

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

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

DATE: October 13, 2020
TIME: 6:00 pm
PLACE: Library Board Room

MEMBERS PRESENT: Susie Houston, Mayor
Johvonne Howard, Council Member Place 2
Rolando Gonzalez, Council Member Place 4
Victor Worrell, Council Member Place 5
Nadine Smith, Mayor Pro-Tem

Ed Meza, City Manager
Ana Hernandez, City Secretary
Rendie Gonzales, Town Bookkeeper
Alan Ozuna, Town Attorney
Anthony David, Police Chief

MEMBERS ABSENT: Michael Carter, Council Member Place 1

ALSO PRESENT: Commissioner Garza, Cameron County
Rev. Claudia Nelven
Sonia Harry, PIISD
Erik Brattin
Raul Valdez

ORDER OF BUSINESS

- 1. Call to Order** Mayor Houston called the meeting to order at 6:02 p.m.
- 2. Invocation and Pledge of Allegiance** was led by Reverend Claudia Nelven.
- 3. Roll Call/Excused Absences** – Council Member Carter was absent.

Council Member Gonzalez made a motion to excuse Council Member Carter from the Regular Meeting on October 13, 2020, Council Member Howard

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

4. **OPEN FORUM** - Due to COVID-19 emergency, the Town will live stream the meeting on the Town’s Facebook page at <https://www.facebook.com/lvtexas/>. Viewers will be allowed to comment during our live stream on any topic. Comments submitted after the close of the open forum may be read at the end of the meeting. Each commenter will be identified by Facebook Username. There is no discussion or formal action taken during this agenda item.

Commissioner updated the Council on the Eco-Tourism. Ground Breaking Ceremony is set for October 22, 2020 at 4:30 p.m. as required by Texas Parks & Wildlife with COVID-19 precautions such as social distancing, face masks, and temperature checks. He stated the they are doing great progress at site a lot of earth work has been done, the foundation has been poured, the outline of the amphitheater is in progress. There is a lot of activity going on in front of Amphitheater. He presented a slide show of the site and explained each item.

5. **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 of the September 15, 2020 Regular Meeting

Mayor Houston made a motion to approve the minutes for the September 15, 2020 with corrections, Council Member Gonzalez seconded the motion. Council Members Howard, Gonzalez, Worrell, Smith, and Mayor Houston voted “aye” to approve, motion carried.

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

- a) **LAGUNA MADRE WATER DISTRICT** – Presentation by the Laguna Madre Water District to present the Tax Bond detail (City Manager)

Laguna Madre Water District did not show up.

- b) **AUDITING SERVICES** – Consideration and potential action to hire Cascos & Associates PC to perform auditing services for the fiscal year 2019-2020. (City Manager)

Council Member Smith made a motion to approve the hiring of Cascos

& Associates PC to perform auditing services for the fiscal year 2019-2020, Council Member Howard seconded the motion. Council Members Howard, Gonzalez, Worrell, Smith and Mayor Houston voted “aye” to approve, motion carried.

- c) **PROJECT CONNECTIVITY** - Consideration and possible to set an amount for Project Connectivity with PIISD. (City Manager)

Item (c) & Item (i) were moved to the top of the list per Mayor Houston’s request.

Sonia Harry with PIISD reported that 150 hot spots and 1,400 devices had been deployed. So any student that needed a device or hot spot they now have them.

Mayor asked how many more hot spots or devices were needed, Ms Harry replied that at this time no more are needed.

Ms. Harry mentioned that they still have 25 hot spots available and 150 iPads coming in through TEA bulk order. iPads for a school district normally cost \$379 but they got them for \$179 a savings of \$200. The way TEA works is that that they will match whatever municipalities donate. The balance will belong to PIISD. The Island has not responded. Cameron County will not be donating because they have exhausted all of their money on COVID-19.

Council Member wanted clarification and Ms. Harry explained that TEA will match whatever the municipalities donate.

Council Member Smith made a motion to allocate funds in the amount of \$5,575 for Project Connectivity to PIISD, Council Member Howard seconded the motion. Council Members Howard, Gonzalez, Worrell, Smith, and Mayor Houston voted “aye” to approve, motion carried.

- d) **RESOLUTION 2020-17** – Consideration and possible action to approve Resolution 2020-17 to appoint the Port Isabel-South Padre Island Press as the official newspaper for the Town of Laguna Vista. (City Manager)

Council Member Smith made a motion to to approve Resolution 2020-17 to appoint the Port Isabel-South Padre Island Press as the official newspaper for the Town of Laguna Vista, Council Member Howard seconded the motion. Council Member Worrell voted “nay”. Council Members Howard, Gonzalez, Smith and Mayor Houston voted “aye” to approve, motion carried.

- e) **LAGUNA MADRE YOUTH CENTER** – Consideration and possible action to approve funding for the Laguna Madre Youth Center. (City Manager)

Mr Meza stated that Laguna Madre Youth Center is requesting \$ 7,500 in the past they've requested \$5,000.

Council Member Worrell corrected Mr. Meza stating that last year they had also requested \$ 7,500 but the council gave them \$ 5,000.

Council Member Gonzalez asked if we had budgeted for this. Mayor Houston we will have to do a budget ammendment.

Council Member Smith it's hard to say no even though we ourselves are struggling. We should consider supporting.

Council Member Howard said that they just got a new gym and have done a lot of remodeling because it was falling apart and with the Town's support they have been able to do a lot of upgrades.

Council Member Smith suggest we do what we did last year to avoid doing budget ammendment.

Council Member Smith made a motion to go into a service contract agreement with the Laguna Madre Youth Center in the amount \$ 5,000, Council Member Gonzalez seconded the motion. Council Members Howard, Gonzalez, Worrell, Smith and Mayor Houston voted "aye" to approve, motion carried.

- f) CAF - Consideration and possible action to approve request from CAF to place banners during special events.(City Manager)**

Mr. Meza addressed the Council stating that the CAF had reached out to him asking if they can use our sign display located on Hwy 100 and FM 510 to place their banners during special events.

Council Member Smith asked if this was permanent. Mr. Meza replied no that it was just for special events.

Council Member Howard made a motion to approve the the request from CAF to place their banners during events, Mayor Houston seconded the motion. Council Members Howard, Gonzalez, Worrell, Smith and Mayor Houston voted "aye' to approve, motion carried.

- g) PORT ISABEL EMS – Consideration and possible action regarding contract with the City of Port Isabel for supplemental EMS Service. (City Manager)**

Mr. Meza stated this is the same contract we had with Los Fresnos while Port Isabel provided EMS Services but since now we have a contract with Los Fresnos we have to have this contract with Port Isabel for supplemental EMS Service in

the case Los Fresnos wouldn't be available.

Mr. Ozuna stated he reviewed the contract and everything seems ok with the exception of #13 "indemnifying" Port Isabel. He does not recommend indemnifying a service provider for their provision of ambulance services to the Town. The Town is not getting a special rate plus they have insurance. It is very unusual for a service provider to ask their customer for indemnity. Everything else looks good.

Council Member Worrell made a motion to approve the contract with the City of Port Isabel for supplemental EMS Service with the removal of item 13 (Indemnity), Council Member Smith seconded the motion. Council Members Howard, Gonzalez, Worrell, Smith, and Mayor Houston voted "aye" to approve, motion carried.

h) RECOGNITION PROGRAM - Update on the Employee Recognition Program. (City Manager)

Mr. Meza addressed the council and stated that he had updated the program as requested by council to employees will be receiving \$25 for every year employeeed. Recognitions will be at the 5 years will be \$125, 10 will be \$250 years, 15 years will be \$375 and 20 years will be \$500 and every five years thereafter.

Council Member Smith suggested the Program will be retroactive.

Mayor Houston made a motion to approve the update on the Employee Recognition Program, Council Member Smith seconded the motion. Council Members Howard, Gonzalez, Worrell, Smith, and Mayor Houston voted "aye" to approve, motion carried.

i) SKATE PARK AT CROSS CHURCH - Presentation by Cross Church, and consideration and possible action regarding Skate Park. (City Manager)

Eric Brattin stated that he was involved in building the skate bowl back in 2006. He also that their goal is to continue to make the skate board bowl available to public and to our youth in the future. He said that he was made aware that it might not be available in the future so that's why he asks the Town Council if they can find a solution along with Cross Church. Apparently Cross Church has written out a lease. However, they haven't seen the lease so he doesn't know the details. He doesn't know if it is a good or bad deal.

Raul Valdez thanked the Council for hearing him out. He stated he was born and raised in Port Isabel and from Olmito to Los Fresnos, Brownsville, the Island and Laguna Vista all they did growing up was skate. Pastor Don allowed us to build the skate bowl 15 years ago with a handshake and the trust that we would take care of the bowl. Up to not so long ago they were denied access this skate bowl

used by skaters from all over the RGV. He has helped with the skate park in Los Fresnos, Oliveira Park in Brownsville, Olmito, Edinburg, Mercedes, and now back at the Island. Skateboarding keeps us healthy and but most importantly creates friendships and helps keeps kids out of trouble. He asked the council for their help in saving the skate bowl park.

Council Member Howard stated she reached out to Mr. Nixon and that she appreciates the passion and the sport. She asked what has entailed within your organization not for profit group to maintain the bowl and for how long? And the cost?

Eric Christensen replied to Ms. Howard that the bowl requires very minor maintenance. Ocassionaly there has been chips which requires a special mix which we take care of and the ocassional touch up.

Mayor Houston stated that it didn't look like it requires a lot of maintenance and that skater will continue to maintain along with the Town's help.

Council Member Smith asked if it was true that they tried contacting the church numerous times without hearing back from them.

Eric Christensen replied he had spoken to Abraham Gomez, Pastor from Cross Church in McAllen campus. Pastor Gomez told Eric Christensen that he was made aware that there was a statement the the bowl would be removed or filled in but Pastor Gomez said there was no truth in that the church had no plans to remove or fill the bowl. Pastor Gomez said he couldn't guarantee that this wouldn't happen in the future. They basically have the right to do so in the future. At this point, he made contact with Eric Brattin about his findings, Mr Brattin was not happy knowing there is a possibility of the park being removed. That is why they are asking the Council for help in securing the skate park's future.

Mayor Houston said she had talked to Cross Church and Eric Brattin, the church wanted us to draw up an agreement and that's how Mr. Ozuna got involved.

Mr. Ozuna stated that he talked to Cross Church council they are in no position to donate the land to the Town but they are willing to go into lease agreement with the Town in which the Town would be responsible for maintaining the park and assume all responsibility with whatever happens at the park. In other words that Church would be indemnefied. Mr. Ozuna wanted to be clear that pledging to indemnefy a land owner, we will be the operators of the park. We wouldn't have sovereign immunity from a claim that arises out of the park but we would be able to take advantage of the protections afforded by the Texas Recreational Statute which includes skate parks as long as we maintain the park and post signs of the statute. They are ok to go into a lease for a certain number of years. It would be a nominal lease of \$1.

Eric Christensen thanked the Council.

Mayor Houston made a motion to enter into an agreementt with Cross Church unders the terms presented to council, Council Member Smith seconded the motion. Council Members Howard, Gonzalez, Worrell, Smith and Mayor Houston voted “aye” to approve, motion carried.

PUBLIC COMMENTS -

Frank Davalos – Thank you so much Mayor Houston and Town Council for partnering with PIISD! It’s all about our Laguna Madre kids!

Frank Davalos – Thank you so much Mayor Houstong and Town Council for approving funding for the Youth Center! It’s all about the kids!!

Clifton Lipinski – Build More!

7. ADJOURNMENT -

Council Member Smith made a motion to adjourn at 7:07 p.m., Council Member Gonzalez seconded the motion. Council Members Carter, Howard, Worrell, Mayor Pro-Tem Smith, and Mayor Houston voted “aye” to approve, motion carried. spell

Attest:

Susie Houston, Mayor

Ana Hernandez, City Secretary