

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: February 13, 2018

TIME: 6:00 p.m.

PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor
Michael Carter, Mayor Pro Tem
Johvonne Howard, Councilmember Place 2
Frank Davalos, Jr., Councilmember Place 3
Rolando Gonzalez, Councilmember Place 4
Victor Worrell, Councilmember Place 5
Nadine Smith, Councilmember Place 6

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

MEMBERS ABSENT: All present

ALSO PRESENT: Madeleine Sandefur, Citizen
Richard Lane, Citizen
David Lohse, Citizen
Chad Stanley, Citizen
Silke De Gobeo, Citizen
Rusty Justice, Citizen
Felicia Justice, Citizen
Maria Galasso, Citizen
Bob Severson, Citizen
Sarah Robey, Citizen
Martha McClain, 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 Council Member Gonzalez.
3. **Roll Call/Excused Absences** – All present.
4. **OPEN FORUM:**

David Lohse addressed the Council concerning the marina lease. He urged them to move forward with the lease and get it done.

Madeleine Sandefur address the Council concerning the visitor’s center. She read a letter that was emailed to the council encouraging them to include the Texas Parks & Wildlife in part with the visitor’s center.

5. **CONSENT AGENDA ITEMS:**

- a) **MINUTES** – Consideration and action to approve the minutes from the January 9, 2018 Regular Meeting. (City Secretary)
- b) **MINUTES** – Consideration and action to approve the minutes from the January 30, 2018 Workshop Meeting. (City Secretary)
- c) **RACIAL PROFILE REPORT** – Consideration and action to accept the Laguna Vista Police Department 2017 Racial Profile Report. (Police Chief)

Council Member Worrell made a motion to approve the consent agenda items as follows; (a) approval of the minutes from the January 9, 2018 regular Council Meeting, (b) approval of the minutes from the January 30, 2018 Workshop Council Meeting, (c) approval of the 2017 Racial Profile Report from the police department, Council Member Davalos seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

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

- A. **TAX RESALE** – Discussion and possible action to approve the highest bid(s) received on the following property struck off to Cameron County, for itself and other taxing jurisdictions from a tax resale conducted on November 7, 2017; legal description SPI Golf Community Parcel 10B, Lot 40. (City Manager)

Mayor Houston made a motion to approve the highest bid received on November 7, 2017; legal description SPI Golf Community Parcel 10B, Lot 40, Council Member Howard seconded the motion. Mayor Houston, Council

Members Carter, Howard, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

- B. FIREWORKS DISPLAY** – Discussion and potential action on fireworks display for Independence Day Celebration. (City Manager)

Council Member Smith made a motion to approve the fireworks display for the Independence Day Celebration for \$10,000, Council Member Worrell seconded the motion. Mayor Houston, Council Members Carter, Davalos, Worrell and Smith voted “aye” to approve. Council Members Howard and Gonzalez voted against the motion. Motion carried.

- C. ORDINANCE NUMBER 2018-01** – Second Reading - To approve the second reading of Ordinance Number 2018-01, amending Ordinance Number 2008-31A to allow signage on Town-owned property. (City Manager)

Mayor Houston made a motion to table the second reading of Ordinance Number 2018-01, amending Ordinance Number 2008-31A pertaining to signage, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- D. ORDINANCE NUMBER 2018-02** – Second Reading – To approve the second reading of Ordinance Number 2018-02 of the flood damage prevention ordinance for the Town of Laguna Vista. (City Manager)

Council Member Howard made a motion to approve the second reading of Ordinance Number 2018-02 of the flood damage prevention ordinance, with corrections to Page 12, Section 2 to add “town building inspector” and Page 10, Article 4, #2, delete “to ensure that,” Council Member Gonzalez seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- E. RESOLUTION NUMBER 2018-03** – To approve Resolution Number 2018-03 to order the General Election for May 5, 2018. (City Secretary)

Council Member Davalos made a motion to approve Resolution Number 2018-03 to order the General Election for May 5, 2018, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- F. RESOLUTION NUMBER 2018-04** – To approve Resolution Number 2018-04 to order the Special Election for May 5, 2018. (City Secretary)

Council Member Howard made a motion to approve Resolution Number 2018-04 to order the Special Election for May 5, 2018, Council Member Worrell

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

- G. RESOLUTION NUMBER 2018-05** – To approve Resolution Number 2018-05 authorizing the Police Chief to submit application number 2990604 for the 2019 Local Border Security Program. (Chief David)

Council Member Smith made a motion to approve Resolution Number 2018-05 authorizing the Police Chief to submit application number 2990604 for the 2019 Local Border Security Program, Council Member Gonzalez seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- H. RESOLUTION NUMBER 2018-06** – To approve Resolution Number 2018-06 authorizing the Police Chief to submit application number 3553801 for the 2018 State Security Program (SHSP) for Law Enforcement Terrorism Prevention Activities. (Chief David)

Council Member Worrell made a motion to approve Resolution Number 2018-06 authorizing the Police Chief to submit application number 3553801 for the 2018 State Security Program (SHSP) for Law Enforcement Terrorism Prevention Activities, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- I. RESOLUTION NUMBER 2018-07** – To approve Resolution Number 2018-07 authorizing the Police Chief to submit a grant application for the 2018 Victims of Crime Act (VOCA) to the Texas Governor’s Office. (Chief David)

Council Member Gonzalez made a motion to approve Resolution Number 2018-07 authorizing the Police Chief to submit a grant application for the 2018 Victims of Crime Act (VOCA) to the Texas governor’s Office, Council Member Davalos seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- J. RESOLUTION NUMBER 2018-08** – To approve Resolution Number 2018-08 authorizing the Fire Chief to submit a grant application number 2017-FO-05834 assistance to firefighters grant program. (Chief Tamayo)

Council Member Davalos made a motion to approve Resolution Number 2018-08 authorizing the Fire Chief to submit a grant application number 2017-FO-05834 assistance to firefighters grant program, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- K. RESOLUTION NUMBER 2018-09** – To approve Resolution Number 2018-09 authorizing the Fire Chief submit a grant to VFIS of Texas 2018 Emergency Responder Health and Wellness Grant. (Chief Tamayo)

Council Member Smith made a motion to approve Resolution Number 2018-09 authorizing the Fire Chief to submit a grant to VFIS of Texas 2018 Emergency Responder Health and Wellness Grant, Council Member Gonzalez seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- L. ORDINANCE NUMBER 2018-10** – First Reading – To consider the first reading of Ordinance Number 2018-10 repealing Ordinance Number 2017-04 to update the animal control regulations. (City Manager)

No action was taken on the first reading of Ordinance Number 2018-10.

- M. MEDICAL DIRECTOR** – Consideration and action to approve the agreement between the Town of Laguna Vista and the Medical Director. (Chief Tamayo)

Council Member Davalos made a motion to approve the agreement between the Town of Laguna Vista and the Medical Director for the Fire Department, for and annual fee of \$7,000, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- N. RURAL VOLUNTEER FIRE DEPARTMENT INSURANCE PROGRAM** – Consideration and action to authorize Fire Chief to initiate process to provide workers compensation, death and disability insurance for the volunteer firefighters from the Rural Volunteer Fire Department Insurance Program and to request reimbursement from this same Program. (Chief Tamayo)

Mayor Houston made a motion to authorize the Fire Chief to initiate process to provide workers compensation, death, and disability insurance for the volunteer firefighters from the Rural Volunteer Fire Department Insurance Program and to request reimbursement from this same Program, Council Member Worrell seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- O. TWENTY-THREE ACRES** – Consideration and action to authorize Staff to work with Boyd Blihovde, Refuge Manager, Laguna Atascosa National Wildlife Refuge, or another representative of the United States Fish and Wildlife Service, or their National Wildlife Refuge System, to give them a physical presence on the Town-owned 23 acres, adjacent to the Bahia Grande Coastal Corridor of the Laguna Atascosa National Wildlife Refuge. (Council Members Worrell and Smith)

Council Member Davalos made a motion to authorize Staff to work with Refuge Manager, from the Laguna Atascosa National Wildlife Refuge or another representative of the United States Fish and Wildlife Service, or their National Wildlife Refuge System, to give them a physical presence on the Town-owned 23 acres, adjacent to the Bahia Grande Coastal Corridor of the Laguna Atascosa National Wildlife Refuge, Council Member Worrell seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- P. CHARTER AMENDMENT** – To consider an ordinance to propose charter amendment to amend 6.03(b), change 51% to majority vote. (Council Members Smith and Worrell)

Council Member Smith made a motion to table the consideration of an ordinance to propose charter amendment to amend 6.03(b), change 51% to majority vote, Council Member Worrell seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- Q. MARINA LEASE** – Consideration and action to schedule a workshop to discuss the Marina Lease. (Council Members Worrell and Carter)

Council Member Worrell made a motion to authorize the City Manager to schedule a workshop between the Town Council and the Laguna Vista Recreational Association (LVRA), before the April 2018 regular Town Council meeting, with the requirement that both the Town Attorney and the LVRA Attorney be present, Council Member Davalos seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, voted “aye” to approve. Council Member Smith abstained from voting, motion carried.

- R. HOT WRITTEN AGREEMENT** – Consideration and action to enter into a written agreement with the SPI Golf Club and the Town for HOT funding. (City Manager)

Council Member Worrell made a motion to enter into a written agreement with the SPI Golf Club and the Town for HOT funding, Council Member Gonzalez seconded the motion. Council Members Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve. Mayor Houston and Council Member Carter abstained from voting, motion carried.

- S. MARCH 2018 COUNCIL MEETING** – To reschedule the March 2018 Town Council meeting. (Mayor Houston)

Council Member Smith made a motion to reschedule the March 2018 Town Council meeting for Monday, March 19, 2018, Council Member Gonzalez

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

- T. PERFORMANCE AGREEMENT** – Consideration and action to approve the performance agreement between the CDC and the Town for the electronic message board. (City Manager)

Council Member Davalos made a motion to approve the performance agreement between the CDC and the Town for the electronic message board, Council Member Howard seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- U. SEALED BID FOR VEHICLE** – Consideration and action to award the bid for one Town vehicle to the highest bidder. (City Secretary)

Council Member Howard made a motion to award the bid for the Town vehicle to the highest bidder for \$1,404, Council Member Davalos seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- V. SECURITY SERVICES** – Consideration and possible action on entering into agreement with the SPI Golf Club to provide security services. (City Manager)

Council Member Gonzalez made a motion to authorize the City Manager to proceed with negotiations with the SPI Golf Club to provide security services, Council Member Smith seconded the motion. Council Members Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve. Mayor Houston, and Council Member Carter abstained from voting, motion carried.

- W. FIRE DEPARTMENT** – Update on the Fire department. (Chief Tamayo)

Chief Tamayo presented samples of bunker gear for the fire department, explaining that the old bunker gear is old and worn. Whereas, the new gear is light weight and more durable.

This year to date the fire department has received 53 calls vs. 23 at the same time from last year. Currently we have 20 volunteer fire fighters and we are doing extra training, including one Saturday during the month.

The fire department will have a fish fry on March 30, 2018 to raise funds for equipment. During the SPI Golf Club annual garage sale, the fire dept raised \$288 from donations.

The fire department also hosted the Rio Grande Valley Fire Fighters Association meeting, with 88 fire fighters from through the Valley.

X. POLICE DEPARTMENT – Update on the Police department. (Chief David)

Chief David informed the Council that the department has picked up two reserve officers that will help with events.

One officer has been out on medical leave for a month. One vehicle had the engine replaced, vehicle has 84,000 miles on it.

The uniform crime reporting is up to date and the Racial Profiling report is on target.

Lt. Gonzalez is working on cleaning out the evidence room and disposing of old evidence. It is quite a process to dispose of evidence, because we must make sure that the case has been cleared.

We have two active investigations, one for an assault and the second for the traffic accident on Hwy 100, on February 8, 2018. I should mention that some people are asking why we are not posting information about the accident on Facebook. I don't approve of putting pictures and/or information about an accident on Facebook when the family has not been notified. Also, the accident is still under investigation.

Y. ADVISORY BOARD APPOINTMENTS – Consideration and action to appoint residents to the following advisory boards:

- 1) Ethics Board (2)

Council Member Howard made a motion to appoint Robert Salinas to the Ethics Board, Council Member Gonzalez seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

- 2) Ad Hoc Charter Committee (2)

Council Member Smith made a motion to appoint Kathy Bardisbanian to the Ad Hoc Charter Committee, Council Member Davalos seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

Council Member Worrell made a motion to appoint Silke De Gobeo to the Ad Hoc Charter Committee, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

3) Board of Adjustments (1)

No appointments were made for Board of Adjustments.

4) Planning and Zoning Commission (2)

No appointments were made for Planning and Zoning Commission.

Z. CITY MANAGER’S REPORT

i. The First Annual Du It by the Bay Duathlon.

Rolando Vela stated that we had 140 participants in the Duathlon event. The committee worked very hard for this event for sponsorships. The trophies were different and unique. The funds will go to support the AMIKids.

ii. UTRGV Health Clinic

Rolando Vela stated that he is working with the landlord for remodeling. We anticipate that the clinic will open on or before April 1st. We will be scheduling a ribbon cutting ceremony.

AA. 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**

and Section 551.072 to discuss and deliberate the potential purchase of real property.

Council Member Smith made a motion to go into executive session at 8:35 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: Marina Lease; and Section §551.072 to discuss and deliberate the potential purchase of real property, Council Member Davalos seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

Town Council came out of executive session at 8:50 pm.

BB. OPEN SESSION – Action, if any, on the items discussed in Executive Session.

No action was taken as a result of executive session.

7. ADJOURNMENT

Council Member Davalos made a motion to adjourn meeting at 8:51 pm, Council Member Gonzalez seconded the motion. Mayor Houston, Council Members Carter, Howard, Davalos, Gonzalez, Worrell, and Smith voted “aye” to approve, motion carried.

Attest:

Susie Houston, Mayor

Alma Deckard, City Secretary