

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: January 12, 2016
TIME: 6:00 p.m.
PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor
Michael Carter, Councilmember Place 1
Wanda Reyes-Rice, Mayor Pro-Tem
Frank Davalos, Jr., Councilmember Place 3
Leti Keplinger, Councilmember Place 4
Nadine Smith, Councilmember Place 6

Rolando Vela, City Manager
Ricardo Morado, City Attorney
Tony David, Police Chief
Julio Olguin, Fire Chief
Alma Deckard, City Secretary

MEMBERS ABSENT: Gary Meschi, Councilmember Place 5

ALSO PRESENT: Katlyn _____, South Padre Island
Arden Curts, Citizen
Judith Lucio, Brownsville
Marcela De Cordero, Citizen
Ron Beckwith, Citizen
Curt Chamberlain, Citizen
Walter Birdwell, Citizen
Yolanda Birdwell, Citizen
David Lohse, Citizen
Henry Etheridge, Citizen
Elizabeth Etheridge, Citizen
Victor Worrell, Citizen
Monserrate Greier, Citizen
W.H. Greier, Citizen
Richard Lane, Citizen
Martha McClain, Citizen
Samantha L. Weber Pizana, Citizen

ORDER OF BUSINESS

1. Call to Order

Mayor Houston called the meeting to order at 6:01 pm.

2. Invocation and Pledge of Allegiance was led by Council Member Smith.

3. Roll Call/Excused Absences – Council Member Meschi was absent.
Council Member Carter made a motion to excuse Council Member Meschi from tonight’s meeting, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.

4. RECOGNITIONS – To recognize the Christmas Home Decorating Winners.
Mayor announced the winners of the Christmas Home Decorating Contest as follows: 1st place, 809 Hallam Street, Frank Calderon, 2nd place, 440 Saunders Circle, John and Rona Hamlinck and 3rd place, 44 Whooping Crane, Bill and Marne Law. None of the winners were present at the meeting.

5. OPEN FORUM:

Yolanda Birdwell addressed the Council expressing thanks for all the Christmas decorations and festivities. She also wanted to inform the Council that the drainage improvement that was done at the corner of Broadway and FM 510 was work well done. Only 3 units has minor damage for \$300 in the heavy rains in October. She was glad that the police officers were there to control the traffic going through Broadway. She suggested that in the future an officer always be stationed there to prevent vehicles from going through and splashing the water into the condos. She also stated that several people got together and donated funds to repaint the white fence along the side of the Christ Harbor Church.

Curt Chamberlain addressed the Council with regard to the short term rental ordinance on the agenda. Tiki Island in Galveston cannot be compared to Laguna Vista, we are not the same. We’re also not South Padre Island or Port Isabel. We are a bedroom community. People that rent that property don’t care about the neighbors or Laguna Vista.

Judith Lucio addressed the Council about the short term rental ordinance on the agenda. She stated that Mr. and Mrs. Cordero own the property at 620 Beach Blvd, and rent their house out for short term. If they are not allowed to rent their property you are taking property rights away from

them. The case law is still a law and in effect, regardless of how old it is. It's the constitution and their right to use their property. They are prepared to take legal action, but my client wants to reach a peaceful resolution and hope the ordinance goes through.

Marcela De Cordero addressed the Council, explaining that her and her husband are the owners of the house at 620 Beach Blvd. We have been notified of 2 renters with concerns about trash. The neighbors informed us and we took care of the situation immediately. We had some guests that had a family meeting, but all parking was done in the yard. We have addressed this issue. We fell in love with Laguna Vista, the fishing and the area. We are willing to fix any problem with the renters. It is our house and we still come and visit, because of the economy, we have been forced to rent the house. In a year or so, we hope to not have to rent it out at all. I am willing to offer my contact information with any neighbor for communication.

David Lohse addressed the Council concerning the short term rental ordinance. He stated that this house is rented on the internet and nobody's watching. In 2012 we petitioned the Council to pass the ordinance to prohibit short term rentals, and now we want to capitulate. I recommend that the Council leave the ordinance as it stands.

Ron Beckwith addressed the Council about the short term rental ordinance. If I lease my house it would be for a year or 6 months rental. I have had beer bottles in my yard from a rental next door to me. It is not a good idea to allow this short term rentals.

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

- A. FY 2014- 15 AUDIT** – Presentation by Pattillo, Brown & Hill, LLP on the Fiscal Year 2014-15 audit. (City Manager)

Council Member Carter made a motion to approve the 2014-15 Fiscal Year Audit report at presented by Lyzeth Alaffa from Pattillo, Brown & Hill, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

- B. MINUTES** – Consideration and action to approve the minutes from the December 8, 2015 Regular Meeting.

Council Member Davalos made a motion to approve the minutes from the December 8, 2015 Town Council Regular Meeting, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.

- C. **ORDINANCE NUMBER 2015-28** – Second Reading – To approve the second reading of Ordinance Number 2015-28, amending the 2015-16 fiscal year budget. (City Manager)

Mayor Houston made a motion to approve the second reading of Ordinance Number 2015-28, amending the 2015-16 fiscal year budget, Council Member Keplinger seconded the motion. Council Member Carter opposed motion. Council Member Davalos opposed motion and stated that for the record, he was opposed to the salary increase for Rolando Vela. All others voted “aye” to approve, motion carried.

- D. **ORDINANCE NUMBER 2015 – 30** – Second Reading – To approve the second reading of Ordinance Number 2015-30, amending Ordinance Number 2012-18 pertaining to short term rentals on Beach Blvd. (City Attorney)

Council Member Rice made a motion to move Ordinance Number 2015-30, second reading, amending Ordinance Number 2012-18 pertaining to short term rentals on Beach Blvd, into executive session pursuant to the Open Meeting Act, Section 551.071 to consult with Town Attorney, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.

No motion was made or action taken after executive session for Ordinance 2015-30.

- E. **ORDINANCE NUMBER 2015-31** – Second Reading – To approve the second reading of Ordinance Number 2015-31 regulating false alarms within the corporate limits of the Town of Laguna Vista. (City Manager)

Mayor Houston made a motion to approve the second reading of Ordinance Number 2015-31 regulating false alarms within the corporate limits of the Town of Laguna Vista, with the correction to remove the word “emergency” from Section II, item (d), Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

- F. **1st QUARTER FINANCIAL PERFORMANCE REPORT** – Presentation on the First Quarter Financial Performance Report (Oct 2015 – Dec 2015). (City Manager)

Rolando Vela informed the Council that 53% of revenues has been realized from the budget. Expenditures are at 27% overall departments.

Council Member Carter asked about departments in page 3 of the quarterly report that show 30 – 40% expenditures. He explained that this is only the first quarter and we still have nine months to go through. He suggested keeping a tight rein on these accounts. Rolando Vela stated that he would check into these departments.

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

Rolando Vela informed the Council that the available balance in the Certificates of Obligation account is \$47,155. There was no activity for the month.

H. CITY MANAGER’S REPORT

i. Texas Warrant Round Up

Rolando Vela stated that the Municipal Court and Police Department will be participating in the Texas warrant roundup. We currently have over a million dollars in outstanding warrants. Linebarger, the collection agency will be mailing out notices to all defendants.

ii. Upcoming Laguna Vista CARES campaign

Rolando Vela informed the Council that we are launching an initiative to clean up properties, keeping along with the Laguna Vista CARES campaign. We are encouraging people to have their pets neutered and spaded.

iii. Upcoming Laguna Vista Live: Music by the Bay event

Rolando Vela informed the Council that we are planning a Music by the Bay event in the Spring, a date is not set yet.

I. EXECUTIVE SESSION – There will be an Executive Session in accordance with the Open Meetings Act, as authorized by the Texas Government Code, pursuant to Section §551.071; consultation with Town Attorney regarding:

 **Town Marina and LVRA**
 **ETJ Litigation**

Council Member Keplinger made a motion to go into executive session at 7:00 pm, pursuant to the Open Meetings Act, as authorized by the Texas Government Code, Section §551.071; consultation with Town Attorney regarding: Town Marina and LVRA and ETJ Litigation, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.

Town Council came out of executive session at 8:00 pm.

J. OPEN SESSION – Action, if any, on the items discussed in Executive Session.

Mayor Houston made a motion to authorize the Town Attorney to proceed as directed in executive session, concerning the Marina and the LVRA,

Council Member Smith seconded the motion. All voted “aye” to approve, motion carried.

7. ADJOURNMENT

Council Member Carter made a motion to adjourn meeting at 8:02 pm, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.

Susie Houston, Mayor

Attest:

Alma Deckard, City Secretary