



# VAN HORN

## AGENDA VAN HORN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING

April 3<sup>rd</sup>, 2024 at 6:30pm  
Van Horn City Hall Council Chambers  
1801 W. Broadway

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located in the vestibule of the City Hall building at 1801 W. Broadway, Van Horn, Texas. This meeting agenda is also accessible via the internet at vanhorntexas.org.

### VIDEO CONFERENCE ATTENDANCE & LOCATION OF QUORUM NOTICE

This meeting is noticed pursuant to Texas Government Code section 551.127 permitting video conference attendance by one or more Van Horn Economic Development Corporation Board of Directors (“Board”) members. Each portion of the meeting held by video conference call that is required to be open to the public must be visible and audible to the public at the location where the quorum is present. *Id.* § 551.127(f). The Board must make at least an audio recording of the meeting and the recording must be made available to the public. *Id.* § 551.127(g). The location where the quorum is present, and each remote location from which a member of the governmental body participates, must have two-way audio and video communication with each other location during the entire meeting. Each participant’s face in the video conference call, while speaking, must be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the location where a quorum is present, and at any other location of the meeting that is open to the public. *Id.* § 551.127(h). The audio and video signals perceptible by members of the public at each location of the meeting must meet or exceed minimum standards established by Texas Department of Information Resources (DIR) rules. *Id.* § 551.127(i). The audio and video signals perceptible by members of the public at the location where the quorum is present, and any remote location must be of sufficient quality so that members of the public at each location can observe the demeanor and hear the voice of each participant in the open portion of the meeting. *Id.* §551.127(j).

### CALL SESSION TO ORDER

#### ROLL CALL

Cody Shafer, President  
Nuny Morriss, Vice President  
Yolanda Urias, Secretary  
Rene Mendoza  
Isaac Badillo  
Michael Garibay  
Lyndon McDonald

### PLEDGE OF ALLEGIANCE

### INVOCATION

### PUBLIC COMMENT

The purpose of this item is twofold. First, to allow any person an opportunity to address the Board on matters not posted on the agenda to be discussed or acted upon at this meeting. Many non-agenda issues regarding daily operational or administrative matters may be quickly and efficiently handled by contacting the City Administration at City Hall by phone. City Hall may be reached at 432-283-2839 during normal business hours. (Texas law prohibits the Board, when meeting in numbers constituting a quorum, from deliberating upon any matter not posed on the agenda in compliance of the Texas Open Meetings Act for that meeting.)

Second, this item is to allow any person an opportunity to address the Board only on matters which are posted on the agenda prior to any action being taken on the item, as required by Texas Government Code section 551.007.

Each person providing public comment will be limited to 3 minutes. The presiding officer maintains the sole discretion to increase or decrease the amount of time provided for public comment as necessary to preside over an effective and efficient meeting but will not apply any limitations based on the views expressed by the speaker.

## AGENDA ITEMS

1. Review and approve minutes from March 17<sup>th</sup>, 2024 Van Horn EDC Board meeting.
2. Discuss and consider action on a Resolution amending the Chapter 380 Agreement with the Town of Van Horn funding the Van Horn Lighting Project.
3. Discuss and consider action on a Resolution authorizing use of a Debit Card.
4. Discuss and review the Van Horn Lighting Project.
5. Discuss and consider action on Mercado Rental Agreement and Policies.
6. Discuss and consider action on Van Horn EDC Property Acquisition.
7. Discuss and consider action on the proposed Water Infrastructure Project.
8. Discuss and consider action on acquiring a Revolving or Business Loan for the VHEDC.
9. Discuss and consider action on the Mike Barnes Group contract.
10. Discuss and consider action on the proposed 2024-25 Van Horn EDC Budget.

## EXECUTIVE SESSION

The Board will now recess the open session of the meeting and reconvene in closed session pursuant to Texas Government Code section(s):

551.071 (attorney consultation), 551.072 (real property), 551.087 (economic development) and 551.074 (specific personnel matters) to deliberate upon and seek legal advice regarding banking and potential bonds budget fund allocation and usage, property acquisition, lighting improvement project, and the EDC Director position.

## ACTION RELATIVE TO EXECUTIVE SESSION

No action on the executive session items will be taken at this meeting unless specifically listed.

## ADJOURNMENT

## CERTIFICATION

The Van Horn Economic Development Corporation is committed to comply with the Americans with Disabilities Act. The Van Horn City Council Chamber where the meeting is held is wheelchair accessible. Requests for reasonable special accommodation must be made 48 hours prior to the meeting. Please email or call City Hall for assistance.

The Board reserves the right to recess the open session of the meeting and reconvene in Closed Session at any time between the meeting's opening and adjournment by majority vote on any item on the agenda for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding gifts and donations pursuant to Chapter 551.073 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the Board's legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and further constitutes a written opinion by the attorney that the item discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy the affirmative defense to a violation as provided by Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or members of other boards, commissions or committees may attend the meeting in numbers that may constitute a quorum of that body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of any other body, board, commission or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the other boards, commissions, or committees may be permitted to participate in discussions on the items listed on the agenda, but no action will be taken by such body, board, commission, or committee in attendance unless such item and action is specifically provided for on an agenda for that body, board, commission or committee in accordance with applicable law.