

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

MINUTES OF A REGULAR MEETING
OF THE LAGUNA VISTA TOWN COUNCIL

DATE: January 11, 2022
TIME: 6:00 p.m.
PLACE: City Hall Building

MEMBERS PRESENT: Nadine Smith, Mayor
Michael Carter, Council Member Place 1
Johvonne Howard, Council Member Place 2
Bettina Tolin, Council Member Place 3
Victor Worrell, Council Member Place 5
Silke De Gobeo, Council Member Place 6

Ed Meza, City Manager
Ana Hernandez, City Secretary
Norma Barbosa, Deputy Clerk
Pura Mireles, Library Director
Anthony David, Police Chief
Chief Waters, Fire Chief
Rendie Gonzales, Bookkeeper

MEMBERS ABSENT: Rolando Gonzalez, Council Member Place 4

ORDER OF BUSINESS

- **Call to Order** – Mayor Smith called the meeting to order at 6:03 PM
- **Invocation and Pledge of Allegiance**
- **Roll Call/Excused Absences** –

Motion was made by Mayor Smith and seconded by Council Member Carter to excuse Rolando Gonzalez.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo all voted “Aye” to approve; Motion Carried.

- **OPEN FORUM** - At this time, audience is allowed 5 minutes per person to address the Council on any topic. There is no discussion or formal action taken during this agenda item. The speaker must identify themselves before speaking. A Speaker Request Form must be presented to the City Secretary prior to the meeting.

First speaker: Corinne Jeeter Spoke

Second Speaker: Philip Massey suggesting proposed development of a sign ordinance for Residential areas.

- **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.

It was recommended by Mr. Ozuna that we take the December 14, 2021, minutes off the “consent” agenda items because he did have a correction due to him being listed as present; however he was in fact absent so that correction will need to be made.

Mr. Carter moved to table the consent agenda items.

Mayor called for a second and/or discussion.

Council Member Tolin requested to know why Mr. Carter wanted to table the consent agenda items.

Council Member Carter’s response was “later”. Further discussion continued regarding the time frame as to when he wanted it tabled and it was suggested by Mayor Smith to add to the discussion a specific date or timeframe as to when he wanted those tabled and that typically, this is not done unless it is an extreme situation.

Council Member Carter advised that he doesn’t have to say when and that he believes right now we are in an extreme situation.

Council Member De Gobeo asked if we can table it to next month’s meeting.

Council Member Carter advised we can table it to the next meeting – he didn’t care, he just wanted it to be later.

Mayor advised that there is a motion on the floor by Council Member Carter to table the Consent Agenda items until later. Council Member De Gobeo seconded the motion.

Mayor Smith, Council Members Carter, Worrell and De Gobeo voted “yes” to approve.

Council Members Howard and Tolin voted “no” to not approve.

Motion Carried; 4 Yes; 2 No.

Mr. Carter moved to go directly to item “g” of the agenda to go into executive session.

No Discussion: Council Member De Gobeo seconded.

Mayor Smith, Council Members Howard, Carter, Worrell and De Gobeo voted “yes” to approve.

Council Member Tolin voted “no” to not approve.

Motion Carried; 5 Yes; 1 No.

Council moved into Administration offices at 6:21pm for Executive Session.

Open session resumed at 7:57pm.

- **CITY MANAGER** – Consideration and possible action to accept resignation of City manager Edward Meza.

Council Member Mayor Smith made a motion to accept resignation of City Manager Edward Meza, Council Member Worrell seconded the motion.

Council Members Carter, Howard, Tolin, Worrell, De Gobeo and Mayor Smith voted “yes” to approve.

Motion Carried; 6 Yes; 0 No.

- **INTERIM CITY MANAGER** – Consideration and possible action to appoint an Interim City Manager. (Mayor Smith)

Mayor Smith makes a motion to appoint Rendie Gonzales as Interim City Manager; Council Member Tolin seconded.

Council Member Carter Moved to Amend the Motion to Appoint Police Chief Tony David as Interim City Manager.

Discussion: Mayor explains to Mr. Ozuna (who had briefly stepped out) that a Motion was made for Ms. Gonzales to be appointed Interim City Manager; has a second; however, Council Member Carter has now moved to Amend the Motion to appoint Police Chief Anthony David as Interim City Manager.

Discussion regarding if the Motion can be allowed; Council Member Worrell voiced that the Motion was still germane, and Council Member Tolin and Mayor Smith stated that it changed the motion therefore couldn't be amended.

Council Member Carter states under Robert's Rule you have to vote on the amendment first then the original motion.

Mr. Ozuna advised that we can take action on the amendment and his concern was that it defeats the purpose of the initial amendment.

Council Member Worrell clarified, and Mr. Ozuna concurred that if the amendment didn't have a second, it wouldn't matter and the amendment would be nullify. The original motion was to APPOINT a Interim City Manager. Council Member Carter's amendment doesn't change the motion just by changing WHO is appointed; therefore, the amendment is germane; however does still need a second to call for a vote otherwise it's all a moot point.

Council Member Carter requests clarification on whether he can amend the original motion.

Mayor Smith argues that this amendment nullifies the original motion.

Mr. Ozuna states that because it would put the people to vote on the amendment to change their original position to vote on the amendment then it might not be a sound amendment.

Council Member Tolin requests that a vote is called on the original Motion.

Mr. Ozuna states that if the mayor has heard the Motion, had asked for a second and in the event she hasn't received one then we go back to the original motion.

Council Member Carter's amendment did not have a second.

Mayor Smith makes a motion to appoint Rendie Gonzales as Interim City Manager; Council Member Tolin seconded.

Mayor Smith, Council Members Howard, Tolin, Worrell and De Gobeo voted "yes" to approve.

Council Member Carter voted "no" to not approve.

Motion Carried; 5 Yes; 1 No.

- **CITY MANAGER RFQ** – Consideration and possible action regarding RFQ for the position of City Manager. (Mayor Smith)

Mayor Smith makes a motion to go out for RFQs for City Manager with a salary range of \$80,000 - \$120,000. The job posting should be placed on TML, Linked In, Indeed and Bidnet Direct. Due by March 7, 2022, at 12:00pm. Council Member Howard seconded.

Mayor Smith, Council Members Howard, Carter, Tolin, Worrell and De Gobeo voted "yes" to approve.

Motion Carried; 6 Yes; 0 No.

- **PROCLAMATION** – A proclamation declaring participation in the Mayor’s Monarch Pledge. (Mayor Smith)

Mayor Smith reads the proclamation – noting the change in the signature page.

- **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.

- **MINUTES** – Consideration and action to approve the minutes of the September 21, 2021, Special Meeting. (City Secretary)
- **MINUTES** – Consideration and action to approve the minutes of the October 13, 2021, Regular Meeting. (City Secretary)

Council Member Worrell moved to approved items a & b (minutes of the September 21, 2021, Special Meeting and minutes of the October 13, 2021 Regular Meeting) and Council Member Carter seconded.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo voted “yes” to approve.

Motion Carried; 6 Yes; 0 No.

- **MINUTES** – Consideration and action to approve the minutes of the December 14, 2021, Regular Meeting. (City Secretary)

Mayor Smith moves to approve the minutes of the December 14, 2021, Regular Meeting with the correction that Mr. Ozuna was NOT present at the meeting as indicated, seconded by Council Member Howard.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo voted “yes” to approve.

Motion Carried; 6 Yes; 0 No

- **NEW BUSINESS** - Discussion, consideration, and possible action on each of the following items:

- **FINANCIAL REPORTS** – Review of monthly Financial Reports. (City Manager)

Ed Meza reviewed each of the department budget amendment requests.

Mayor Smith wanted to know if we have requested reimbursement from the County for the Eco-Tourism grant funding.

It was advised that we have not; the County wants us to wait until the completion of the project and request all at once; however, we can request it any point.

Council Member Carter asked to know when we received the ARP funds and if we received them in FY 2021/2022, if so then the budget amendments are not correct because those funds would not be considered "fund balance" yet.

Council Member Carter advised that there should be a "due to/due from" for this money.

Council Member De Gobeo pointed out the typo on the footnote of the budget amendments forms that needs to be removed.

Council Member Howard requested to know where we were getting the Chief David payout on the budget amendment.

It was advised that it would be from the fund balance.

Council Member Carter pointed out that the Public Works request sheet was out of balance.

The \$1,000 from Perez over line item was not carried down to the Ramirez line item and therefore was off balance; however, it was a typo and it does balance with those funds.

Council Member Howard requested to know why Mr. Perez was paid for his sick leave.

Mr. Meza explained that it was a mistake. We don't pay sick pay, and he just noticed that – that it was a mistake.

Council Member Howard confirmed that no one is to get paid out if they resign for sick or vacation time and that we did in fact pay out Mr. Perez \$412.

Mayor Smith confirmed to Mr. Meza that that money should not have been paid out – Mr. Meza confirmed.

Council Member De Gobeo stated that that is not good and asked whose responsibility was that.

Mr. Meza advised that it was ultimately his responsibility however he was advised by the human resources department, and he thought that was correct.

Mayor asked for any other discussion.

Council Member Carter advised that there are still items on the budget with negative balances.

He was advised that those are included in the budget amendments, and it was noted that they will be corrected.

Council Member Howard asked how we are so far out of budget in the training budget, auto budget, books & subscriptions and were they in the budget amendment.

He was advised that none of those items had budget amendments.

Council Member Carter pointed out that there is a negative balance on page 7 for public safety.

It was explained that Chief David's salary is coming out of Police and Fire and Rendie needs to determine why/how the fringe is showing up in fire when it was all budgeted out of police.

Mayor Smith advised that it had been a crazy couple of days with unexpected events and that she understands all of this is being worked on.

Mayor Smith moved to approve the budget amendments with corrections pointed out, seconded by Council Member Worrell.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo voted "yes" to approve.

Motion Carried; 6 Yes; 0 No

- **FOURTH OF JULY FIREWORKS** – Consideration and possible action to contract with Pyro Shows of Texas for Fourth of July Fireworks Show. (City Manager)

Mr. Meza relayed the three options for the Fourth of July fireworks show.

1. Ten (10) minute show will cost \$11,500.
2. Seven (7) minute show will cost \$10,000; and
3. Twelve (12) minute show will cost \$14,000.

As for scheduling, PyroShows are holding Friday, July 1st. (Saturday July 2nd is unavailable.)

Requested CDC for funding assistance, they agreed to assist up to \$7,500 and strongly recommended the 12 min show.

The city was able to raise \$7,000+ from donations in previous years to contribute to the fireworks display.

Mayor Smith moved to approve the 12-minute show for \$14,000 on July 1, 2022, seconded by Council Member De Gobeo.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo voted "yes" to approve.

Motion Carried; 6 Yes; 0 No

- **SECURITY CAMERAS** – Discussion and possible action to award contract for security cameras. (City Manager)

Mayor Smith pointed out that they were only provided with two bids.

Mr. Meza advised that it's a specialized security system and because we are a government entity we can't have any equipment made from China. Companies said that they didn't have enough staff and enough equipment to do a bid.

Council Member Howard asked if the products had been reviewed to see which one is more bang for the buck, regarding the cameras themselves.

Mayor Smith asked if Mr. Meza compared the bids because it looks like they are completely different what they provide.

Mr. Meza advised that they are both professional companies and meet the government requirements.

Mayor Smith suggested that perhaps the companies could be here (at a future meeting) to present their security systems.

Council Member De Gobeo asked how we know we need ten cameras and does this include the library.

It was advised that he, Ed, would have to check.

Council Member Howard and Mayor agreed that we should have cameras at the library.

Rendie Gonzales explained that the library might have their own system based off of their server and the number and style of cameras might be different than what the City Hall cameras need to be and do.

Council Member Carter stated that you can easily put cameras wherever you want to link them to the same place.

Council Member Howard and Mayor Smith both requested to see a presentation regarding security cameras.

Mayor Smith moved to table this item seconded by Council Member Howard.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo voted "yes" to approve;

Motion Carried; 6 Yes; 0 No

- **RESOLUTION 2022-01** – Consideration and possible action to approve Resolution 2022-01 to participate in the Texas SmartBuy Membership Program. (City Manager)

Ed Meza explained that as part of the package for the Texas SmartBuy, we had to adopt a resolution to approve the sign up.

Mayor Smith stated that she has asked we be signed up since October, and asked if any items we have purchased have or have not been through this program.

Ed Meza advised that we did not buy through Texas SmartBuy, we received quotes but no items purchased have been made through them.

Council Member Howard asked if they were cheaper through the SmartBuy (the items such as the Public Works tractor).

Ed Meza advised that Willie Martinez had spoken to a guy but that he thought we had already done this.

Council Member De Gobeo asked if there would have been a monetary difference had we gone through Texas SmartBuy.

Mayor Smith stated that we have already bought a truck and tractor that we could have saved a lot of money had we done this. She stated that we had this on the agenda since September.

Council Member De Gobeo asked who's responsibility was it to go through this program and Mr. Meza answered that it was his responsibility. He said he had presented to the staff and asked it be checked in to and he thought it had been done.

Council Member Carter moved to approve, seconded by Mayor Smith.

Council Member Worrell asked if the personnel changes will mess up the resolution, meaning Mr. Meza's resignation and signature on the resolution. He asked if we need to change them before they vote on anything.

Mr. Ozuna confirmed that it will not make a difference as to who is listed and it can be modified once the Town appoints a permanent City Manager that all records of any appointed individual be updated.

Council Member Carter moved to approve, seconded by Mayor Smith.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo voted "yes" to approve;

Motion Carried; 6 Yes; 0 No

- SIGN ORDINANCE – Discussion and possible action on Town sign ordinance 2018-01. (Council Members Worrell & Gonzalez)

Council Member Worrell moved to table this item, seconded by Council Member Tolin.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo voted "yes" to approve;

Motion Carried; 6 Yes; 0 No.

- **PARKS MASTER PLAN** – Consideration and possible action on Parks Master Plan. (City Manager)

Ed Meza advised that he had been working on the Parks Master Plan for the last six months. He advised that it went to many different committees such as Texas Parks & Wildlife – that it needed more items which he added. He advised that when you approve it they send it back to Texas Parks and Wildlife and if they have further changes, they will let us know.

Council Member Worrell commented that on pages 24 & 27 of the old parks plan ... his concerns that there were specific things on there about the Marina that they had avoided.

Ed Meza stated that that is what “they” want to see what we had and wanted proof that we had some of the things.

Mayor Smith advised that they had just received this plan the night before and unfortunately had no time to go over it. She would like more time to review and that he had been instructed to do this in November of 2019.

Council Member Worrell advised that there is a lot of repeated language and that there are items from the old plan that SHOULD NOT be in the new plan.

Mayor requested that all paperwork be submitted by Friday before the meeting so they had time to review it before the meeting.

Mayor Smith moved to table discussion regarding Parks Master Plan seconded by Council Member De Gobeo.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo voted “yes” to approve;

Motion Carried; 6 Yes; 0 No

Mayor Smith Closing Comments:

She knows that there is a lot going on right now with a lot of changes and she just wants to thank everyone for their hard work with the short staff. Congratulating Rendie on getting her position and they (the council) fully expect and know that Rendie and Chief David will help and do everything in their power to make sure everything continues on running smoothly until the permanent person is appointed, whoever that might be. We will come up with a plan for the short staff and that all the council is here to help and support the staff and the City.


- **ADJOURNMENT**

Mayor Smith moves to Adjourn seconded by Council Member Worrell.

Mayor Smith, Council Members Carter, Howard, Tolin, Worrell and De Gobeo voted “yes” to approve;

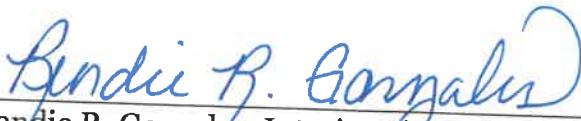
Motion Carried; 6 Yes; 0 No

Meeting Adjourned at 8:42pm


Nadine Smith (Feb 28, 2022 08:35 CST)

Nadine Smith, Mayor

Attest:


Rendie R. Gonzales, Interim City Manager