

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: January 13, 2015

TIME: 6:00 p.m.

PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor  
Michael Carter, Mayor Pro-Tem  
Frank Davalos, Jr., - Councilmember Place 3  
Gary Meschi, Councilmember Place 5  
Richard Hinojosa, Councilmember Place 6

Rolando Vela, City Manager  
Ricardo Morado, City Attorney  
Alma Deckard, City Secretary

MEMBERS ABSENT: Wanda Reyes-Rice – Councilmember Place 2  
Leti Keplinger, Councilmember Place 4

ALSO PRESENT: Arden Curts, Citizen  
Bill Beaty, Citizen  
Yolanda Birdwell, Citizen  
Walter Birdwell, Citizen  
Richard Lane, Citizen  
Michael Quist, South Padre Island  
Norris Fletcher, Citizen  
Julio Colunga, Citizen  
Martha McClain, 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 Reverend Michael Quist.
3. **Roll Call/Excused Absences** – Council Members Rice and Keplinger were absent.

**Mayor Houston made a motion to excuse Council Member Keplinger, whose father passed away, and Council Member Rice, who is out of town, from the January 13, 2015 meeting, Council Member Carter seconded the motion. All voted “aye” to approve, motion carried.**

#### 4. PROCLAMATIONS/RECOGNITIONS

- ✚ **HOME DECORATING CONTEST** – To recognize the winners of the Home Decorating Contest.

**Mayor announced the winners from the Home Decorating Contest; Bernie and Sherry Camacho from 52 Whooping Crane won first place, Jose and Rosalba Rivera from 202 Ebony Lane won second place, and Julio Colunga from 1301 Palm Blvd won third place.**

**Julio Colunga was present and presented with a check for \$50.**

- ✚ **CHRISTMAS TREE DECORATING CONTEST** – To recognize the winners of the Christmas Tree Decorating Contest.

**Mayor announced the winners from the Christmas Tree Decorating Contest; The Zumba Exercise Team won first place, Susie Houston and Family won second place, and the Friends of the Library won third place.**

**Mayor Houston split her check between the Friends of the Library and the Boys and Girls Club.**

- ✚ **SAUNDERS CIRCLE** – To recognize the Saunders Circle residents for their outstanding neighborhood Christmas decorations.

**Mayor recognized the residents from Saunders Circle for getting together and decorating the entire circle for Christmas.**

5. **OPEN FORUM:** At this time, audience is allowed 5 minutes per person to address the Council on any topic. There is no discussion or formal action taken during this agenda item. The speaker must identify before speaking. A Speaker Request Form must be presented to the City Secretary prior to the meeting.

Arden Curts addressed the Council with regard to the speeding problem on Lakewood Drive. He stated that there was a bad accidents on Saturday, where two homes and three vehicles were damaged. These were a result of high speeds. We need speed humps on Lakewood, just like you did on Palm Blvd.

Bill Beaty addressed the Council with regard to the same problem on Lakewood. He stated that people cut through Lakewood to get to Palo Blanco and Pino Drive to avoid the speed humps on those streets.

Walter Birdwell addressed the Council with regard to the short term rental ordinance for Beach Blvd. He is requesting that this ordinance be applied to the entire town, in particular the Padre Vista Condos on Palo Blanco.

6. **CONSENT AGENDA ITEMS:**

All matters listed under this item are considered to be routine by the Council and will be enacted for approval by one motion. There will not be 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 from the December 9, 2014 Regular Meeting. (City Secretary)
- b) **RESOLUTION NUMBER 2014-35** – To approve Resolution Number 2014-35 approving the submittal of the Police Grant application to the Attorney General, Criminal Justice Division. (Police Chief)
- c) **RESOLUTION NUMBER 2014-36** – To approve Resolution Number 2014-36 approving the submittal of the Police Grant application to the Homeland Security Administrative Agency for the Local Border Security Program (LBSP-15). (Police Chief)

**Council Member Hinojosa made a motion to approve the consent agenda items as follows; (a) approval of the minutes from the December 9, 2014 Regular Town Council Meeting, approval of Resolution Number 2014-35 approving the submittal of the Police Grant application to the Attorney General, Criminal Justice Division, and (c) approval of Resolution Number 2014-36 approving the submittal of the Police Grant application to the Homeland Security Administrative Agency for the Local Border Security**

**Program (LBSP15), Council Member Carter seconded the motion. All voted “aye” to approve, motion carried.**

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

**A. FY 2013-14 AUDIT PRESENTATION** – Presentation from Pattillo, Brown & Hill, LLP on the 2013-14 audit. (City Manager)

**Mayor withdrew audit presentation from the agenda. Audit was not ready for presentation and will be done either at a special meeting or the February 2015 meeting.**

**B. ORDINANCE NUMBER 2014-34** – Second Reading – To approve the second reading of Ordinance Number 2014-34, adopting the Subdivision Ordinance for the Town. (City Manager)

**Council Member Davalos made a motion to approve the second reading of Ordinance Number 2014-34, adopting the Subdivision Ordinance for the Town of Laguna Vista, Council Member Meschi seconded the motion. All voted “aye” to approve, motion carried.**

**C. 2011 CERTIFICATES OF OBLIGATION** – Update on the 2011 Certificates of Obligation. (City Manager)

**Rolando Vela explained that there is a balance of \$55,722.19 in the Certificates of Obligation fund. The Laguna Madre Water District has informed him that the main water line upgrade will begin next week.**

**D. 1<sup>st</sup> QUARTER FINANCIAL PERFORMANCE REPORT** – Presentation on the First Quarter Financial Performance Report (Oct. 2014 – Dec. 2014) (City Manager)

**Rolando Vela informed the Council that the Property tax collection is at 83% and court fines is at 17.53%. Both are slightly high than the time last year. Some of the capital outlay equipment has been purchase, the public works truck arrived and we are still waiting for the police unit.**

**The Hotel Occupancy Tax account has \$130,000 cash in bank and the Investment Account has \$436,000 cash in bank. The Interest and Sinking has \$122,000, with a payment due in February 2015.**

**Council Member Carter asked about a report with regard to the street improvement project. Rolando Vela stated that he will be preparing a report for the next meeting. At present time we do not have any pending invoices for the street improvements.**

**E. RESOLUTION NUMBER 2015-01** – To approve Resolution Number 2015-01 expressing concern and objections to the City of Brownsville’s Strip Annexations, urging the other small cities in Cameron County to do likewise, and calling on State Senator Eddie Lucio, Jr., and State Representative Rene Oliveira to take the necessary steps to address this problem. (Mayor)

**Mayor Houston made a motion to approve Resolution Number 2015-01 expressing concern and objections to the City of Brownsville’s Strip Annexations, urging the other small cities in Cameron County to do likewise, and calling on State Senator Eddie Lucio, Jr., and State Representative Rene Oliveira to take the necessary steps to address this problem, Council Member Hinojosa seconded the motion. All voted “aye” to approve, motion carried.**

**F. ORDINANCE NUMBER 2015-02** – First Reading – To approve the first reading of Ordinance Number 2015-02, repealing Ordinance Number 2012-19, with reference to the Board of Ethics, in particular Article V, Section 20(c). (City Attorney)

**It was the consensus of the Council that the Town Attorney add language pertaining to teleconference meetings. No action taken – first reading for review only.**

**G. CDC PERFORMANCE AGREEMENT** – To approve the performance agreement between the Community Development Corporation (CDC) and Shelley B’s Laguna Liquor Store. (City Manager)

**Council Member Hinojosa made a motion to approve the Community Development Corporation Performance Agreement with Shelley B’s Laguna Liquor Store, subject to completing any blanks that require information, Council Member Meschi seconded the motion. All voted “aye” to approve, motion carried.**

**H. FEBRUARY 2015 COUNCIL MEETING** – To approve re-scheduling the February 10, 2015 Town Council meeting. (City Manager)

**Council Member Davalos made a motion to re-schedule the February 10, 2015 regular Town Council meeting on February 3, 2015 at 6 pm, Council Member Meschi seconded the motion.**

**I. CHARTER AMENDMENTS** – To discuss possible charter amendments. (Mayor)

**Council Member Hinojosa stated that he would like to see the following Home Rule Charter Amendments for the May 2015 election:**

- i. The requirement of 51% of election results for a council member.**
- ii. Ethics Board – Permanent with a valid ordinance or abolish the board.**
- iii. Absences of Council Members – needs charter clarification on what constitutes six missed meetings.**

- iv. **Municipal Judge – requirement that it must be a licensed attorney.**
- v. **Town name – Council should have the authority to change it to City or Town or Village, etc.**

**Attorney Morado stated that Charter amendments would require the appointment of a committee or an ordinance, which would require two readings. There is not enough time to adopt an ordinance or appoint a committee if the May Election must be ordered by February.**

**J. REQUEST FOR TRAVEL – Request for travel to attend the RGV Day at the Capitol, February 10, 2015. (City Manager)**

**Council Member Carter made a motion to approve the travel for seven Council Members to attend the RGV Day at the Capitol on February 10, 2015, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.**

#### **K. CITY MANAGER’S REPORT**

- i. Street Improvements

**Rolando Vela stated that the Palm Blvd and Mesquite Drive street improvements are complete. Ebony Lane to Hibiscus improvements will be done from the new grant.**

- ii. Laguna Vista Live: Music by the Bay

**Rolando Vela stated that we are planning a Laguna Vista Live, Music by the Bay on Saturday, March 7, 2015, from 5 – 9:00 pm.**

**L. EXECUTIVE SESSION - There will be an Executive Session in accordance with the Open Meetings Act, as authorized by the Texas Government Code, Section §551.071; consultation with Town Attorney to seek advice in legal matters.**

**✚ Litigation relating to Extra-Territorial Jurisdiction  
Council did not go into executive session.**

**M. OPEN SESSION – Action, if any, on the items discussed in Executive Session.  
No action.**

#### **8. ADJOURNMENT**

**Council Member Davalos made a motion to adjourn meeting at 7:13 pm, Council Member Meschi seconded the motion. All voted “aye” to approve, motion carried.**

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Susie Houston, Mayor

Attest:

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Alma Deckard, City Secretary