

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

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

DATE: March 8, 2022
TIME: 6:00 p.m.
PLACE: City Hall Building

MEMBERS PRESENT: Nadine Smith, Mayor
Michael Carter, Council Member Place 1
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, Police Chief
Norma Barbosa, Deputy Clerk
Pura Mireles, Library Director
Liz Baldwin, Library Clerk
Guillermo Martinez, Public Works Director

MEMBERS ABSENT: Johvonne Howard, Council Member Place 2

ORDER OF BUSINESS

• **Call to Order**

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

• **Invocation and Pledge of Allegiance**

Invocation lead by Mayor Smith

• **Roll Call/Excused Absences**

Motion was made by Council Member Carter to excuse Council Member Johvonne Howard
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.

- **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.

Representatives of Big Heroes, Inc:

Martha Gonzales
Angela
Stephanie Wilson

Brief discussion on Big Hero’s purpose and finalizing approval for the second annual Autism Awareness walk in Laguna Vista.

Interim City Manager confirmed to Council that request was approved to host 2nd annual run.

- **MINUTES**

Motion was made by Council Member Worrell to approve the February 8, 2022, minutes
Second was made by Council Member Tolin

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.

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

Reports provided:

Summary Budget Report for Revenue and Expenses for each department

Monthly Check Register

- Expenses listed from greatest to smallest
- Does not include payroll transactions

Mastercard Monthly Reconciliation Statement

CDC Salaries and Office Supply fees were paid out in the amount of \$8,000 that is not reflected in this report since it was paid after the reports were ran for meeting.

All January 2022 budget amendments have been entered/updated and each department who had negative account balances were addressed and corrected.

Gas and fuel charges will be an upcoming budget amendment due to the price increase of fuel.

New process for Mastercard transactions. Transactions will be tracked and disbursed via a “cash disbursement” transaction so the dollar amounts to each vendor are more closely tracked and there is vendor history available. This process will make it more transparent.

Mayor Smith thanks Crystal and Rendie for that, as that has been something they have been asking for a while now.

Council Member Carter asked if we reconcile the credit this way now, how did you do it before.

Rendie explained that it was basically the same process; however, it was done manually using un-posted reports and done after the fact.

Council Member De Gobeo asked about the ammunition for the police department since that budget was at 100% used. Rendie explained that because ammunition is so hard to find that they bought all the ammunition at once at the beginning of the year. This will be enough to cover all ammunition needs such as qualifications etc. for the remainder of the fiscal year.

Council Member Carter requests a status update on the PO system. Rendie reports that it is fully functional. Each department head enters their own requisitions and then goes to financial and then City Manager for approval. All departments can see what their available balance is and what is already accounted for. No check is cut without a requisition and finalized PO.

Council Member Carter noted that it’s the same system just a different way of doing it That its better but it’s the same. Council Member Carter asked about the negative account balance in the library budget in account 60015. Mr. Carter notes that if the PO system was functioning properly then we wouldn’t have been able to cut a check against an account that doesn’t have a budget. Rendie explained that this probably happened before things got cleaned up and she would look into it and correct it.

BUDGET AMENDMENT - Consideration and possible action to approve budget amendments for departments. (Interim City Manager)
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Interim City Manager presented budget amendment:

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 2022-07 – Consideration and possible action to authorize the Laguna Vista Police Chief to submit grant application number 2990608 for the Local Border Security Program (LBSP-22 #2990608). (Police Chief)

Chief David requests permission to apply for Border Star grant for the officers' overtime pay that is done annually to deter crime locally and throughout the valley and to work with all local agencies etc.

Motion was made by Mayor Smith to authorize Police Chief to submit for grant 2990608
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 2022-08 – Consideration and possible action to authorize the Laguna Vista Police Chief to submit grant application number 3187107 for the FY 2021 Operations Stone Garden (OPSG #3187107). (Police Chief)

Chief David requests permission to apply for Operation Stonegarden grant for the officers' overtime pay that is done annually to deter crime and provide assistance with border patrol. We know are able to assist with drug cases with the K-9 Bella. This was the grant last year that we were able to obtain the new police unit. We didn't get enough this year for a patrol car, but we might get some extra for gas money.

Mayor thanked Chief David for doing all this extra work that it is really appreciated.

Motion was made by Council Member Tolin to authorize Police Chief to submit for grant 3187107 for FY 2021
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.

RACIAL PROFILING REPORT – Police Chief

Police Chief states that by law they (the PD) have to submit their racial profiling report by March 1, 2022, and it already has been submitted and accepted and this agenda item is just informational so they, the council know, that it has been done.

TRAVEL REQUESTS – (Interim City Manager)

- a. Consideration and possible action to approve and authorize travel for Police Chief to attend Chief School Annual Training.
 - Travel Cost will be \$900
 - Available in Budget is \$1500
 - Training has to be done every two years
 - Training in Austin, Texas
- b. Consideration and possible action to approve and authorize travel for Pura Mireles to Texas Library Association Training.
 - Travel cost will be \$1,695
 - Available in Budget \$2,000
 - Training in Ft. Worth
- c. Consideration and possible action to approve and authorize travel for Norma Barbosa to South Texas Municipal Clerk’s Seminar.
 - Travel cost \$117
 - Local annual seminar

Mayor Smith asked if we used the Texas Smart buy website to get the hotel rates. Rendie explained that she thought that the room rates go with the conference rates and not sure if they can be separated out. Mayor explained that we can, and to please look into doing that.

Motion was made by Mayor Smith to authorize all travel requests A., B., and C
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.

CITY MANAGER JOB SEARCH – Consideration and possible action to select candidates, and available dates, for job interview for City Manager Position. (Mayor Smith)

Mayor Smith suggests that if everyone agrees, they will each write their lists of their top candidates, and they can cross reference. Motions can be made if needed to narrow down the lists.

Motion was made by Council Member Carter to table this agenda item

Mayor Smith asked until when.

Mr. Carter stated that he wanted it tabled until he got a complete report.

Second was made by Council Member Worrell

Mr. Carter stated that he has missing resumes and that he feels that information is being withheld.

Ms. Tolin asked which two resumes were missing and Mr. Carter declined to say the names in public.

Mr. Carter was asked how he knows there are ones missing and he said that he has a list, and the names are on the list but not in the file. He talked to one other council member who had the ones he is missing.

Mr. Worrell states that he is also light two resumes but not the same two as Mr. Carter. He went through them and there were two out of the 44.

Ms. De Gobeo asked if they just found out tonight? She stated that if they knew a couple days ago why you didn't just go to the city and ask.

Ms. Tolin asked how they found out.

Mr. Worrell advised that he went through the index with the 44 names on it and went resume by resume and realized he was missing two. He didn't realize he was missing them because he hadn't been checking the index.

Mr. Carter stated that it doesn't matter when or how he found out.

Ms. Tolin stated that the two of (Mr. Carter and Mr. Worrell) spoke?

Mr. Worrell explained that Mr. Carter called him to see if he had a couple of names and he did. Mr. Carter said – he was light on them. That is when Mr. Worrell checked the resumes against the index and found he was missing a different two.

Ms. De Gobeo states that the council members should have been a little more proactive and if you knew you were missing something you should have reached out to the city and get them. That we have been waiting a while for this process.

Mr. Carter states there is also a resume that is not on the list.

Ms. Tolin asked Mr. Carter when he picked up his binder.

Mr. Carter states that it didn't matter.

Ms. Tolin states that she felt it did matter especially if it is going to hold up the entire process.

Ms. De Gobeo asked how long Mr. Carter would like to table it for.

Mr. Carter advised that it needs to be tabled to an undermined amount of time because he doesn't have the complete information.

Ms. Tolin doesn't agree.

Motion was made by Mayor Smith for a 5-minute recess so that the missing resumes can be reviewed.

Second was made by Council Member Worrell

Mr. Worrell confirmed that the original/first motion made was still on the floor.

Mr. Ozuna stated that it is still pending. If someone wants to call for a vote on that they can, or we can do it after the voted on after the discussion.

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.

5-minute recess – meeting resumed at 6:39pm

Resuming with:

Motion on the floor made by Council Member Carter to table City Manager discussion
Second was made by Council Member Worrell

Mr. Worrell called for an amendment to the motion to table until after the executive session.

Motion on the floor made by Council Member Carter to table City Manager discussion, as
AMENDED by Council Member Worrell to table until after executive session.
Second was made by Council Member Carter

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	No	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

Motion Carried.

ORDINANCE 2022-01 – Consideration and possible action to approve on first reading Ordinance 2019-03 amending ordinance regulating disposal of garbage. (Interim City Manager)

Rendie Gonzales explained that we want to change the Ord. 2019-03 to help the flow of construction progress and the use of trash receptacles.

The format of the amendment was not in the form of a new amendment so Rendie wasn't sure if this can be counted on as the first reading but will explain the need for this anyway.

The trash receptacles are currently required when they pull the permit; however, this becomes problematic when builders are trying to pour the foundation. In addition, the receptacle has to stay on location until after the final inspection.

The revision would allow builders to not obtain receptacles until after the foundation is poured but before the framing. It would allow for removal of the trash receptacle before the driveway is poured so that irrigation and landscaping can be done sooner.

Mr. Worrell asked why we can't read the Ord. amendment as its presented and Mr. Ozuna explained that he thought we were waiting on the developer to advise which point in the process is the problem – Rendie confirmed that the driveway inspection is the point wherein the builder would be allowed to remove the receptacle container.

Mr. Ozuna confirms that as long as we are certain of the language as to when the trash receptacle can be removed then the board is fine to read and approve this Ord. amendment as its first reading. We are removing the one size fits all construction scenario to make more specific to a new build situation.

Motion on the floor made by Council Member Worrell to approve Ord. 2022-01
Second was made by Council Member Carter

Council Member De Gobeo asked for further discussion regarding the trash at job site even before the foundation is poured and voiced concern about the framing materials and crews lunch trash etc. and where this will be disposed of if there is not even a trash bin on the job site.

Rendie explained that she is working with the contractors to work on clean job sites and she explained that she is advising the contractors that we will work with them on this issue; however, they are going to be held responsible for maintaining a clean job site.

Mayor Smith re-stated / confirmed that job sites would still be responsible for keeping their site clean.

Council Member De Gobeo addresses the re-modeling requirement for the trash receptacles. Mr. Ozuna clarifies that we are not changing anything regarding the re-modeling requirements and that the need for a trash receptacle has always been a part of our ordinance; however, what this amendment is doing is lessening the burden of a contractor for new build requirements. He further explains that this is more of an enforcement issue, we have the requirements in place that we can enforce should a problem ~~come one~~ come to our attention.

To date not complaint has been made about the remodeling trash bin receptacle requirements.

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	No
Council Member Gonzales	Aye	Mayor Smith	Aye

Motion Carried.

RFP/RFQ – Consideration and possible action for authorization to issue requests for proposals (RFPs) for administrative services and requests for qualifications (RFQs) for engineering services related to the Community Development Block Grant - 2019 DR-4454 Lower Rio Grande Valley grant program administered by the Texas General Land Office (GLO). (Grant works Representative)

Rendie requested that we go out for this grant as a way to address the in infrastructure, flood control and drainage issues. This grant funding is available to us as a result of the tropical storm Imelda. This grant will be applicable to the marina. After a meeting with Grant works at the marina it became clear that the repairs needed to the marina area are infrastructure and drainage issues that are the responsibility of the City, not the marina. Just because the damage to in infrastructure and drainage is in the marina doesn't make it "the marina's" issue.

It's an 80/20 matching grant – there are two applications allowed. One for drainage and one for infrastructure.

Motion on the floor made by Council Member Worrell to approve Ord. 2022-01
Second was made by Council Member Carter

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.

MUNICIPAL COURT – Consideration regarding authorization for community service to indigent defendants as a last resort option to pay citation (Interim City Manager)

Rendie proposed this item as a last resort options to take care of warrants. Due to the large number of warrants that have been issued recently, we will be doing a warrant round up and we wanted to be able to have a way, if possible, for LVMC to offer this service as a last resort to indigent citizens. Are there local organizations that we would want to designate.

Judge Hunter advised it would be up the to Town Council if that was an option – and to decide what ratio the hour/rate was.

Council De Gobeo asked what other town’s do and perhaps we should see what they offer because it will create more work for someone.

Mr. Ozuna explains his experience regarding the City of McAllen and how they have used citizen for help with cleaning the library.

Pura explained that they have tried this before, and they only would show up the first day and didn’t like to be told what to do. It wasn’t successful overall.

Mr. Ozuna explained how that if the person didn’t fulfill, they’d have to go back to court and participate in a Show Cause hearing with the Judge.

Mr. Gonzalez advised that it might be better suited for a bigger town that is more set-up for programs like this because you have to have someone who can really stay engaged with the people to keep them on track.

Mayor Smith wrapped up the item by letting council know that if anyone had a location or idea on this, we could discuss again on an agenda item.

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.

Consultation with Town Attorney regarding legal standards applicable to sign regulation

Motion on the floor made by Mayor Smith to move into Executive Session
Second was made by Council Member Gonzales

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 7:09 p.m.
Meeting resumed at 8:14 p.m.

ORDINANCE 2022-02 - Consideration and possible action to approve on first reading Ordinance 2022-__ regarding sign regulation. (Interim City Manager)

Mayor Smith advised that the council has made Mr. Ozuna aware of the changes they want made to the sign ordinance and he will make those changes.

Motion on the floor made by Mayor Smith to approve 1st reading of Ord. 2022-02
Second was made by Council Member Tolin

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.

Mayor Smith advised that after executive session they were coming back to item 8 regarding the City Manager Job Search. They are going to instruct the City Manager to contact the selected candidates for in person interviews for April 5 and 6 at 6pm. There will be two interview each day.

Mr. Ozuna clarified that April 5th and 6th will be noticed as special meetings and that no motion is necessary.

CITY MANAGER REPORT

Meeting with Frank and Dee Dee of Grant works. We went over the Marina project and will work in conjunction with the GLO grant that we approved to help maximize the funds of that grant and the ARPA funds for the marina for the dredging and boat ramp etc.

The other project for the ARPA funds will be coming up with the shortfall amount for the street improvement grant. To do this we will need to forward them all of our street grant documents so they can confirm it would be an approved grant to apply funds to.

Street improvement grant Still waiting on Chlore to get documents/contracts finalized.

Eco-Tourism ... met with Valerie Ramos (project manager) and closed out our side of the EDA funding grant. The only item pending was the payment of items that were approved with the budget amendment listed above. We will be submitting the \$250,492.90 which we will submit invoice to the county for reimbursement. The multi-purpose room and in door facilities will not be functional till 45 days or so.

Big Heroes run approved, and we will work to help advertise and be more involved as the city.

The Parks board meeting will happen on March 29th. We are looking to this board to start using our parks, creating events and activities for our kids to have access to. There are many options to have events in the city, with the park, walking trail, eco center and marina.

- Council Member Worrell advised that we need to check with LVRA on the rules for fishing off the Mariana
- Council Member Gonzales advised that he might show up at the meeting. He asked if the board was full, which it is.

Library is moving forward with new schedule and working to get more people through the door. We are going to do some comparison reports.

Court had a lot of revenue left on the table for 2020/2021 with warrants but we have caught that up. All catch up work was done during business hours; no overtime was used by our clerk to get this done. We only owe Judge Hunter for one extra hour.

- No need to hire additional help
- Will be run monthly and much smoother system.

Mayor Smith welcomed Crystal to our meeting and our team. She notes being impressed with the library activity, the warrant processing was caught up since the previous administration had advised that the last batch of warrants ran was current; however, it was not, and it was 2020

warrants. Mayor notes \$140,000 left on the table with un-ran warrants. Mayor expressed her thanks for getting the boards involved and how exciting it is to get the community involved.

Motion on the floor made by Mayor Smith to adjourn

Second was made by Council Member Gonzales

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 8:26pm

Nadine Smith, Mayor

Attest:

Rendie R. Gonzales

Rendie R. Gonzales, Interim City Manager