

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

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

DATE: AUGUST 11, 2009

TIME: 6:00 p.m.

PLACE: City Hall Building

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

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

MEMBERS ABSENT: None

ALSO PRESENT: Stan Backues, Citizen
Clyde Machen, Citizen
Betty Bell, Citizen
Carl Phillips, Island Breeze
Carole A. Benham, Citizen
Glen Benham, Citizen
Richard Lane, Citizen
Matthew McCann, Citizen
Cherie Camacho, Citizen
Ronald Camacho, Citizen
Bud Sherman, Citizen
Donna Sherman, Citizen
Terri L. Galloway, Citizen

Gavino Sotelo, Laguna Madre Water District
Scott Friedman, Laguna Madre Water District
Jeff Keplinger, Laguna Madre Water District
Rudy Garcia, Laguna Madre Water District

ORDER OF BUSINESS

1. Call to Order

Mayor Houston called the meeting to order at 6:06 pm.

2. Invocation and Pledge of Allegiance by Alderwoman Garcia.

3. Roll Call – All present.

4. OPEN FORUM - None

5. PROCLAMATIONS AND ACKNOWLEDGEMENTS

- a. MATTHEW MCCANN – Recognition of Matthew McCann for his Eagle Scout Project at Roloff Park.

Mayor Houston presented Matthew McCann with a certificate of appreciation for his work at Roloff Park.

- b. COLIN MINKLER – Recognition of Colin Minkler for his Eagle Scout Project at Veterans' Park.

Mayor Houston presented Colin Minkler with a certificate of appreciation for his work at Roloff Park.

- c. JULY 4TH EVENT – Recognition of Volunteers and Sponsors for the July 4th Picnic & Parade.

Mayor announced the 73 door prizes and 25 gift certificates were given out at the

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- d. RESOLUTION NUMBER 2009-21 – Consideration and potential action to approve Resolution Number 2009-21 recognizing former Alderwoman Terri L. Galloway.

Alderwoman Garcia made a motion to approve Resolution Number 2009-21, recognizing former Alderwoman Terri L. Galloway, motion was seconded by Alderman Hinojosa. All voted “aye” to approve, motion carried.

Mayor Houston read and presented a plaque to former Alderwoman Terri L. Galloway.

- e. LAGUNA MADRE WATER DISTRICT – Presentation from General Manager Gavino Sotelo on the water/sewer projects and method of financing.

Gavino Sotelo, General Manager for the Laguna Madre Water District, reviewed with the Board the plans and status of the water/sewer projects in Laguna Vista. Mr. Sotelo explained that the Water District has not had a rate increase since 2002. However, because of the needs to upgrade and maintain equipment, a 7% increase for water and sewer supply will be considered by the Water District Board. He explained that several applications for funding were made with the State and Federal programs. Laguna Vista did not meet the minimum average income at the State level. The current tax rate for the Water District is \$0.8 cents.

- 6. CONSENT AGENDA ITEMS: All matters listed under this item are considered 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 June 9, 2009 Regular Board of Aldermen Meeting.

- b) MINUTES – Consideration and action to approve the minutes from the June 16, 2009 Board of Aldermen Workshop Session.

- c) MINUTES – Consideration and action to approve the minutes from the June 23, 2009 Special Board of Aldermen Meeting.

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Special Board of Aldermen Meeting of June 23, 2009, (d) approval of the minutes for the Special Board of Aldermen Meeting of June 29, 2009, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

7. REPORTS:

A. Mayor's Report

v Meeting with State Representative Rene Oliveira

Mayor reported that she and Rolando Vela met with State Representative Rene Oliveira with regard to his help with the Brownsville ETJ. In addition, Mr. Oliveira was instrumental in the Texas Park & Wildlife trail reconfiguration.

v American Airlines Ribbon Cutting Ceremony

Mayor stated she attended a Ribbon Cutting Ceremony for the American Airlines that opened at the Brownsville Airport. A direct flight to Dallas is now available from Brownsville.

v Congressman Solomon P. Ortiz appreciation dinner

Mayor stated that she attended an appreciation dinner for Congressman Solomon Ortiz and was able to network with several mayors from the valley.

v Customs & Border Patrol Office of Air & Marine Operations Interceptor Vessel

Mayor stated that the Custom & Border Patrol Office of Air & Marine Operations Interceptor Vessel is located in Harlingen and several of the officers are Laguna Vista residents.

v Subsea 7 Ribbon Cutting Ceremony

Mayor attended the Subsea 7 Ribbon Cutting Ceremony. This will generate approximately 100 local jobs. Several of the management officers are Laguna Vista residents.

B. City Manager's Report

v Street Light Project

Rolando Vela informed the board that the new street lights on Palm Blvd.

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Rolando Vela stated that an application has been submitted to the FAA for review of the location of the Helipad. Once the FAA approves the plans, the construction of the Helipad will begin.

v Watersedge Apartment Complex

Rolando Vela states that he is working to initiate public hearings for the condemnation of the Watersedge Complex. A meeting is planned with the Attorney representing the property owner.

v Town Website Status

Rolando Vela informed the board and the audience that the new website should be available by August 20, 2009.

v Entrance Sign Project

Rolando Vela stated that this Entrance Sign Project is on the agenda later on for approval and will discuss it then.

v TCDP Phase III Drainage Improvement Project

Rolando Vela informed the Board that the drainage project is underway on Mesquite Drive, Hibiscus, and Taylor Avenue.

v Municipal Court Collection Agency

Rolando Vela reminded the Board that the Linebarger Attorneys collection contract was approved in March 2009. The software is not installed and the attorneys will begin working on the collection of delinquent citations.

v FEMA Grants

Rolando Vela stated that the FEMA Hazard Mitigation Grant was submitted for Library shutters, Drainage on FM 510, and the hookup for the generator. The grant, if approved, will be approximately \$700,000.

v Disaster Recovery Fund Project

Rolando Vela stated that the Disaster Recovery Fund Project will award the Town approximately \$121,000, with \$10,000 for administration and the rest will be used for drainage.

v Volunteer Fire Department

Rolando Vela talked about the volunteer fire department, stating that they are taken for granted. They are not paid, and answer calls at 2 am. It is in the best

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8. NEW BUSINESS:

- A.** EZNETPAY CONTRACT – Consideration and potential action to approve the contract between the Town and Hamer Enterprises: Internet Processing Professional Services Agreement for internet payments.

Alderman Irwin made a motion to approve the contract between the Town and Hamer Enterprises for Internet Processing Professional Services Agreement for internet payments, with a correction to page 6, item 19, that should read Cameron County, motion was seconded by Alderman Schnier. All voted “aye” to approve, motion carried.

- B.** CDC FUNDING – Consideration and potential action to approve the Laguna Vista Community Development Corporation funding for the placement of a Laguna Vista promotional ad in the Guide to South Padre Island not to exceed \$4,500.

Alderman Schnier made a motion to approve the Laguna Vista Community Development Corporation funding for the placement of a Laguna Vista promotional ad in the Guide to South Padre Island, not to exceed \$4,500, motion was seconded by Alderman Muschenheim. Alderman Hinojosa and Alderwoman Garcia opposed motion. All other voted “aye” to approve, motion carried.

- C.** PROPERTY TAX RATE – Discussion and potential action to take record vote and schedule public hearing for the 2009 property ad valorem tax rate.

Alderman Irwin made a motion to set the 2009 property ad valorem tax rate at \$0.2932, and schedule the public hearings on August 25, 2009 at 6:00 pm, and September 1, 2009 at 6:00 pm, motion was seconded by Alderman Hinojosa.

Record Vote of motion was as follows:

Mayor Susie Houston – Voted Aye
Alderman Richard Hinojosa – Voted Aye
Alderwoman Rita Garcia – Voted Aye
Alderman Ken Irwin – Voted Aye
Alderman Steve Muschenheim – Voted Aye
Alderman Bill Schnier – Voted Aye

Motion carried unanimously.

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- E.** TAX COLLECTION CONTRACT – Consideration and potential action to approve the tax collection contract for 2009-10, between the Town and the Point Isabel ISD Tax Office.

Alderman Hinojosa made a motion to approve the tax collection contract for 2009-10, between the Town and the Point Isabel Independent School District Tax Office, motion was seconded by Alderman Muschenheim. All voted "aye" to approve, motion carried.

- F.** ORDINANCE NUMBER 2009-12 – Consideration and potential action to approve Ordinance Number 2009-12 establishing an Ethics Policy.

Alderwoman Garcia made a motion to approve Ordinance Number 2009-12 establishing an Ethics Policy, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

- G.** HOME RULE CHARTER REVIEW COMMITTEE – Consideration and potential action to appoint the members to the Home Rule Charter Review Committee.

Alderman Hinojosa made a motion to appoint the twenty applicants to the Home Rule Charter Review Committee, with staff preparing a schedule of the meetings, and notifying each member to ensure that they still want to serve on the committee, with a minimum of fifteen members on the committee, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

- H.** TEXAS OPEN MEETINGS ACT VIDEO – Consideration and potential action to schedule dates and time to review the Texas Open Meetings Act Video.

Alderman Hinojosa made a motion to table to schedule the dates and time to review the Texas Open Meetings Act Video, motion was seconded by Alderman Schnier. All voted "aye" to approve, motion carried.

- I.** ADVISORY BOARDS/COMMISSIONS – Discussion, consideration, and potential action to finalize the appointment process for various vacancies in the Laguna Vista Community Development Corporation, Parks & Recreation Board, Planning & Zoning Commission, and Library Board.

Alderman Schnier made a motion to authorize staff to prepare a standardize process for board and commission appointments and bring to the Board for

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- J.** MEETING LOCATIONS – Discussion concerning alternative Board of Aldermen meeting locations.

There was a short discussion concerning the meeting locations, with no action taken.

- K.** COMPREHENSIVE PLAN TASK FORCE – Consideration and potential action to appoint a task force to review the proposed Comprehensive Plan.

Alderman Schnier made a motion to advertise in the newspaper, marquee, and website for citizens to apply for the board and commission vacancies, by submitting a letter of intent and completing the board application, with a deadline of September 1, 2009, motion was seconded by Alderman Muschenheim. All voted “aye” to approve, motion carried.

- L.** ENTRANCE SIGN – Consideration and potential action to approve an agreement between the Town of Laguna Vista and Bentsen Properties for the new entrance sign at the corner of FM 510 and Hwy 100.

Alderman Schnier made a motion to approve the agreement between the Town of Laguna Vista and Bentsen Properties for the new entrance sign at the corner of FM 510 and Hwy 100, motion was seconded by Alderman Irwin. All voted “aye” to approve, motion carried.

- M.** EXECUTIVE SESSION – There will be an executive session as authorized by the Open Meetings Act, Section 551.074 (a)(1) to deliberate the appointments, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; and Section 551.071; consultation with Town Attorney to seek advice in legal matters in which the duty of Counsel pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Texas Government Code Section 551.001 et seq.
authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters pending or contemplate litigation.

- LANDSCAPE SOLUTIONS
- CITY MANAGER'S DUTIES

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Bar of Texas conflicts with Texas Government Code Section 551.001 et seq. authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters pending or contemplate litigation, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

Board of Aldermen came out of executive session at 8:23 p.m.

N. OPEN SESSION – Consideration and potential action as a result of executive session.

Mayor announced that no action would be taken as a result of executive session.

9. ADJOURNMENT

Alderman Hinojosa made a motion to adjourn meeting at 8:26 p.m., second by Alderman Irwin. All voted "aye" to adjourn, motion carried.

Susie Houston, Mayor

Attest:

Alma Deckard, City Secretary