

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

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

DATE: April 12, 2022  
TIME: 6:00 p.m.  
PLACE: City Hall Building

MEMBERS PRESENT: Nadine Smith, Mayor (zoom)  
Michael Carter, Council Member Place 1  
Johvonne Howard, Council Member Place 2  
Bettina Tolin, Council Member Place 3  
Rolando Gonzales, Council Member Place 4  
Victor Worrell, Council Member Place 5  
Silke De Gobeo, Council Member Place 6

Alan T. Ozuna, Esq.  
Rendie R. Gonzales, Interim City Manager  
Anthony David, Chief of Police  
Ricky Gonzales, Commander  
Norma Barbosa, Deputy Clerk  
Crystal Chapa, Town Bookkeeper  
Duvie Alcozer, Code Enforcement/Building Inspector  
Pura Mireles, Library Director  
Willie Martinez, Public Works Director  
Liz Baldwin, Library Clerk

MEMBERS ABSENT: None.

**ORDER OF BUSINESS**

• **Call to Order**

Mayor Smith called the meeting to order at 6:00pm.

• **Invocation and Pledge of Allegiance**

Invocation lead by Council Member Tolin

• **Roll Call/Excused Absences**

All members present.

**OPEN FORUM** - At this time, audience is allowed 3 minutes per person to address the Council on any topic. There will be 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.

Yolanda \_\_\_\_\_ and Janie \_\_\_\_\_ presented a sign made for the Walking Trail. The sign cost \$350.00 but they want to donate \$100.00 towards the cost and hope that the Town will pay the remaining \$250.00

Corrine Estes Jeeter. She presented copies of the Declaration of Independence to individuals present at the meeting.

Kathy Bardisbanian spoke regarding the parking ordinance and requested that the Town Council review and update the times in which parking on the street is allowed and make all times consistent on all streets. Her request is that the entire city have the rule of no street parking from 11pm – 7am

<b>MINUTES</b> - Consideration and possible action to approve the minutes of the March 8, 2022, meeting.
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**Motion** was made by Mayor Smith to approve the Minutes of the March 8, 2022, meeting.  
**Second** was made by Council Member Gonzalez.

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

<b>FINANCIAL REPORTS</b> – Review of monthly Financial Reports. (Interim City Manager)
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Documents provided:

- Monthly Check Register
- Summary Budget

Mr. Carter questioned the dates on the summary budget report ... wants to know when the date was run through.

Ms. Gonzales advised that the report run date is at the bottom corner of the report which has the date/time stamp of when the report was ran, in this case it was ran as of 04/08/2022

Mr. Carter pointed out that the police salary budget is going to go over budget and pointed out that he wasn't here for the meeting where the police department was given a raise for and wanted to know if there was a budget amendment done to increase their budget.

Ms. Gonzales advised there was not a budget amendment.

Mayor Smith commented that something was discussed in that meeting about a budget amendment during that meeting and requested Ms. Gonzales to check the minutes.

Mr. Carter wanted to point out that in the Public Works budget he felt there was plenty of money for signs.

**ORDINANCE 2022-01** - Consideration and possible action to approve on second reading Ordinance 2022-01 regarding disposal of garbage. (Interim City Manager)

No changes were requested from first reading, so this is being presented same as before.

Mr. Worrell asked if this is always the procedure/order of operations for the construction.

Mr. Carter confirmed that he has never seen it done differently.

Mrs. Gonzales clarified that there is not a construction rule book that we know of that directs the building in the order he has to go; however, it's just the process/flow of which things are built.

Ms. Howard asked for clarification on when the container can be removed.

Mrs. Gonzales explained that the issue is because there isn't enough room on these lots to have the container; while working on the irrigation and poring the driveway so this amendment is to help facilitate the flow of construction.

Mr. Carter advised that if we make the owner wait for irrigation due to the container, a lot of yards end up with dirt for quite a while rather than if the irrigation could have been done with the build of the house.

It was clarified that the Contractor has the responsibility to maintain a clean jobsite and we have the litter ordinance in place that they will be held to regardless of the container status.

**Motion** was made by Council Member Gonzalez to approve the second reading of Ord. 2022-01 regarding amendment of ordinance regulating disposal of garbage.

**Second** was made by Council Member Worrell.

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

**ORDINANCE 2022-02** – Consideration and possible action to approve on second reading Ordinance 2022-02 amending ordinance regulating sign regulation. (Council Member Tolin and Mayor Pro Tem Howard)

Mr. Ozuna clarified that there is a typo in the copy provided, that it should be Ord. 2022-02 not Ord. 2022-01.

Mr. Carter asked if this ordinance would supersede signs on City land.

Mr. Ozuna clarified that all signs put on City Land would be subject.

Mr. Carter wanted to confirm that this ordinance doesn't change our control over who can put signs on our (the city) land.

Mr. Ozuna advised that the city signs themselves fall under the exempt category because they are our signs.

Mr. Carter asked if we are leasing land ... is it "our" land and would that allow the lease to post signs.

Mr. Ozuna confirmed that it will still be our land, but it does not cloak the lease to our status as far as governmental status for exemption for use. As the owner of the land, we control who can put signs.

Ms. De Gobeo addresses the portion of the ordinance that is referring to addresses on their houses and how much time are we giving everyone to follow this new ordinance or are people grandfathered in.

Mr. Ozuna explains that grandfathering wouldn't be applicable here because this part of the ordinance is the original language, nothing about that is changing. Regarding how much time would be allotted – would basically be whenever the issue comes up and the person fails to comply then enforcement would be begin.

Ms. De Gobeo moves to Section 8 regarding garage sale and asked if those fall into the exemptions such as the relator signs, open house etc.

Mr. Ozuna states that garage sale signs wouldn't necessarily fall into the realtor signs exemptions; however, they are up for such a small portion of time that they probably wouldn't be problematic.

Ms. De Gobeo requested that we add language to the exemption about temporary garage sale signs.

Mr. Ozuna confirmed that adding the garage sale language would be no problem and that the board can still pass the second reading with the provision of adding the garage sale signs language.

Mayor Smith added that she agreed we should include it since those signs are posted a lot and we should be safe rather than sorry.

Mr. Ozuna read the sign ord. language out loud.

**Motion** was made by Council Member Tolin to approve the second reading of Ord. 2022-02 sign regulation with the addition of language regarding garage sale signs

**Second** was made by Council Member De Gobeo.

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

**RESOLUTION 2022-09** – Consideration and possible action to approve Resolution 2022-09 to adopt the Procurement Policies and Procedures in accordance with the 2 C.F.R 200 following the US Treasury American Rescue Plan Act Federal Regulations. (Interim City Manager)

Mrs. Gonzales this is the recommended/needed Procurement Policies in order to be compliant with the ARPA fund procurement and use of funds.

Mr. Ozuna confirms that this is standard language and he reviewed and approved document.

**Motion** was made by Mayor Smith to approve Resolution 2022-09 to adopt the Procurement Policies and Procedures in accordance with the 2 C.F.R 200 following the US Treasury American Rescue Plan Act Federal Regulations

**Second** was made by Council Member Gonzalez

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

**RESOLUTION 2022-10** – Consideration and possible action regarding Resolution 2022-10, denying AEP Texas, Inc’s application to amend its cost recovery factors. (Interim City Manager)

Mr. Ozuna confirmed this is just a document required by us for the law firm representing us in a regulatory action. He has reviewed and approves passing this resolution.

**Motion** was made by Mayor Smith to approve Resolution 2022-10 denying AEP Texas, Inc.’s application to amend its cost recovery factors.

**Second** was made by Council Member Carter.

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

**EEXECUTIVE SESSSION** 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.

- Consultation with Town’s Attorney regarding Seales et. al. v. City of Brownsville, 2014-DCL-00815-D, in the 103<sup>rd</sup> District Court, Cameron County, Texas.
- Deliberation regarding appointment of City Manager

**Motion** was made by Mayor Smith to go into executive session  
**Second** was made by Council Member Worrell.

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

**Meeting Adjourned for Executive Session at 6:32 p.m.**  
**Meeting resumed at 7:20 p.m.**

**CITY MANAGER** - Consideration and possible action regarding third party consulting firm to facilitate in the hiring of a new City Manager for the Town of Laguna Vista and matters related to appointment of City Manager (Council Member Carter / Mayor Pro Tem Howard).

**Motion** was made by Mayor Smith to re-open RFQs to go out for City Manager starting tomorrow, ending 12:00pm May 6<sup>th</sup>, 2022.  
**Second** was made by Council Member De Gobeo

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

**Meeting Adjourned for Executive Session at 6:32 p.m.**

**Meeting resumed at 7:20 p.m.**

**• ADJOURNMENT**

**Motion** on the floor made by Mayor Smith to adjourn  
**Second** was made by Council Member Worrell

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

**Meeting Adjourned at 7:20 pm**

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Nadine Smith, Mayor

Attest:

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Rendie R. Gonzales, Interim City Manager