

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

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

DATE: JUNE 9, 2009
TIME: 6:00 p.m.
PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor
Rita Garcia, Mayor Protem
Richard Hinojosa, Alderman
Ken Irwin, Alderman
Steve Muschenheim, Alderman

Janice Cassidy, Town Attorney
Rolando Vela, City Manager
Neal Waters, Fire Chief
Alma Deckard, City Secretary

MEMBERS ABSENT: Terri L. Galloway, Alderwoman

ALSO PRESENT: Don Ceglar, Citizen
Donna Ceglar, Citizen
Sherry Lane, Citizen
Stanley Backues, Citizen
Nancy Ostos, Citizen
Bonnie ----, Citizen
Paula Damonze, Citizen
Arden Curts, Citizen
Justin Awtrey, Citizen
Margaret Ellison, Citizen
Margaret Ingle, Citizen
Walt Benning, Citizen
Karen Mackesey, Citizen
Richard Lane, Citizen
Chuck Cantrell, Citizen
Karen Cantrell, Citizen
Michael Smith, Citizen
Carol Benham, Citizen
Glen Benham, Citizen

Bud Sherman, Citizen
Donna Sherman, Citizen
Jacob Lopez, Citizen
Fran Gordon, Citizen
Lylas Palmirott, Citizen
Bill Schnier, Citizen
Ron Urhammer, Citizen
Andres Mireles, Citizen
Odelia Moya, Los Fresnos
Alma ----, Citizen
Deborah Vann, Citizen
George Cochran, Citizen
Jim VanBelle, Citizen
Sherry VanBelle, Citizen

ORDER OF BUSINESS

1. Call to Order.
Mayor Houston called the meeting to order at 6:00 p.m.
2. Invocation and Pledge of Allegiance was lead by Pastor Don Ceglar.
3. Roll Call – Alderwoman Galloway was absent.
4. OPEN FORUM:

Don Ceglar addressed the board concerning agenda item 8(R) for a special permit for the Christ Harbor Church to keep a portable building on the church property. He stated that the portable building was donated to the church and it would be used for office space. He asked that the board do the right thing and allow the use of the building.

Celeste Morris addressed the board concerning drainage problems on Palo Blanco

5. PROCLAMATIONS/ACKNOWLEDGEMENTS

- a. RESOLUTION NUMBER 2009-13 – Approval of Resolution Number 2009-13 recognizing Nancy Ostos for her years of service to the community as alderwoman.

Alderman Hinojosa made a motion to approve Resolution Number 2009-13 recognizing Nancy Ostos for her years of service to the community as alderwoman, motion was seconded by Alderman Irwin. All voted “aye” to approve, motion carried.

- b. RESOLUTION NUMBER 2009-14 – Approval of Resolution Number 2009-14 recognizing Stan Hulse for his years of service to the community as alderman and mayor.

Alderman Irwin made a motion to approve Resolution Number 2009-14 recognizing Stan Hulse for his years of service to the community as alderman and mayor, motion was seconded by Alderwoman Garcia. All voted “aye” to approve, motion carried.

- c. RESOLUTION NUMBER 2009-15 – Approval of Resolution Number 2009-15 recognizing Rafael Salazar for his years of service to the community as alderman.

Alderman Irwin made a motion to approve Resolution 2009-15 recognizing Rafael Salazar for his years of service to the community as alderman, motion was seconded by Alderman Muschenheim. All voted “aye” to approve, motion carried.

6. 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 the minutes from the May 12, 2009 Regular Board of Aldermen Meeting.

seconded by Alderman Muschenheim. All voted "aye" to approve, motion carried.

7. DISCUSSION:

- ORDINANCE NUMBER 2009-12 – To discuss Ordinance Number 2009-12 establishing an ethics policy, defining certain terms, and providing standards of conduct.

Alderman Irwin stated he was in favor of an ethics ordinance, however felt that it should be incorporated with the governance policy and the employee manual and this should be added to Section 7, on page 12.

Mayor Houston had an addition to page 2, Section 2.02; to include volunteers.

Rolando Vela stated that Section 6 states that complaints against employee will be filed with the municipal court. It is his recommendation that employee complaints should be filed with the city manager to address.

Alderman Hinojosa stated that Section 3.07 concerning Incompatible Outside Activities is vague and needs clarification.

Stan Hulse stated that the elected officials are governed by State Law and is sometimes redundant to adopt an ordinance telling elected officials how to conduct themselves.

Margaret Ingle asked if the ordinance contained anything on accepting gifts and later taking a vote and would that be considered a conflict of interest. Mayor stated that accepting gifts is addressed in the ordinance.

8. NEW BUSINESS:

- A.** RESIGNATION – Consideration and potential action to accept the letter of resignation from Alderwoman Terri Galloway.

Alderman Hinojosa made a motion to accept the letter of resignation

Mayor Houston opened the public hearing for the Texas Community Development Block Grant awarded to the Town for Supplemental Disaster Recovery.

Margaret Ingle asked if there will be a workshop to consider what the funds will be used for. Rolando Vela explained that the public hearing is strictly a courtesy to the citizens, however not required. Most of the funding will be used for drainage improvements. All funds must be used for hurricane related projects.

Celeste Morris reiterated about the drainage problems on Broadway and Palo Blanco Drive.

Alderman Hinojosa asked if Engineer Orlando Cruz was familiar with the problems in the El Norte area. Orlando Cruz stated he was, however the drainage study was conducted in 2002-03 and El Norte was not in the city limits at the time.

With no further discussion, Mayor Houston closed the public hearing for the Texas Community Development Block Grant awarded to the Town for Supplemental Disaster Recovery Fund.

- C.** ORDINANCE NUMBER 2009-12 – Consideration and potential action to adopt Ordinance Number 2009-12 establishing an ethics policy, defining certain terms, providing standards of conduct.

Alderman Irwin made a motion to table item 8C Ordinance Number 2009-12, establishing an ethics policy, defining certain terms, providing standards of conducts, motion was seconded by Alderman Muschenheim. All voted "aye" to table, motion carried.

- D.** ORDINANCE NUMBER 2009-16 – Consideration and potential action to approve Ordinance Number 2009-16 repealing Ordinance 2004-18 pertaining to the rules and regulations of Town's park usage.

Alderman Hinojosa made a motion to approve Ordinance Number 2009-16 repealing Ordinance 2004-18 pertaining to the rules and regulations

Alderman Hinojosa made a motion to approve the Organizational Chart as presented; motion was seconded by Alderman Muschenheim. All voted "aye" to approve, motion carried.

F. EMPLOYEE MANUAL – Consideration and potential action to approve the first twenty-one (21) pages of the proposed Town's Employee Manual. Alderman Irwin made a motion to approve the first twenty-one (21) pages of the Town's Employee Manual as presented, with minor changes; motion was seconded by Alderman Muschenheim. All voted "aye" to approve, motion carried.

G. TCDP PROJECT 2009-2010 – Consideration and potential action to rescind action taken on July 8, 2008, for professional services between the Town and Municipal and Corporate Services for the (ORCA) Texas Community Development Program Project for 2009-2010. Alderman Hinojosa made a motion to rescind action taken on July 8, 2008 to award the contract for professional services between the Town and Municipal and Corporate Services for the (ORCA) Texas Community Development Program Project for 2009-2010, motion was seconded by Alderman Muschenheim. All voted "aye" to approve, motion carried.

H. DISASTER RECOVERY GRANT – Consideration and potential action to select Cruz-Hogan Engineer Consultants for engineering services for the Office of Rural and Community Affairs (ORCA) Disaster Recovery Grant awarded to the Town. Alderman Hinojosa made a motion to select Cruz-Hogan Engineer Consultants for engineering services for the Office of Rural and Community Affairs (ORCA) Disaster Recovery Grant awarded to the Town, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

I. ORDINANCE NUMBER 2009-17 – Consideration and potential action to approve Ordinance Number 2009-17 declaring Laguna Vista a home rule city. Alderman Irwin made a motion to approve Ordinance Number 2009-17 declaring Laguna Vista a home rule city, motion was seconded by Alderman Hinojosa. All voted "aye" to approve, motion carried.

was seconded by Alderman Hinojosa. All voted “aye” to approve, motion carried.

- K.** RESOLUTION NUMBER 2009-18 – Consideration and potential action to approve Resolution Number 2009-18, pursuant to Ordinance 2006-24, appointing the municipal judge and alternate(s) for two year terms, May 2009-2011.

Alderman Hinojosa made a motion to approve Resolution Number 2009-18 pursuant to Ordinance 2006-24, appointing Rebecca RuBane as Municipal Judge and Paul Hemphill as Alternate Judge, each for a two year term from May 2009-2011, motion was seconded by Alderman Irwin. All voted “aye” to approve, motion carried.

- L.** MAYOR PROTEM – Consideration and potential action to appointment of mayor protem for a one year term, pursuant to the Local Government Code 22.037(b).

Alderman Muschenheim made a motion to appoint Alderman Richard Hinojosa as Mayor Protem for a one year term, pursuant to the Local Government Code 22.037(b), motion was seconded by Alderman Irwin. All voted “aye” to approve, motion carried.

- M.** TCDP PROJECT 728220 – Consideration and potential action to award the bid contract for the drainage improvement project for the Texas Community Development Program Project 728220 grant awarded to the Town.

Alderman Hinojosa made a motion to award the low bid contract for the drainage improvement project for the Texas Community Development Program Project 728220 grant to H2O Construction Company in the amount of \$169,606, motion was seconded by Alderman Muschenheim. All voted “aye” to approve, motion carried.

- N.** TCDP PROJECT 728220 – Consideration and potential action to approve a change order to expand additional left over funds from the Texas Community Development Project 728220.

Alderman Irwin made a motion to approve the change order to expand additional left over funds from the Texas Community Development Program Project 728220 as recommended by Engineer Orlando Cruz

Alderwoman Garcia made a motion to approve Resolution Number 2009-19 authorizing the signatory agents for the town's bank accounts, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

- P.** RESOLUTION NUMBER 2009-20 – Consideration and potential action to approve Resolution Number 2009-20 authorizing the signatory agents for the Office of Rural Community Affairs (ORCA) Texas Community Development Program (TCDP) Project 728220

Alderwoman Garcia made a motion to approve Resolution Number 2009-20 authorizing the signatory agents for the Office of Rural Community Affairs (ORCA) Texas Community Development Program (TCDP) Project 728220, motion was seconded by Alderman Hinojosa. All voted "aye" to approve, motion carried.

- Q.** CDC 2009-10 BUDGET – Consideration and potential action to approve Resolution Number CDC2009-01 adopting the Laguna Vista Community Development Corporation 2009-10 Fiscal Year Budget.

Alderman Hinojosa made a motion to approve Resolution CDC 2009-01 adopting the Laguna Vista Community Development Corporation 2009-10 Fiscal Year Budget, motion was seconded by Alderwoman Garcia. All voted "aye" to approve, motion carried.

- R.** CHRIST HARBOR CHURCH – Consideration and potential action to approve a special permit for the Christ Harbor Church to temporarily have a manufactured home on the church grounds at 1441 Santa Isabel Blvd.

Alderman Hinojosa made a motion to approve a special permit for the Christ Harbor church to temporarily have a manufactured home on the church grounds at 1441 Santa Isabel Blvd., for one portable building, for a period of one year, motion was seconded by Alderwoman Garcia. All voted "aye" to approve, motion carried.

- S.** SPI GOLF CLUB DEVELOPMENT – Consideration and potential action to approve a special permit for the South Padre Island Golf Club Development to allow a manufactured home to be used as a construction office at 1 Golf Haven

T. BOARD MEETINGS – Consideration and potential action to change the time of the Board of Aldermen Meetings.

Alderman Hinojosa made a motion to table item 8T Board Meetings, consideration and potential action to change the time of the Board of Aldermen Meetings, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

9. ADJOURNMENT

Alderwoman Garcia made a motion to adjourn meeting at 7:37 p.m., second by Alderman Muschenheim. All voted "aye" to adjourn, motion carried.

Attest:

Susie Houston, Mayor

Alma Deckard, City Secretary