

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: May 14, 2019
TIME: 6:00 p.m.
PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor
Frank Davalos, Jr., Mayor Pro-Tem
Michael Carter, Councilmember Place 1
Rolando Gonzalez, Councilmember Place 4
Victor Worrell, Councilmember Place 5
Nadine Smith, Councilmember Place 6

Rolando Vela, City Manager
Alan Ozuna, City Attorney
Tony David, Police Chief
Scott McGill, Fire Chief
Alma Deckard, City Secretary

MEMBERS ABSENT: Johvonne Howard, Councilmember Place 2

ALSO PRESENT: Jenna Purdy, Citizen
Bud Sherman, Citizen
Donna Sherman, Citizen
Rusty Justice, Citizen
Felicia Justice, Citizen
Kathy Bardisbanian, Citizen
Martha McClain, Citizen
Rosie Zimmerman, Citizen
Lindsey Zimmerman, Citizen
Robert Drupela, 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 Jenna Purdy from the First Methodist Church in Port Isabel.

3. **Roll Call/Excused Absences – Council Member Howard was absent.**

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

4. **PROCLAMATION** – A Proclamation declaring May 2019 Motorcycle Awareness Month. (Mayor Houston)

No one was present from the Motorcycle Club to receive proclamation.

5. **PROCLAMATION** – A Proclamation proclaiming May 12 – 18, 2019 National Police Week. (City Manager)

Mayor read the Proclamation for National Police Week and presented it to Chief David.

6. **OPEN FORUM:** None

7. **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.

a) **MINUTES** – Consideration and action to approve the minutes for the April 9, 2019 Regular Meeting. (City Secretary)

b) **MINUTES** – Consideration and action to approve the minutes for the April 15, 2019 Special Meeting. (City Secretary)

c) **AD HOC CHARTER COMMITTEE** – Consideration and action to disband the Ad Hoc Charter Committee. (City Manager)

Council Member Davalos made a motion to approve the Consent Agenda items as follows; (a) approval of the minutes for the April 9, 2019 regular meeting, (b) approval of the minutes for the April 15, 2019 special meeting, (c) approval to disband the Ad Hoc Charter committee, Council Member Gonzalez seconded the motion. Mayor Houston, Council Members Carter, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

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

- a) **RESOLUTION NUMBER 2019-18** – A Resolution in Memoriam for Jeff Zimmerman. (City Manager)

Council Members Davalos made a motion to approve Resolution Number 2019-18 in Memoriam for Jeff Zimmerman, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

- b) **RESOLUTION NUMBER 2019-19** – A Resolution to authorize the submission of a Texas Community Development Block Grant to the Texas Department of Agriculture for the purchase of a fire rescue truck. (Chief David)

Council Member Worrell made a motion to approve Resolution Number 2019-19 authorizing the submission of a Texas Community Development Block Grant to the Texas Department of Agriculture for the purchase of a fire rescue truck, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

- c) **RESOLUTION NUMBER 2019-20** – A Resolution suspending the June 5, 2019 effective date of AEP Texas Inc’s requested rate change to permit the Town time to study the request. (City Manager)

Council Member Worrell made a motion to approve Resolution Number 2019-20 suspending the June 5, 2019 effective date of AEP Texas Inc’s requested rate change to permit the Town time to study the request, Council Member Gonzalez seconded the motion. Mayor Houston, Council Members Carter, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

- d) **ORDINANCE NUMBER 2019-15** – First Reading – To consider the first reading of Ordinance Number 2019-15 proposing an amendment to Article II of the Home Rule Charter relating to filling vacancies on the Town Council. (City Manager)

Council Member Worrell requested a revision concerning the appointment of mayor in case of a vacancy.

No action was taken on the first reading of Ordinance Number 2019-15.

- e) **ORDINANCE NUMBER 2019-16** – First Reading – To consider the first reading of Ordinance Number 2019-16 amending Ordinance Number 2016-17 to prohibit alcoholic beverages at Independence Day Celebration scheduled for Saturday, July 6, 2019 at Roloff Park. (City Manager)

Council Member Davalos raised concerns of any liability to the town by selling alcohol if someone has an accident after leaving the event.

Council Member Carter stated that the liability is the same if they bring their alcohol into the park, leave and have an accident.

Council Member Davalos stated that staff will have to attend the TABC class for certification.

Council Member Smith asked if beer, wine and liquor would be sold. Rolando Vela stated yes.

No action was taken on the first reading of Ordinance Number 2019-16.

- f) ORDINANCE NUMBER 2019-17 – First Reading – To consider the first reading of Ordinance Number 2019-17 amending the 2018-19 Budget. (City Manager)**

Council Member Carter stated that the memo shows \$82,000 increase in expenditures, but the revenue increase is only \$67,282.

Rolando Vela stated he would review the documents and make corrections. He also stated that currently we are at 96.8% collection on property taxes.

No action was taken on the first reading of Ordinance Number 2019-17

- g) LEGAL SERVICES – To review the proposals submitted, schedule interviews, or make appointment for the City Attorney position. (City Manager)**

Council Member Carter made a motion to move the Legal Services agenda item to executive session, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

h) CITY MANAGER’S REPORT

- i. Memorial Day Parade and Celebration, May 27**

Rolando Vela stated that the Memorial Day Parade and Celebration is set for Monday, May 27, 2019 beginning at 5:00 pm.

- ii. Independence Day Parade and Celebration, July 6**

Rolando Vela stated that the Independence Day Parade and Celebration is set for Saturday, July 6, 2019. The parade will begin at 5:30 pm, with the

music in the park from 6 – 10:00 pm. The firework show will begin at 9:45 pm.

- i) EXECUTIVE SESSION** - There will be an Executive Session in accordance with the Open Meetings Act, as authorized by the Texas Government Code, Sections 551.071(1) (Consultation with legal counsel regarding pending or contemplated litigation or a settlement offer); 551.071(2) (Consultation with legal counsel on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter); 551.072 (deliberation regarding real property); and 551.074 (personnel matters)
 - i. Consultation with Interim Town Attorney regarding legal issues relating to Town’s legal obligations concerning annexation procedures.
 - ii. Deliberation to review responses to RFQs for Town Attorney services

Council Member Smith made a motion to go into executive session at 6:47 pm, in accordance with the Open Meetings Act, as authorized by the Texas Government Code, Sections 551.071(1) (Consultation with legal counsel regarding pending or contemplated litigation or a settlement offer); 551.071(2) (Consultation with legal counsel on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter); 551.072 (deliberation regarding real property); and 551.074 (personnel matter) – i. Consultation with Interim Town Attorney regarding legal issued relating to Town’s legal obligations concerning annexation procedures; ii. Deliberation to review responses to RFQs for the Town Attorney services, Council Member Carter seconded the motion. Mayor Houston, Council Members Carter, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

Town Council came out of executive session at 7:24 pm.

- j) OPEN SESSION** - Action, if any, on the items discussed in Executive Session.

Council Member Smith made a motion to appoint Alan Ozuna as the City Attorney as discussed in executive session, Council Member Carter seconded the motion. Mayor Houston, Council Members Carter, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

9. ADJOURNMENT

Council Member Davalos made a motion to adjourn meeting at 7:25 pm, Council Member Smith seconded the motion. Mayor Houston, Council Members Carter, Davalos, Gonzalez, Worrell and Smith voted “aye” to approve, motion carried.

Attest:

Frank Davalos, Jr., Mayor Pro-Tem

Alma Deckard, City Secretary