

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

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

DATE: SEPTEMBER 8, 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: Harold Sherman, Citizen
James Palmerquist, Texas Gas Service
Richard Lane, Citizen
Dale Meyer, Citizen
Trey Mendez, Watersedge Apartments Attorney
Carole A. Benham, Citizen
Stan Bachues, Citizen
Nancy Ostos, Citizen
Ed Haas, Citizen

ORDER OF BUSINESS

4. OPEN FORUM – None

5. 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 August 11, 2009 Workshop Session of the Board of Aldermen Meeting.
 - b. MINUTES - Consideration and action to approve the minutes from the August 11, 2009 Regular Board of Aldermen Meeting.
 - c. MINUTES – Consideration and action to approve the minutes from the August 18, 2009 Special Board of Aldermen Meeting.
 - d. MINUTES – Consideration and action to approve the minutes from the August 25, 2009 Special Board of Aldermen Meeting.
 - e. MINUTES – Consideration and action to approve the minutes from the September 1, 2009 Special Board of Aldermen Meeting at 6 pm.
 - f. MINUTES – Consideration and action to approve the minutes from the September 1, 2009 second Special Board of Aldermen Meeting at 6:30 pm.
 - g. LIBRARY MM ACCT CURRENT OBLIGATIONS – Consideration and action to approve the current obligations of \$2,215.32, from the Library Money Market Account.
 - h. T.C.D.P. PROJECT 728220 – Consideration and action to approve the current obligations of \$13,260.00 from the Texas Community Development Program Project 728220.

Aldерwoman Garcia made a motion to approve the Consent Agenda Items as follows: (a) approval of minutes for the workshop meeting of August 11, 2009, (b) approval of minutes for the meeting of August 11, 2009, (c) approval of minutes for the meeting of August 18, 2009, (d) approval of minutes for the meeting of August 25, 2009, (e) approval of minutes for the meeting of

6. PUBLIC HEARING – Discussion, concerning the property, Watersedge Apartment Complex bearing a legal description of Laguna Vista Original Town site, Block 444, Lots 2, 3, 6, 7 – 10, and a physical address of 242 Santa Isabel Blvd.

Mayor opened the public hearing concerning the property for Watersedge Apartment Complex, located at 242 Santa Isabel Blvd.

Trey Mendez, Attorney representing the Property Owner Helen Provino, for the Watersedge Apartment Complex, addressed the Board. He explained that he was hired by Ms. Provino about two months ago, and realizes that the city has been dealing with this situation since Hurricane Dolly hit in July 2008. Another attorney was handling the case up until two months ago.

Mr. Mendez explained that there is a meeting scheduled for Wednesday, September 10, 2009 with the Texas Windstorm Insurance concerning the settlement of the property claim. The property owner is two months delinquent on the note payment.

Trey Mendez informed the Board that some improvement have begun; the property area has been mowed and cleaned, broken windows have been replaced, and all doors have new locks and are now secure. Approximately \$50,000 is already been spent on some repairs. Once the settlement with the Texas Windstorm is complete, the current property owner will repair the complex or sell the property as is.

Trey Mendez was confident that an agreement will be reached with Texas Windstorm Insurance when they meeting on Wednesday.

Dale Myer asked where the \$50,000 came from. Trey Mendez stated probably from the contractor hired by the previous attorney.

Alderman Schnier asked about the delinquent status. Trey Mendez stated there are two lien holders against the property, David Suissa and First National Bank in Port Isabel.

Mayor closed the public hearing concerning the Watersedge Apartment Complex located at 242 Santa Isabel Blvd.

compliance with the Town's building codes or have it demolished, within a six month period, effective today, motion was seconded by Alderwoman Garcia. All voted "aye" to approve, motion carried.

- B. RESOLUTION NUMBER 2009-23 – Consideration and potential action to approve Resolution Number 2009-23 nominating a director for the Cameron Appraisal District Board of Directors, position nine (9).

Alderwoman Garcia made a motion to approve Resolution Number 2009-23 nominating Janice Cassidy for the position nine (9) directors on the Cameron Appraisal District Board of Directors, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

- C. TML TRUSTEE ELECTION – Consideration and potential action to cast a vote for the Texas Municipal Intergovernmental Employee Benefits Pool Board of Trustees – TML Region 12.

Alderman Irwin made a motion to cast a vote for the Texas Municipal Intergovernmental Employee Benefits Pool Board of Trustees, Region 12, for Jorge Arcaute from the City of Alton, motion was seconded by Alderman Hinojosa. All voted "aye" to approve, motion carried.

- D. ORDINANCE NUMBER 2009-25 – Consideration and potential action to adopt Ordinance Number 2009-25 declaring the existing Texas Gas Service rates to be unreasonable and approving the Cost of Service Adjustment process.

Alderman Hinojosa made a motion to adopt Ordinance Number 2009-25 declaring the existing Texas Gas Service rates to be unreasonable and approving the Cost of Service Adjustment process, motion was seconded by Alderman Muschenheim. All voted "aye" to approve, motion carried.

- E. ORDINANCE NUMBER 2009-26 – Consideration and potential action to approve Ordinance Number 2009-26, adopting the Town of Laguna Vista Fiscal Year 2009-10 Budget.

Alderman Irwin made a motion to adopt Ordinance Number 2009-26 adopting

Alderman Irwin made a motion to adopt Ordinance 2009-27 adopting the Town of Laguna Vista 2009 Ad Valorem Property Tax Rate of \$0.2932 per \$100 valuation, motion was seconded by Alderwoman Garcia. All voted "aye" to approve, motion carried.

G. RESOLUTION NUMBER 2009-28 – Consideration and potential action to adopt Resolution Number 2009-28 authorizing the submission of a grant to the Economic Development Administration (EDA) for the purpose of a regional drainage study.

Alderwoman Garcia made a motion to approve Resolution Number 2009-28 authorizing the submission of a grant to the Economic Development Administration (EDA) for the purpose of a regional drainage study, motion was seconded by Alderman Hinojosa. All voted "aye" to approve, motion carried.

H. RESOLUTION NUMBER 2009-29 – Consideration and potential action to adopt Resolution Number 2009-29 on the second Record of disaster Recovery Fund. Alderman Irwin made a motion to approve Resolution Number 2009-29 concerning the second Record of disaster Recovery Fund, motion was seconded by Alderman Schnier. All voted "aye" to approve, motion carried.

8. ADJOURNMENT

Alderwoman Garcia made a motion to adjourn meeting at 6:40 p.m., second by Alderman Irwin. All voted "aye" to adjourn, motion carried.

/s/
Susie Houston, Mayor

Attest:

/s/
Alma Deckard, City Secretary