

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA BOARD OF ALDERMEN

DATE: MARCH 10, 2009

TIME: 6:00 p.m.

PLACE: City Hall Building

MEMBERS PRESENT: Stan Hulse, Mayor  
Rita Garcia, Mayor Protem  
Terri L. Galloway, Alderwoman  
Rafael Salazar, Alderman  
Richard Hinojosa, Alderman

Janice Cassidy, Town Attorney  
Robert McGinnis, Police Chief  
Pura Mireles, Library Director  
Alma Deckard, City Secretary

MEMBERS ABSENT: Nancy Ostos, Alderwoman

ALSO PRESENT: Carl Phillips, Island Breeze  
Cheryl Flores, Texas Water Development Board  
Herb Houston, Citizen  
Susie Houston, Citizen  
Ken Irwin, Citizen  
Bud Sherman, Citizen

ORDER OF BUSINESS

1. Call to Order.  
Mayor Hulse called the meeting to order at 6:03 p.m.
2. Invocation and Pledge of Allegiance was lead by Alderwoman Rita Garcia.

Mayor announced the candidates for the May 9, 2009 General Election; as follows, for mayor, Terri Galloway and Susie Houston. For two aldermen positions, candidates are, Ken Irwin, Steve Muschenheim, and Rafael Salazar.

5. CONSENT AGENDA ITEMS: All matters listed under this item are considered to be routine by the Board and will be enacted 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 minutes from the February 10, 2009 Regular Board of Aldermen Meeting.
  - b) CDC APPOINTMENTS – Confirmation to appoint a member to the Laguna Vista Community Development Corporation (CDC) for an unexpired term (Oct 2008-2010).
  - c) CDC APPOINTMENTS – Confirmation to appoint a member to the Laguna Vista Community Development Corporation (CDC) for an unexpired term (Jan 2008-2010).
  - d) CDC APPOINTMENT – Confirmation to appoint a member to the Laguna Vista Community Development Corporation (CDC) for a two year term (Jan 2009-2011).
  - e) RACIAL PROFILE REPORT – Consideration and action to accept the Laguna Vista Police Department 2008 Racial Profile Report.

Mayor pulled item 5b, 5c, and 5d, from the Consent Agenda Items, for separate discussion.

Alderman Hinojosa made a motion to approve Consent Agenda Items as follows, (a) approval of the minutes from the February 10, 2009 Regular Board of Aldermen Meeting, (e) approval to accept the Laguna Vista

Alderman Hinojosa made a motion to confirm the appointment of William Schnier to the Laguna Vista Community Development Corporation (CDC) for an unexpired term (Jan 2008-2010), motion was seconded by Alderman Salazar. All voted "aye" to approve, motion carried.

Alderwoman Garcia made a motion to confirm the appointment of Justin Awtrey to the Laguna Vista Community Development Corporation (CDC) for a two year term (Jan 2009-2011), motion was seconded by Alderman Hinojosa. All voted "aye" to approve, motion carried.

Alderwoman Galloway arrived for meeting at the time.

6. NEW BUSINESS:

- A.** ORDINANCE NUMBER 2009-04 – Consideration and potential action to repeal Ordinance Number 01-87; and to approve and adopt Ordinance Number 2009-04 for the Town's Flood Damage Prevention Ordinance. (CM Vela)

Alderwoman Galloway made a motion to repeal Ordinance Number 01-87; and to approve and adopt Ordinance Number 2009-04 for the Town's Flood Damage Prevention Ordinance and to authorize the City Manager to determine a time frame for Laguna Seca RV Park to bring the park to compliance with the ordinance, motion was seconded by Alderman Hinojosa. All voted "aye" to approve, motion carried.

- B.** RESOLUTION NUMBER 2009-05 – Consideration and potential action to approve Resolution Number 2009-05 joining the efforts to support Cameron County and the Point Isabel Independent School District in addressing important infrastructure and Quality of Life issues for the Laguna Madre Area. (Mayor Hulse)

Alderwoman Galloway made a motion to approve Resolution Number 2009-05 joining the efforts to support Cameron County and the Point Isabel Independent School District in addressing important infrastructure and Quality of Life issues for the Laguna Madre Area.

- C.** PARKS & RECREATION RESOLUTION AMENDMENTS – Discussion, consideration and potential action of amendments to the Parks Resolution Number 2004-22 that includes rules, regulations and bylaws for the board. (CM Vela)

Alderswoman Garcia made a motion to approve the changes and amendments to the Parks & Recreation Resolution Number 2004-22 that includes rules, regulations and bylaws for the board, motion was seconded by Alderswoman Galloway. All voted “aye” to approve, motion carried.

- D.** EL NORTE STREET LIGHTS – Consideration and potential action to approve the funding for the installation of street lights at the El Norte Subdivision and certain areas in the original Town site. (CM Vela)

Alderswoman Galloway made a motion to approve the funding for the installation of street lights at the El Norte Subdivision and certain areas in the original town site; with \$18,000 being transferred from the re-sealing street account and \$642.96 transferred from the motor fuel account from the public works account, motion was seconded by Alderman Hinojosa. All voted “aye” to approve, motion carried.

- E.** AFFORDABLE HOUSING EXPLORATORY COMMITTEE – Consideration and potential action to appoint two (2) members to the Tri-City Affordable Housing Exploratory Committee. (Mayor Hulse)

Alderman Hinojosa made a motion to table item 6E Affordable Housing Exploratory Committee – consideration and potential action to appoint two (2) members to the Tri-City Affordable Housing Exploratory Committee, motion was seconded by Alderman Salazar. All voted “aye” to approve, motion carried.

- F.** MUNICIPAL COURT COLLECTION – Consideration and potential action to approve to enter into a contract with Linebarger Goggan Blair & Sampson, Attorneys at Law, for municipal court collections. (CM Vela)

Alderman Salazar made a motion to approve to enter into a contract with

- G.** MUNICIPAL COURT PENALTY FEE – Consideration and potential action to authorize Linebarger Goggan Blair & Sampson, Attorneys at Law, to assess a flat 30% penalty fee for the collection of municipal court collections, pursuant to Article 103.0031 of the Texas Code of Criminal Procedure. (CM Vela)

Alderswoman Garcia made a motion to authorize Linebarger, Goggan, Blair, & Sampson, Attorneys at Law, to assess a flat 30% penalty fee for the collection of municipal court collections, pursuant to Article 103.0031 of the Texas Code of Criminal Procedure, motion was seconded by Alderswoman Galloway. All voted "aye" to approve, motion carried.

- H.** RESOLUTION NUMBER 2009-06 – Consideration and potential action to approve Resolution Number 2009-06 urging Senator Eddie Lucio, Jr., and Representative Rene Oliveira to file a local bill to fight Brownsville's strip annexations. (Mayor Hulse)

Alderman Hinojosa made a motion to approve Resolution Number 2009-06 urging Senator Eddie Lucio, Jr, and Representative Rene Oliveira to file a local bill to fight Brownsville's strip annexations, motion was seconded by Alderswoman Galloway. All voted "aye" to approve, motion carried.

- I.** ENTRANCE SIGN (CDC funding) - Consideration and potential action to approve the funding from the Laguna Vista Community Development Corporation (CDC) for \$30,000 for the entrance sign at the corner of FM 510 and Hwy 100. (CM Vela)

Alderman Salazar made a motion to approve the funding from the Laguna Vista Community Development Corporation (CDC) for \$30,000 for the entrance sign at the corner of FM 510 and Hwy 100, motion was seconded by Alderswoman Galloway. All voted "aye" to approve, motion carried.

- J.** PARK IMPROVEMENTS (CDC funding) – Consideration and potential action to approve the funding from the Laguna Vista Community Development Corporation (CDC) for \$10,000 for park improvements (tables/benches). (CM

**K.** WEBSITE (CDC funding) – Consideration and potential action to approve the funding from the Laguna Vista Community Development Corporation (CDC) for \$3,600 for the contractual Webmaster agreement. (CM Vela)  
Alderwoman Garcia made a motion to approve the funding from the Laguna Vista Community Development Corporation (CDC) for \$3,600 for the contractual Webmaster agreement, motion was seconded by Alderman Salazar. All voted “aye” to approve, motion carried.

**L.** TASER POLICY AMENDMENTS – Consideration and potential action to approve amendments to the Laguna Vista Police Department Taser Policy. (Police Chief McGinnis)  
Alderwoman Galloway made a motion to approve the amendments to the Laguna Vista Police Department Taser Policy as presented; motion was seconded by Alderman Salazar. All voted “aye” to approve, motion carried.

**M.** RESOLUTION NUMBER 2009-07 – Consideration and potential action to approve Resolution Number 2009-07, endorsing certain legislative changes to enhance the competitive electric market supported by the South Texas Aggregation Project, Inc. (STAP) (CM Vela)  
Alderwoman Garcia made a motion to approve Resolution Number 2009-07 endorsing certain legislative changes to enhance the competitive electric market supported by the South Texas Aggregation Project, Inc. (STAP), motion was seconded by Alderwoman Galloway. All voted “aye” to voted, motion carried.

**N.** RESOLUTION NUMBER 2009-08 – Consideration and Potential Action to approve Resolution Number 2009-08 to approve a settlement agreement between the Town and the Texas Gas Service Company with regard to the GRIP Rate Adjustments for gas utility investment filed on October 30, 2008. (CM Vela)

Alderwoman Galloway made a motion to approve Resolution Number 2009-08 to approve a settlement agreement between the Town and the

7. CITY MANAGER ADMINISTRATIVE REPORTS

a) Mesquite Drive Drainage Improvements (900 Block)

Rolando Vela informed the Board that he met with County Commissioner David Garza and he has agreed to purchase the culverts and equipment needed through Cameron County contractors. He is in process of preparing a Memorandum of Agreement.

b) Tractor purchase

Rolando Vela stated that the tractor on order will have a front loader, shredder, and box cutter. This tractor will be used for clearing alleys and easements and maintaining town property.

c) City of Port Isabel De-Annexation

Rolando Vela reported to the Board that the City of Port Isabel has this item on their agenda for tonight. They are in agreement that the City of Port Isabel conducted an annexation that is encroaching on the one-half mile of Laguna Vista's Extra Territorial Jurisdiction (ETJ).

d) Walking Trail Grant Project

Rolando Vela informed the Board that the Texas Parks & Wildlife has agreed for the town to reconfigure the layout of the walking trail. The Cameron County GIS Department will draft a rough layout for the Board to review.

8. ADJOURNMENT

Alderman Hinojosa made a motion to adjourn meeting at 7:22 p.m., second by Alderwoman Garcia. All voted "aye" to adjourn, motion carried.