

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

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

MEMBERS PRESENT: Susie Houston, Mayor
Michael Carter, Councilmember Place 1
Wanda Reyes-Rice, Councilmember Place 2
Frank Davalos, Jr., Councilmember Place 3
Gary Meschi, Councilmember Place 5
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: Leti Keplinger, Mayor ProTem

ALSO PRESENT: Nancy Franz, Citizen
Taylor Houston, Citizen
Dianna Harvill, Citizen
Ivan Narvaez, Citizen
Chris Dies Bach, Citizen
Richard Lane, Citizen
Joe Vega, Laguna Heights
Victor Worrell, Citizen
Martha McClain, Citizen

ORDER OF BUSINESS

1. Call to Order

Mayor Houston called the meeting to order at 6:00 pm.

2. Invocation and Pledge of Allegiance was led by Mayor Houston.

3. **Roll Call/Excused Absences** – Council Member Keplinger was absent.
Council Member Rice made a motion to excuse Council Member Keplinger from tonight’s meeting on July 12, 2016, she has a prior commitment, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

4. **OPEN FORUM:**

Nancy Franz addressed the Council concerning the proposed library bullet proof enclosure and the irrigation project. She stated that the enclosure is not needed because this will separate the employees from the patrons. She suggested that the desk be moved to a different location. This also would not benefit the patrons. The memorial funds should be used for the benefit of the library patrons.

With regard to the proposed irrigation system, she asked why we need an irrigation system, if the library is expanded sometime in the future. Mr. Franz stated that it was not very smart to announce the amount of the project to the public, before bids are taken. A design should be done first and concern possible expansion of the library.

Chris Dies Bach addressed the Council with regard to the library enclosure. She stated that she googled any library that have bullet proof enclosures and there was none. The enclosure will cause a division for the patrons. I don’t believe we need this and I want it to remain the same.

Richard Lane addressed the Council concerning the drainage on Broadway and Palo Blanco. He requested to know what is being done about the drainage problem there. He addressed the Council about the city hall hours. The front door states that city hall is opened from 8 – 5 pm. However, it is closed between 12 noon and 1 pm. The sign should be changed or the city hall should be opened from 8 – 5 pm. Mr. Lane also addressed the council concerning park improvements for adults. He stated that park improvements have been made for children, but nothing to accommodate adults. What is going to be done about this?

5. **MINUTES** – Consideration and action to approve the minutes from the June 14, 2016 Regular Meeting.
Council Member Davalos made a motion to approve the minutes from the June 14, 2016 regular Town Council meeting, Council Member Meschi seconded the motion. All voted “aye” to approve, motion carried.

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

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

Rolando Vela informed the Council that the 2011 Certificates of Obligation have an available balance of \$47,214.40. There was no activity in the account, except for interest earned.

B. 3rd QUARTER FINANCIAL PERFORMANCE REPORT – Presentation on the 3rd Quarter Financial Performance Report (April 2016 – June 2016). (City Manager)
Rolando Vela informed the Council that our realized revenue is at 97% collection. The expenditures are at 75% for the year. Property tax collection is at 98.38% in collection.

Council Member Carter arrived for meeting at 6:15 pm.

Rolando Vela explained that of the total expenditures, \$125,692 is for one time capital purchases. Some of the departments show a higher percentage because of these purchases. He explained that the police department shows a high percentage because of the overtime for the border star grant.

Council Member Carter suggested that if the border star grant is budgeted on the revenue side, it needs to be plugged into the expenditure side. This will prevent the department from showing a high percentage, which is not a true picture of the balance.

C. SOLAR LIGHTS – Consideration and action to use funds from the 2011 Certificates of Obligation to pay for the retrofitting of the solar lights at Roloff Park. (City Manager)

Council Member Smith made a motion to postpone the decision for the Solar Lights until the next meeting, to allow the city manager to obtain additional information, Council Member Carter seconded the motion. Council Member Rice opposed motion. All others voted “aye” to approve, motion carried.

D. ORDINANCE NUMBER 2016 - 09 – First Reading – To consider the first reading of Ordinance Number 2016-09, amending the 2015-16 fiscal year budget. (City Manager)

Rolando Vela stated that the budget amendment has an increase of \$50,707 on both the revenues and the expenditures. The largest budget amendment is \$34,000 for legal fees for the ETJ litigation.

Council Member Carter indicated that the police grant should be added to the expenditure side, because it is in the revenue side.

E. 2017 GUIDE TO SOUTH PADRE ISLAND – Consideration and action on recommendation by the CDC Board to fund the one-page advertisement in the 2017 Guide to South Padre Island in the amount of \$4,297. (City Manager)

Mayor Houston made a motion to approve the recommendation by the CDC Board to fund the one-page advertisement in the 2017 Guide to South Padre Island in the amount of \$4,297, Council Member Meschi seconded the motion. All voted “aye” to approve, motion carried.

F. SETTLEMENT AGREEMENT – Consideration and action on settlement agreement with Sergio Cordero, et al. (City Attorney)
Action for this item was taken after executive session.

G. CITY MANAGER’S REPORT

i. Grant – Orange Lane - street improvements

Rolando Vela informed the Council that the grant for the Orange Lane improvements should be received by October 1, 2016. Improvements will be from Hibiscus to FM 510 on Orange Lane.

ii. “Don’t Drive Distracted” awareness campaign

Rolando Vela stated that private donations have been made to cover the Don’t Drive Distracted campaign, no town funds have been used at all. We have banners, bumper stickers, push cards that the police officers will be handing out and shirts for the Council.

H. 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**
- **Potential litigation regarding short term rental ordinance**
- **Verizon land lease agreement**

Council Member Rice made a motion to go into executive session at 7:11 pm, pursuant to 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, Potential litigation regarding short term rental ordinance, and the Verizon land lease agreement, Mayor Houston seconded the motion. All voted “aye” to approve, motion carried.

Town Council came out of executive session at 7:43 pm.

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

Mayor Houston made a motion to instruct the town attorney as directed in executive session concerning the settlement agreement with Sergio Cordero, subject to the notarized signatures required, Council Member Smith seconded the motion. All voted “aye” to approve, motion carried.

Council Member Smith made a motion to instruct the town attorney as directed in executive session to proceed to communicate with Verizon concerning the land lease agreement, Council Member Carter seconded the motion. All voted “aye” to approve, motion carried.

7. ADJOURNMENT

Council Member Davalos made a motion to adjourn meeting at 7:45 pm, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.

Susie Houston, Mayor

Attest:

Alma Deckard, City Secretary