. (City Secretary)
- b) **MINUTES** – Consideration and action to approve the minutes of the December 8, 2020 Regular Meeting. (City Secretary)
- c) **MINUTES** – Consideration and action to approve the minutes of the December 18, 2020 Special Meeting. (City Secretary)

Mayor Smith noted some corrections on the minutes on page 2 of 5 of the November 30, 2020 Special Meeting there is a typo instead of Mayor Smith it read Mayor Houston and on page 4 of 5 it read Mr. Mondragon worked on CDC grants instead of CDBG.

**Council Member Gonzalez made a motion to approve the minutes of the November 30, 2020 Special Meeting with corrections, the minutes of the December 8, 2020, and the minutes of the December 18, 2020 Special Meeting. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- 6) **NEW BUSINESS** – Discussion, consideration, and possible action on each of the following items.

Mayor Smith requested to move items 6d and 6e to the top since Karen Watt and Miguel Sosa were in the audience to present. All Council Members were in agreement.

- a) **4<sup>th</sup> ANNUAL DU IT BY THE BAY DUATHLON** – Consideration and possible action to co-sponsor the 4<sup>th</sup> Annual Du It By the Bay Duathlon scheduled for January 31, 2021. (City Manager)

Karen Watt stated this will be their 4<sup>th</sup> Duathlon. The Duathlon consists of run, bike, run and anyone can participate. In the past they've had between 90 – 140 participants. The Police Dept and the Fire Dept assist with Traffic Control. The city also provide the port a potties. For this event they already have 130 registered participants. However, they will be capping it off at 150 due to COVID-19. This year they will be following Covid-19 Protocols, since it is sanctioned by USA triathlon. Some of those will be temperature checks, social distancing, and runners must wear

masks. Medals will be on a table rather than being placed on a person. All monies collected is to benefit AMI Kids.

**Mayor Smith made a motion to approve the co-sponsorship of the 4<sup>th</sup> Annual Du It By the Bay Duathlon scheduled for January 31, 2021, Council Member Carter seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- b) BENEFIT 5K RUN** – Consideration and possible action to regarding a request from Mr. Miguel A. Sosa for traffic control assistance during benefit 5k run.(City Manager)

Miguel A Sosa addressed the council stating that in 2014 & 2015 they did some benefit runs to help out with medical expenses for some kids. They decided to do it again this year to help out a couple of people with medical expenses. The event was moved from Port Isabel to Laguna Vista since they are residents of Laguna Vista. Event will be held on February 13, 2021. No medals will be given out. All monies will just be given to the families. Entry fee is \$25. There will be COVID-19 protocols.

Council Member Gonzalez asked why they stopped doing it in Port Isabel.

Mr. Sosa replied one year he was told by Port Isabel City Manager that Harlingen was doing similar event on the same date and was conflicting and never went back to re-schedule.

Council Member Howard asked to see a flyer with the details of the event and also who this was going to benefit before our next council meeting.

Miguel Sosa stated that they stopped putting who it was benefiting because he had problems in the past.

**Mayor Smith made a motion to approve the request from Miguel A. Sosa for traffic control assistance during benefit 5k fun run scheduled for February 13, 2021, Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- c) ADVISORY BOARD APPOINTMENTS** – Consideration and possible action on appointing residents to the following advisory boards.

- i) Board of Adjustments** – 3 Members & 2 Alternates

**Council Member Tolin made a motion to appoint Terry Volz, Humberto Hinojosa and Felicia Justice to the Board of Adjustments, Council Member Gonzalez seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor**

**Smith voted “aye” to approve, motion carried.**

**ii) Community Development Corporation – 3 Members**

**Council Member Carter made a motion to appoint Sid Ramos to the CDC Board for a full term, Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Council Member Worrell made a motion to re-appoint Dr. Christopher Romero to the CDC Board for a full term, Council Member Gonzalez seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Mayor Smith made a motion to appoint Leigh West to the CDC Board to finish the seat vacated by Mr. Davalos, Council Member Gonzalez seconded. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**iii) Ethics Board – 3 Members**

**Council Member Gonzalez made a motion to re-appoint Eddie Galvan to the Ethics Board, Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Council Member Worrell made a motion to appoint Felicia Justice to the Ethics Board, Mayor Smith seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Mayor Smith made a motion to appoint Rafael Salazar to the Ethics Board, Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**iv) Planning & Zoning Commission Board – 4 Members & 1 Alternate**

**Council Member Gonzalez made a motion to re-appoint Leigh West and Owen Schierenbeck to the Planning & Zoning Commission Board, Council Member Tolin seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Mayor Smith made a motion to appoint Dr. Romero to the Planning & Zoning Commission Board to fill the position vacated by Arden Curts, Council Member Carter seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Mayor Smith made a motion to appoint Erika Hughston (if interested) to serve on the Planning & Zoning Commission Board, Council Member Tolin seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Mayor Smith made a motion to appoint Rudy Garcia as an alternate on the Planning and Zoning Commission Board, Council Member Howard seconded the motion. Council Members Howard, Tolin, and Mayor Smith voted “aye”. Council Members Carter, Gonzalez, Worrell, and De Gobeo voted “nay” motion did not pass.**

**Mayor Smith made a motion to appoint Felicia Justice as an alternate on the Planning and Zoning Commission Board, Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- d) CDC BOARD EX-OFFICIO MEMBERS – Consideration and action to consider appointing two (2) ex-officio member the the Community Development Corporation Board from amongst the Town Council. (City Manager)**

**Mayor Smith made a motion to re-appoint Council Member Worrell as an ex-officio member to the Community Development Corporation Board, Council Member Tolin seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Mayor Smith made a motion to appoint Council Member De Gobeo as an ex-officio member to the Community Development Corporation Board, Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- e) ROLOFF PARK SPECIAL USE PERMIT – Consideration and possible action to consider a request from Dr. Jeanne A. Oehler for use of Roloff Park on the third Saturday of each month for veterinary services from January 2021 to June 2021. (City Manager)**

**Council Member Gonzalez made a motion to approve the request from Dr. Jeanne A. Oehler for use of Roloff Park on the third Saturday of each month for veterinary services from January 2021 to June 2021, Council Member Tolin seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- f) **MONARCH PLEDGE RENEWAL** – Consideration and possible action regarding additional landscaping in support of Monarch Pledge. (Mayor Smith)

**Mayor Smith made a motion to approve the Monarch Pledge renewal, Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Mayor Smith again asked to move this item since Mr. Cruz was in attendance, all Council Members agreed.**

- g) **CORNET CONSTRUCTION CONTRACT** – Discussion and possible action regarding construction contract with Cornett Construction Company. (City Manager)

Mr. Cruz stated that the contract was awarded in a previous meeting to Cornett Construction for EDA project now the contract has been drawn up, reviewed by Town Attorney and ready for approval by Town Council and to be executed by the Mayor. Ready to move forward with contract once executed the contracts will be sent to EDA for final approval.

Mr. Ozuna is recommending approval.

**Mayor Smith made a motion to approve the contract with Cornett Construction Company as recommended by Mr. Ozuna, Council Member Tolin seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- h) **REPLAT** – Consideration and possible action regarding recommendation from the Planning and Zoning Commission to replat Original Townsite, Block 461, Lots 1, 4, 5 and the adjacent 10 ft of vacated 9<sup>th</sup> Street. (City Manager)

**Mayor Smith made a motion to approve the recommendation from the Planning and Zoning Commission to replat Original Townsite, Block 461, Lots 1, 4, 5 and the adjacent 10 ft of vacated 9<sup>th</sup> Street, Council Member Howard seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**i) 22 LOT SUBDIVISION, BETHPAGE DR. – Consideration and possible action regarding confirmation of Community Unit Plan exemption for 22 Lot Subdivision on Bethpage Dr. (City Manager)**

Mr. Ozuna addressed the Council stating that in middle of the year we had we had an item that is covered by the CUP Agreement which was drawn in 2011 that was exempt from the P & Z process due to the CUP Agreement this item is very similar it again is exempt from P & Z process but the developer needs some sort of confirmation maybe for banks that it was approved. Last time after Town Council approval the Mayor and City Manager signed off.

Mr. Worrell asked if it was an exception or the CUP Agreement.

Mr. Ozuna replied that it was an exemption that arises from the CUP Agreement.

Ms. De Gobeo asked for a better copy of the CUP Agreement. Administration has not been able to obtain a better copy. This is a copy of the recorded copy.

**Mayor Smith made a motion to confirm Community Unit Plan exemption for 22 Lot Subdivision on Bethpage Dr., Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Mayor Smith called a 5 minute recess at 6:58 pm, due to technical difficulties.**

**j) STREET IMPROVEMENT – Discussion and possible approval of expenditures to repair the damaged area on Lakewood Dr.**

Council Member Carter stated the quote was excellent.

Council Member Tolin stated G & T has done work for her and they do an excellent job.

City Secretary advised that cash in bank for Street Improvements was \$22,752.52.

The quote of \$16,350 submitted by G & T is not only for Lakewood Dr but also for Taylor St.

**Mayor Smith made a motion to approve G & T for Street Improvements on Lakewood Dr. and Taylor St in the amount of \$16,350, Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**k) GRANT WRITER, ENGINEER, AND ARCHITECTURAL PROFESSIONALS - Discussion and possible action regarding contracts for Grant Writer, Engineer, and Architectural Professionals. (Mayor Smith)**

**Mayor Smith tabled this item.**

**l) HOLLY BEACH RIGHT OF WAY – Consideration and possible action regarding the use or purchase of the right of way alongside Holly Beach Road adjacent to Texas Gas Line (City Manager)**

Robb Edmonds addressed the council stating he represents Deguello Operating LLC This company owns a well at the end of Holly Beach and needs to obtain a pipeline permit from the City to install a new pipeline.

Mr. Ozuna addressed Mr. Edmonds and said that he was under the impression that he or the company he represents was seeking a right of way from the town like to convey a right of way but after looking at the map it looks like its not just property owned by the town. Mr Edmonds said he was told that the town owns the entire north portion on the map. Normally he said he'd go to the County but he was told by the County that he'd have to deal with Laguna Vista since they own it. Mr Ozuna stated that he thought Mr. Edmonds was interested in rights of way which is an interest in real estatat and not the issuance of a regulatory permit. Deguello wants to bury a pipe that will carry natural gas. Mr. Ozuna asked if Deguello has done any appraisal or what is their offer to get right of way conveyed. Answer: No

Mr. Edmonds asked what has the city done in the past for other rights of ways.

Mr. Ozuna said that we are statutorily obligated to get a fair market value for an interest in real estate since we are a governmental agency and we cannot come out with that by looking at the map.

Council Member Gobeo asked will there be an issuing connecting to existing pipeline? Answer: No

Council Member Carter asked who is in control of that street and that would be the first thing we should get an answer to.

Council Member Gonzalez stated that in past years Rolando Vela would ask the county for assitance in maintaining that street.

Council Member Carter stated that our ETJ does not go all the way to Holly Beach.

Mayor Smith said the first thing to do is to find out who are these landowners and what would be their offer.

Council Member De Gobeo asked if this pipeline is currently shut and hasn't



produced in four (4). Answer: Yes

Mr. Ozuna addressed Mr Edmonds that the town is in no position to make any decisions today. He will be in contact with Mr Edmond and will work directly with him.

Mayor Smith thanked Mr Edmonds and hopes this now moves faster.

**m) EXECUTIVE SESSION** – Executive closed session in accordance with the Open Meetings Act, as authorized by the Texas Government Code, regarding any matter listed on the agenda pursuant to Section 551.071 – Consultation with Town Attorney; 551.072 – deliberation regarding real property; 551.074 – deliberation regarding personnel matters; and 551.087 – deliberation regarding economic development negotiations.

**i)** Deliberation regarding possible purchase of the right of way alongside Holly Beach Road adjacent to Texas Gas Line.

**THE BOARD DID NOT GO INTO EXECUTIVE SESSION.**

**7) ADJOURNMENT -**

**Mayor Smith made a motion to adjourn at 7:25 p.m., Council Member Worrell seconded the motion. Council Members Carter, Howard, Tolin, Gonzalez, Worrell, De Gobeo and Mayor Smith, voted “aye” to approve, motion carried.**

Attest:

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Nadine Smith, Mayor

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Ana Hernandez, City Secretary