

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: October 10, 2017

TIME: 6:00 p.m.

PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor
Johvonne Howard, Councilmember Place 2
Frank Davalos, Jr., Councilmember Place 3
Rolando Gonzalez, Councilmember Place 4
Nadine Smith, Councilmember Place 6

Rolando Vela, City Manager
Ricardo Morado, City Attorney
Tony David, Police Chief
Alma Deckard, City Secretary

MEMBERS ABSENT: Michael Carter, Mayor Pro Tem
Gary Meschi, Councilmember Place 5

ALSO PRESENT: Victor Worrell, Citizen
Richard Correa, Garver Engineers
Charles Ortiz, Laguna Madre Water District
Ana Ramon, American Cancer Society
Bob Rice, Brownsville, Texas
Wanda Reyes, Citizen
Don Hanson, Citizen
Richard Lane, Citizen
Martha McClain, Citizen
Chris Green, Citizen

ORDER OF BUSINESS

1. Call to Order

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

2. Invocation and Pledge of Allegiance was led by Pastor Gary Stone from Christs Harbor Church.

3. **Roll Call/Excused Absences** – Council Member Carter and Meschi were absent.

Mayor Houston made a motion to excuse Council Member Carter from tonight’s meeting due to illness, Council Member Davalos seconded the motion. Mayor Houston and Council Members Howard, Davalos, Gonzalez, and Smith voted “aye” to approve, motion carried.

4. **PRESENTATION** – A presentation from the Laguna Madre Water District concerning this November 7, 2017 Bond Election. (City Manager)

Richard Correa from Garver Engineers addressed the Council concerning the Laguna Madre Water District Bond Election set for November 7, 2017. The bond election is for a total of \$16,435,000 to cover 7 projects;

Project 1 – Sludge Drying Beds at WTP No. 2

Project 2 – Sludge Holding Tank at PI WWTP

Project 3 – System – Wide Lift Station Rehabilitation

Project 4 - Isla Blanca WWTP Aeration Basin Hydraulic Improvements

Project 5 - Andy Bowie WWTP Headworks Improvements

Project 6 - Andy Bowie WWTP Energy Efficiency Improvements

Project 7 – Island Blanca WWTP Headworks Improvements

Mr. Correa stated that the monthly impact will be approximately \$2.81 per property value of \$100,000. If any citizen is interested or have any questions, there will be a public hearing at the Laguna Madre Water District on Monday, October 23, 2017 at 5:30 pm.

5. **OPEN FORUM:**

Bob Rice addressed the Council concerning the Bollards to be placed in Veterans Park. He stated that the Warriors United at Arms will be here for the Veterans Day Ceremony.

Ana Ramon addressed the Council concerning the smoking regulation ordinance set for discussion at this meeting. She encouraged the Council to approve the ordinance.

6. **CONSENT AGENDA ITEMS:**

- a) **MINUTES** – Consideration and action to approve the minutes from the September 12, 2017 Regular Council Meeting. (City Secretary)
- b) **MINUTES** – Consideration and action to approve the minutes from the September 26, 2017 Special Council Meeting. (City Secretary)

Council Member Davalos made a motion to approve the consent agenda items as follows; (a) approval of the minutes from the September 12, 2017 regular Council meeting, (b) approval of the minutes from the September 26, 2017 Special Council meeting with the correction on item “E” Council Member Howard and Davalos opposed motion and Council Member Smith abstained from voting, Council Member Smith seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez and Smith voted “aye” to approve, motion carried.

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

A. **DELIVER PAYMENT SERVICES AGREEMENT** – Consideration and action on the Deliver Payment Services Agreement with the University of Texas Health Science Center. (City Manager)

Council Member Smith made a motion to approve the Deliver Payment Services Agreement with the University of Texas Health Science Center from October to December 2017, Council Member Davalos seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez and Smith voted “aye” to approve, motion carried.

B. **SOUTH TEXAS ECOSYSTEM CENTER** – Consideration and action on the proposed South Texas Ecosystem Center to be built on the Town-owned 23 acres. (City Manager)

Council Member Smith made a motion to table the South Texas Ecosystem Center item until the November 2017 regular meeting, Council Member Gonzalez seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez, and Smith voted “aye” to approve, motion carried.

C. **AIRCRAFT CARRIER MEMORIAL** – Consideration and action to approve the site of the Aircraft Carrier Memorial at the Veterans Memorial Park. (City Manager)

Mayor Houston made a motion to approve the location of the bollards at the south end of Veterans park between the gazebo and the Veterans memorial, Council Member Smith seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez, and Smith voted “aye” to approve, motion carried.

D. **ORDINANCE NUMBER 2017-26** – First Reading – To consider Ordinance Number 2017-26, an Ordinance adopting "Smoking Regulations" for the Town of Laguna Vista, Texas, prohibiting smoking of tobacco products and electronic smoking materials in certain areas within the Town limits; prohibiting smoking on Town premises and other property; repealing all ordinances or parts of ordinances in conflict herewith; providing a savings clause; providing for an effective date and

publication; providing a severability clause; providing for a penalty; and providing for proper notice and meeting. (City Manager)

Council Member Gonzalez and Mayor Houston both mentioned that in speaking with the businesses in town and citizens they are in favor of the ordinance regulating smoking in town.

Council Member Davalos stated that he supported this ordinance because other small towns have adopted such an ordinance and it has not hurt them.

Council Member Howard stated that we are trying to be proactive and setting the bar for other communities.

E. RESOLUTION NUMBER 2017-27 – To approve Resolution Number 2017-27 amending Resolution Number 2015-18, increasing the reserve funds set aside for capital outlay projects for the Fiscal Year 2017-18 of the Town of Laguna Vista. (City Manager)

Mayor Houston made a motion to approve Resolution Number 2017-27 amending Resolution Number 2015-18, increasing the reserve funds set aside for capital outlay projects for the Fiscal Year 2017-18 of the Town of Laguna Vista, Council Member Howard seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez and Smith voted “aye” to approve, motion carried.

No action was taken on first reading.

F. ORDINANCE NUMBER 2017-28 – First Reading – To consider Ordinance Number 2017-28 amending the 2017-18 budget. (City Manager)

No action was taken on first reading.

G. ORDINANCE NUMBER 2017-29 – First Reading – To consider Ordinance Number 2017-29 adopting unanimous settlement agreement, setting rates and establishing tariffs for the gas service by Texas Gas Service Company. (City Manager)

No action was taken on first reading.

H. MUNICIPAL JUDGE AGREEMENTS – Consideration and action to approve agreements for the Municipal Judge and the Alternate Municipal Judge. (City Manager)

Council Member Smith made a motion to approve the municipal judge agreement for Luis Hernandez, Council Member Davalos seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez and Smith voted “aye” to approve, motion carried.

Council Member Davalos made a motion to approve the alternate municipal judge agreement for Benito Ochoa, Council Member Howard

seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez, and Smith voted “aye” to approve, motion carried.

I. AUDITING SERVICES – Consideration and action to contract with Pattillo, Brown & Hill, L.L.P. to perform auditing services for the fiscal year ending on September 30, 2017. (City Manager)

Council Member Howard made a motion to approve the contract with Pattillo, Brown & Hill, LLP to perform auditing services for the fiscal year ending September 30, 2017, not to exceed \$16,000, Council Member Davalos seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez and Smith voted “aye” to approve, motion carried.

J. CDC BOARD EX-OFFICIO – Consideration and action to consider appointing two (2) ex-officio members for the Community Development Corporation Board from amongst the Town Council. (Council Members Davalos and Howard)

Council Member Howard made a motion to appoint Council Member Davalos as ex-officio member for the Community Development Corporation Board, Council Member Smith seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez, and Smith voted “aye” to approve, motion carried.

Council Member Davalos made a motion to appoint Mayor Houston as ex-officio member for the Community Development Corporation Board, Council Member Smith seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez and Smith voted “aye” to approve, motion carried.

K. CITY MANAGER’S REPORT

I. First Annual Laguna Vista 5k/10k Run

Rolando Vela stated that the 5k/10k run is set for Saturday, October 28, 2017 at 8 am. Registration can be done online from the Town website, the cost is \$20. Medals and prizes will be given out. All proceeds will go the Laguna Madre Youth Center.

II. National Night Out

Rolando Vela stated that the National Night Out on Monday, October 2, 2017 was a great success. There was a great turn out with lots of kids.

III. Texas Municipal League – Recap of the TML Annual Conference

K (1) – TEXAS MUNICIPAL LEAGUE – Recap of the Texas Municipal League Annual Conference. (City Manager)

Council Member Howard stated that this was the first time she attended the TML Conference and it was a great experience and success. We had

the opportunity to network with other elected officials, we also attended the Region 12 meeting, which is our local area region. The Mayor attended many other meetings.

Council Member Davalos stated that it was great to receive the TML award and expressed thanks to the City Manager for his work. He stated that the award was a result of Rolando Vela’s hard work, it was not a team effort, it was him.

Mayor Houston stated that it was an honor to be recognized by TML, with the award. She has attended the TML Conference for about 8 years, and states that the networking with other cities is very valuable. It was incredible to see that one month ago the Brown Convention Center was a shelter for the hurricane Harvey victims and last week it was hosting the TML Conference.

L. EXECUTIVE SESSION - There will be an Executive Session in accordance with the Open Meetings Act, as authorized by the Texas Government Code, pursuant to Section §551.074 to deliberate the evaluation of a Public Officer or Employee,

 City Manager – Rolando Vela,

and Section §551.071; consultation with City Attorney regarding legal issues pertaining to:

 Marina Lease.

Council Member Smith made a motion to go into executive session at 7:13 pm, in accordance with the Open Meetings Act, as authorized by the Texas Government Code, pursuant to Section §551.074 to deliberate the evaluation of a Public Officer or Employee, City Manager Rolando Vela; and Section §551.071, consultation with City Attorney regarding legal issues pertaining to the Marine Lease, Council Member Gonzalez seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez and Smith voted “aye” to approve, motion carried.

Town Council came out of executive session at 8:46 pm.

M. OPEN SESSION – Action, if any, on the items discussed in Executive Session. **Council Member Howard made a motion to retract the proposed Laguna Vista Recreational Association lease and forward to the Town Attorney for revisions, Council Member Davalos seconded the motion. Mayor Houston, Council Members Howard and Davalos voted “aye” to approve. Council Member Gonzalez opposed motion. Council Member Smith abstained from voting. Motion carried.**

N. L.V.R.A. LEASE – Consideration and possible action on approval of a lease agreement with the L.V.R.A. to lease the marina property.
No action was taken as a result of executive session.

7. ADJOURNMENT

Council Member Davalos made a motion to adjourn meeting at 8:48 pm, Council Member Smith seconded the motion. Mayor Houston, Council Members Howard, Davalos, Gonzalez and Smith voted “aye” to approve, motion carried.

Susie Houston, Mayor

Attest:

Alma Deckard, City Secretary