

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

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

DATE: March 9, 2021  
TIME: 6:00 pm  
PLACE: Basketball Courts at Roloff Park

MEMBERS PRESENT: Nadine Smith, Mayor  
Michael Carter, Mayor Pro-Tem  
Johvonne Howard, Council Member Place 2  
Bettina Tolin, Council Member Place 3  
Rolando Gonzalez, Council Member Place 4  
Victor Worrell, Council Member Place 5  
Silke De Gobeo, Council Member Place 6  
  
Ed Meza, City Manager  
Rendie Gonzales, Town Bookkeeper  
Norma J. Barbosa, Office Assistant  
Alan Ozuna, Town Attorney  
Anthony David, Police Chief  
Willie Martinez

MEMBERS ABSENT: Michael Carter, Mayor Pro-Tem  
Victor Worrell, Council Member Place 5

ALSO PRESENT: Rusty & Felicia Justice  
Stephanie Wilson  
Jason Wilson  
Jonathan Rucker  
David Lohse  
Francisco Briones  
Leigh West

**ORDER OF BUSINESS**

- 1) **Call to Order** Mayor Smith called the meeting to order at 6:02 p.m.
- 2) **Invocation and Pledge of Allegiance** was led by Mr. Rusty Justice.

**3) Roll Call/Excused Absences –**

**Mayor Smith made a motion to excuse Council Member Carter and Council Member Worrell, Council Member Gonzalez seconded the motion. Council Members Tolin, Gonzalez, De Gobeo, and Mayor Smith voted “aye” to approve motion carried.**

**Mayor Smith stated that Council Member Howard was running late.**

- 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.

**Stephanie Wilson along with Jason Wilson and Jonathan Rucker addressed the council on their plans to hold an Autism Run next month and is planning to be on the agenda for the following month. This will be the 1<sup>st</sup> time it will be held in Laguna Vista. The goal of this walk is to raise awareness. The proceeds raised will go to BIG Heroes which is a non-profit that works with young adults with disabilities.**

- 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. Discussion, consideration, and possible action on each of the following items:

- a) RACIAL PROFILE REPORT** – Consideration and action to accept the Laguna Vista Police Department 2020 Racial Profile Report. (Chief David)

**Mayor Smith made motion to accept the Laguna Vista Police Department 2020 Racial Profile Report, Council Member Gonzalez seconded the motion. Council Members Tolin, Gonzalez, DeGobeo, and Mayor Smith voted “aye” to approve motion carried .**

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

- a) PROCLAMATION** - To recognize several citizens within the community who helped during the week of February 15 – 19, 2021 during freeze. (City Manager)

Mayor Smith thanked everyone and explained this was a crisis situation for everyone and so many out of their own freewill stepped up and helped.

- b) **PRESENTATION** – Presentation from Terry Capistran from PIISD regarding Project Connectivity. (City Manager)

**Terry Capistran was not present, but Mr. Meza thanked the council on her behalf for the donation to Project Connectivity. Ms Capistran is very glad to have such a great relationship between our town and the PIISD.**

- c) **MARINA UPDATE** – Presentation by David Lohse on Marina updates and projects. (City Manager)

**David Lohse addressed the council giving them a little bit of history on the Marina. He said some parts have been repaired others have not many are falling apart. All together its looking pretty bad. All the piers need to be replace except for handicap ramp. In 2008 the foot of the ramp was repaired, 2019 the handicap ramp was built, and last year it was repaved. Last 2 projects were supported by CDC. New water lines were installed. To date there is 155 members.**

**Council Member Howard arrived at 6:20 p.m.**

- d) **TIRZ PRESENTATION** – Presentation by Lance Elliott on Tax Increment Reinvestment Zone – TIRZ/Tax Increment Financing. – TIF. (Mayor Smith)

**TABLED BY THE MAYOR**

- e) **TRAVEL REQUEST FOR OFFICER BROOKS & K-9 BELLA**– Consideration and possible action to approve travel request for Officer Roy Brooks & K9 Bella to attend DLE certification. (Chief David)

Chief David stated he would like to send Bella to K9 training and Officer Brooks as well because the dog will only be as good as his trainer.

**Council Member Tolin made a motion to approve travel request for Officer Roy Brooks & K9 Bella to attend DLE certification, seconded by Council Member Gonzalez. Council Members Howard, Tolin, Gonzalez, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- f) **PUBLIC HEARING** – Conduct public hearing on application for the submittal of funding application for CDBG-CV Mortgage Assistance Program of the Texas Department of Housing & Community Affairs.

**NO PUBLIC COMMENTS**

- g) MULTIPLE FUNDING STREAMS CONTRACTS** – Consideration and approval of contracts for multiple Funding Streams for administrative/management services and architectural/engineering services. (City Manager)

Mr. Meza presented score sheets. Fulcrom received 228 points vs Munoz received 227 points. And there was one submittal for administrative/management services and architectural was R & M with 240 points.

Mr. Gonzalez asked if this relates to Drainage & Marina, Mayor clarified this is for the mortgage assistance.

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Mayor asked Mr. Briones what was the duration of the agreement. Answer from Mr. Briones was that it was open/ended because the way the process works if we are successful in identifying a funding source and the council agrees to pursue it then we start organizing the project. If it gets funded the state agency will then dictate the terms.

Mr Ozuna addressed the council regarding duration and an open/ended contract we are bound by certain anti delegation prohibitions that might prohibit complete open/ended or unterminable agreements. We need to wait for the written form to contain cancellation provision or automatic cancellation absent notice of renewal.

**Council Member Tolin made a motion to approve items g, h, i, j and k with regards to Resolution 2021-05, 2021-07, 2021-08 and to approve submission of the applications as described in the agenda relative to the Emergency Mortgage Assistance Program, Clean Water State Revolving Fund, and the Drinking Water State Revolving Fund, Council Member Howard seconded the motion. Council Members Howard, Tolin, Gonzalez, De Gobeo and Mayor Smith voted “aye” to approve, motion carried.**

- h) RESOLUTION 2021-05** – Consideration and possible action to approve Resolution 2021-05 authorizing the submission of a Texas Department of Housing and Community Affairs (TDCHA) application to the 2021 CDBG-CV Emergency Mortgage Assistance Program and authorizing the Mayor and the City Manager to act as the town’s Executive Officer and authorized representatives in all matters pertaining to the Town’s participation in the TDHCA CDBG-CV Emergency Mortgage Assistance Program. (City Manager)

**APPROVED WITH ITEM G; SEE ABOVE MOTION**

- i) RESOLUTION 2021-07** – Consideration and possible action to approve Resolution 2021-07, authorizing the submission of a Texas Water Development

Board (TWDB) application to the Clean Water State Revolving Fund (DWSRF); and authorizing the Mayor and City Manager to act as the Town’s Executive Officer and authorized representatives in all matters pertaining to the Town’s participation in the TWDB Clear Water State Revolving Fund. (City Manager)

**APPROVED WITH ITEM G; SEE ABOVE MOTION**

- j) RESOLUTION 2021-08** – Consideration and possible action to approve Resolution 2021-08, authorizing the submission of a Texas Water Development Board (TWDB) application to the Drinking Water State Revolving Fund (DWSRF); and authorizing the Mayor and City Manager to act as the Town’s Executive Officer and authorized representatives in all matters pertaining to the Town’s participation in the TWDB Drinking Water State Revolving Fund (DWSRF). (City Manager)

**APPROVED WITH ITEM G; SEE ABOVE MOTION**

- k) FULCRUM CONSULTING SERVICES** – Consideration and possible action to authorize Fulcrum Consulting Services to submit pre-applications for the 2021-2022 TWDB Clean Water State Revolving Fund and the Drinking Water State Revolving Fund. (City Manager)

**APPROVED WITH ITEM G; SEE ABOVE MOTION**

- l) RESOLUTION 2021-09** – Consideration and possible action regarding formally abandoning certain road rights-of-way on, across and adjacent to blocks 579, 580 and 581 in the Town of Laguna Vista. (City Manager)

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**Mayor Smith made a motion to approve formally abandoning certain road rights-of-way on, across and adjacent to blocks 579, 580 and 581 in the Town of Laguna Vista, Council Member De Gobeo seconded the motion. Council Members Howard, Tolin, Gonzalez, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- m) EMERGENCY PLAN** - Consideration and possible action to update and improve the current emergency plan. (Mayor Smith)

Mayor Smith suggests the Town needs an emergency plan not only for hurricanes but for any situation. Mayor suggestions include: Swift Notification System for residents of Laguna Vista this lets us communicate with our residents. Chief suggests a landline, 50 amp plug, portable water to drink & flush, petty cash, portable ac/heater, converters for chargers in units

Council Member Gonzalez asked if radios work when power is out. He also asked if the Council Members can have some type of radio system to use in case of an emergency.

Council Member Howard asked where can we send residents that seek shelter during these crisis situations.

**Mayor Smith made a motion to update and improve the current Emergency Plan headed by Council Member Tolin along with staff and whoever she sees fit to update our current Emergency Plan with all suggestions discussed, Council Member Howard seconded the motion. Council Members Howard, Tolin, Gonzalez, De Gobeo and Mayor Smith voted “aye” to approve, motion carried.**

- n) CERTIFICATION OF UNOPPOSED CANDIDATES** – Consideration and possible action to approve the certification of unopposed candidates for the May 1, 2021 Election for Places 4, 5, and 6. (City Secretary)

**Mayor Smith made a motion to approve the certification of unopposed candidates for the May 1, 2021 Election for Places 4, 5, and 6, Council Member Gonzalez seconded the motion. Council Members Howard, Tolin, Gonzalez, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

- o) RESOLUTION 2021-06** – Consideration and possible action to approve Resolution 2021-06 ordering the cancellation of the May 1, 2021 General Election and declaring each unopposed candidate elected to office. (City Secretary)

**Mayor Smith made a motion to approve Resolution 2021-06 ordering the cancellation of the May 1, 2021 General Election and declaring each unopposed candidate elected to office, Council Member Tolin seconded the motion. Council Members Howard, Tolin, Gonzalez, De Gobeo, and Mayor Smith voted “aye” to approve, motion carried.**

**Ms. De Gobeo & Ms. Leigh West made a presentation regarding art/nature program. Giving some history on this programs.**

**The Board went into Executive Session at 7:11 pm**

- p) 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.
- i)** Deliberation with Town Attorney regarding legal issues related to imposition of fees and dedication requirements on development projects for green space and to fund and install public art or nature related items.

**The Board came out of Executive Session at 8:00 pm**

- q) GREEN SPACE PROGRAM** – Consideration and possible action regarding program for developers to donate/dedicate a percentage of development as “Green Space”. (Mayor Smith)

**Mayor Smith made a motion to instruct the CDC with Ms. Leigh West leading in pursuing the art/nature program also instructing the Parks & Recreation Board to gear up the Green Space Program, Council Member Tolin seconded the motion. Council Members Howard, Tolin, Gonzalez, De Gobeo and Mayor Smith voted “aye” to approve, motion carried.**

- r) ART/NATURE PROGRAM** - Consideration and possible action regarding fees on large-scale development projects to fund and install public art or nature related items.

**APPROVED WITH ITEM Q; SEE ABOVE MOTION**

**7) ADJOURNMENT**

**Mayor Smith made a motion to adjourn at 8:02 p.m., Council Member De Gobeo seconded the motion. Council Members Howard, Tolin, Gonzalez, De Gobeo, and Mayor Smith voted “aye” to approve motion carried.**

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Nadine Smith, Mayor

Attest:

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Ana Hernandez, City Secretary