

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

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

DATE: May 10, 2022  
TIME: 6:00 p.m.  
PLACE: City Hall Building

MEMBERS PRESENT: Nadine Smith, Mayor (zoom)  
Michael Carter, Council Member Place 1  
Johvonne Howard, Council Member Place 2  
Bettina Tolin, Council Member Place 3  
Rolando Gonzales, Council Member Place 4  
Victor Worrell, Council Member Place 5  
Silke De Gobeo, Council Member Place 6

Alan T. Ozuna, Esq.  
Rendie R. Gonzales, Interim City Manager  
Anthony David, Chief of Police  
Ricky Gonzales, Commander  
Norma Barbosa, Deputy Clerk  
Crystal Chapa, Town Bookkeeper  
Pura Mireles, Library Director  
Willie Martinez, Public Works Director  
Liz Baldwin, Library Clerk

MEMBERS ABSENT: None.

**ORDER OF BUSINESS**

• **Call to Order**

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

• **Invocation and Pledge of Allegiance**

Invocation lead by Council Member Tolin

• **Roll Call/Excused Absences**

All members present.

**OPEN FORUM** - At this time, audience is allowed 3 minutes per person to address the Council on any topic. There will be no discussion or formal action taken during this agenda item. The speaker

must identify themselves before speaking. A Speaker Request Form must be presented to the City Secretary prior to the meeting.

Sheldon Awand – 125 Golf House Rd.  
Spoke regarding flood potential and mitigation plan for same. Service plan annexation of SPIGC.

**MINUTES** - Consideration and possible action to approve the minutes of the April 6, 2022, special meeting.

**Motion** was made by Council Member Worrell to approve the Minutes of the April 6, 2022, meeting.

**Second** was made by Council Member Gonzalez.

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Howard	Aye	Council Member De Gobeo	Aye
Council Member Tolin	Aye	Mayor Smith	Aye
Council Member Gonzales	Aye		

**Motion Carried.**

**MINUTES** – Consideration and possible action to approve the minutes of the April 12, 2022, meeting.

**Motion** was made by Mayor Smith to approve the Minutes of the April 12, 2022, meeting.

**Second** was made by Council Member Worrell.

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Howard	Aye	Council Member De Gobeo	Aye
Council Member Tolin	Aye	Mayor Smith	Aye
Council Member Gonzales	Aye		

**Motion Carried.**

**FINANCIAL REPORTS** – Review of monthly Financial Reports. (Interim City Manager)

Documents provided:

- Monthly Check Register
- Summary Budget (Revenue and Expenditure)
- Balance Sheets for all Funds.

Mr. Carter – appreciated that balance sheets were provided.

Mr. Carter pointed out that there were multiple incorrect numbers on the balance sheets; there should not be negatives in receivables and over payments in liabilities.

Mayor Smith asked that Mr. Carter get with Ms. Gonzales and Ms. Chapa to help correct those items.

<b>BUDGET AMENDMENT</b> - Consideration and possible action to approve budget amendments for departments. (Interim City Manager)
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- Police Department
  - Fuel
  - Salary Adjustment
- Public Works
  - Fuel
- City Hall
  - Training & Travel
  - Office Supplies

Mr. Carter commented on the City Hall Budget adjustment – he would rather not take from the revenue of the property tax; Council Member Howard agreed, stating she would feel better if this was already at 100% then perhaps.

Mayor Smith and Council Member asked what other account we could take this from.

Ms. Gonzales suggested that the funds could be taken from the legal services GL account; \$100k was budgeted and we have \$63k left in this account. This amount was budgeted due to the other litigation.

Council Member Tolin stated that she thought that was a good idea based on what was discussed at the last executive session.

Mayor Smith also agreed that based on the information received that we will not be needing that considerable number of legal services this fiscal year and that the staff did in fact need better workspace and furniture.

Mr. Carter pointed out that the GL number for Office Supplies and Office Furniture were not matching and question the amount.

The City Hall Budget Amendment was agreed to reduce legal fees and increase the training/travel/office supplies accounts.

**Motion** was made by Mayor Smith to approve the budget amendments as corrected/revised.  
**Second** was made by Council Member Carter.

**VOTE**

Council Member Carter	Aye	Council Member Gonzales	Aye
Council Member Howard	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
		Mayor Smith	Aye

**Motion Carried.**

**HOT ACCOUNT** – Consideration and possible action regarding Hotel Occupancy Tax Account and Budget (Council Member De Gobeo & Council Member Worrell)

Council Member De Gobeo explained that she was looking into the HOT tax and what we as the Town did for the Hot Tax and found that while we have an Ordinance regarding HOT tax, we as the Town do not do much in the way of enforcing the Hot Tax.

Council Member De Gobeo expressed that she would like to require that all rentals be registered with the City and issued a registration number.

Council Member Carter agreed and added that the number could include their State HOT Tax ID number; this would be an additional way of confirming/checking that they are in fact registered with the state. Council Member Carter further explained that everyone that is registered for HOT tax should have to file a report every month even if they are reporting zero. This is required already by the state and therefore it would be easier for administrative purposes to keep track if someone is reporting or not.

Council Member De Gobeo advised that she thought it would be important that we clearly define what the term “hotel” means. She referred to the “What Cities Need to Know to Administer Municipal Hotel Occupancy Taxes” language/definition of hotel.

Mr. Ozuna clarifies that we can add to our definition however the statutory definition of the word will be the prevailing language. He also wanted to disclose that the document referred to above is put out by the Texas Hotel and Lodging Association and it is a very good legal analysis they are on the other side of the regulatory system.

Council Member Tolin referred to page 2 of the HOT ORD. 2007-30 was inclusive already.

Council Member De Gobeo requested that regarding the governmental discount that those discounts/exceptions must provide some sort of proof / identification.

Council Member Carter stated that they must provide that information to the state and that it would be redundant for us to ask for it also.

Ms. Gonzales pointed out that in Section 10 of the Ord. we state that we can request the examination of their books, papers, records, financial reports etc. if we request it in writing.

Council Member De Gobeo requests that we start to charge a fee to register – perhaps \$50/annually. This way we could put the year in their registration number.

Mr. Ozuna was asked to confirm if we are allowed to charge a registration fee.

Council Member Gonzalez comments that he worries that if we charge a fee that might discourage people from registering and paying.

Council Member Carter adds that we can impose a fine if people do not file their monthly HOT tax report. They need to file even if reporting zero and if they do not, they will be fined just like they have to do for the State. He feels like the need for a one-time initial fee is needed but not annual; rather fine an individual if they do not report on time.

Mr. Ozuna advised that we are allowed to take a portion of the hot funds for the administration/salary of HOT management.

Ultimately Council Member De Gobeo's intention is to make it where we as a Town can keep track and keep moving forward with this collection.

Council Member De Gobeo would like to request that we accept an electronic signature be accepted. In addition, all advertisements for the property being rented that the owners LV registration number be listed on the ad itself.

Council Member Carter reviewed adds for SPI and confirmed that they have their permit/registration number listed.

It was discussed / agreed that it would assist the City in knowing if a property is registered because when we look at Facebook/VBRO/Airbnb etc. and it does not have the LV number it will show us who we need to follow-up on for not paying hot tax.

Council Member De Gobeo did point out that there is an incentive to pay because we give them a 1% discount if they pay early.

In Summary Mr. Ozuna clarified that the following are the items that he will be revising Ord. 2007-30 to have following additions:

1. Verify if we can have a one-time registration fee; if we can the fee will be \$50.00
2. Any advertising for the property subject to this ord. must list the LV Registration number on the registration

Ms. Gonzales confirmed that there will be a REGISTRATION NUMBER for each property and that the management company itself does not need a registration certificate.

Mayor Smith asked if we wanted to burden ourselves with tracking if they do not file or have any revenue and he explained that if we have one hundred properties registered – then we would be able to expect to get 100 returns. This way if we are missing three returns/filings we know who to follow-up with.

**Motion** was made by Council Member De Gobeo to approve the first reading of Ord. 2022 - \_\_\_\_;  
Amending Ord. 2007-30 regarding the Hotel Occupancy Tax.

**Second** was made by Council Member Worrell

**VOTE**

Council Member Carter	Aye	Council Member Worrell	Aye
Council Member Howard	Aye	Council Member De Gobeo	Aye
Council Member Tolin	Aye	Mayor Smith	Aye
Council Member Gonzales	Aye		

**Motion Carried.**

**NOTE: Council Member Carter left the meeting @ 7:03pm**

**RESOLUTION 2022-12** – Consider and possible action regarding Resolution 2022-12 regarding the selection of the **administration/project delivery service provider(s)** to complete application and project implementation for the 2019 Floods & TS Imelda funding administered by the Texas General Land Office. (Interim City Manager)

Ms. Gonzales explained that no engineers had submitted and response to the RFQ for this project so once GrantWorks takes control, they will resubmit for engineer bids.

Council Member Worrell asked about an engineer we had been referred to by Mr. Lohse and Ms. Gonzales explained that he does not want to be the one to do the work bur rather be a consultant to the project for the LVRA and City.

**Motion** was made by Council Member Worrell to approve Resolution 2022-12 to appoint GrantWorks as the Administrator for the completion and project implementation for the 2019 Floods & TS Imelda funding administered by the Texas General Land Office.

**Second** was made by Council Member Gonzalez

**VOTE**

Council Member Howard	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

**EEXECUTIVE SESSSION** 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.

- Deliberation regarding appointment of City Manager

**Motion** was made by Council Member De Gobeo to go into executive session  
**Second** was made by Council Member Gonzalez.

**VOTE**

Council Member Howard	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye	Mayor Smith	Aye

**Motion Carried.**

**Meeting Adjourned for Executive Session at 7:07 p.m.**  
**Meeting resumed at 7:45 p.m.**

**Mayor Smith Did not resume attendance after executive session.**

**CITY MANAGER** - Consideration and possible action regarding third party consulting firm to facilitate in the hiring of a new City Manager for the Town of Laguna Vista and matters related to appointment of City Manager (Council Member Carter / Mayor Pro Tem Howard).

**Motion** was made by Council Member Tolin for Town Attorney to proceed as discussed in executive session.

**Second** was made by Council Member Worrell

**VOTE**

Council Member Howard	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye		

**Motion Carried.**

**• ADJOURMENT**


**Motion** was made by Council Member Tolin to adjourn

**Second** was made by Council Member Gonzalez

Council Member Howard	Aye	Council Member Worrell	Aye
Council Member Tolin	Aye	Council Member De Gobeo	Aye
Council Member Gonzales	Aye		

**Motion Carried.**

**Meeting Adjourned at 7:47 pm**

  
Nadine Smith (Jun 18, 2022 13:45 EDT)

Nadine Smith, Mayor

Attest:

*Rendie R. Gonzales*

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Rendie R. Gonzales, Interim City Manager








# May 10 2022 Minutes (1)

Final Audit Report

2022-06-18

Created:	2022-06-18
By:	Rendie Gonzales (rendie.moore2003@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAwQC4qoZwuw5dV6cu-OdxnckXBvqy5y3m

## "May 10 2022 Minutes (1)" History

-  Document created by Rendie Gonzales (rendie.moore2003@gmail.com)  
2022-06-18 - 3:24:52 PM GMT- IP address: 71.42.193.42
-  Document emailed to mayorsmith@lvtexas.us for signature  
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-  Document e-signed by Nadine Smith (mayorsmith@lvtexas.us)  
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