

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

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

DATE: AUGUST 10, 2010

TIME: 6:00 p.m.

PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor
Ken Irwin, Mayor Pro-Tem
Rita Garcia, Alderwoman
Steve Muschenheim, Alderman
William Schnier, Alderman
Leti Keplinger, Alderwoman

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: Don Ceglar, Christ Harbor Church
George Cochran, Christ Harbor Church
George Paterson, Citizen
Bill Beaty, Citizen
Barbara Everson, Citizen
Anne Lyons, Citizen
John Evans, Citizen
John Thobe, Citizen
Adam Schuff, Citizen
Susan Schuff, Citizen
Arden Curts, Citizen
Justin Awtrey, Citizen
Richard Hinojosa, Citizen

Karen Mackesey, Citizen
Evan Jones, Citizen
Gustavo Villarreal, First Baptist Church
Barbara Seal, Citizen
Buddy Fresichlag, Citizen
Joe Brown, Citizen
Steve Anderson, Citizen
Roberto Rodriguez, Citizen
Rebecca RuBane, Citizen
Stan Backues, Citizen
Gavino Sotelo, Laguna Madre Water District

ORDER OF BUSINESS

1. Call to Order

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

2. Pledge and Invocation by First Baptist Church Pastor Gustavo Villarreal.

3. Roll Call – All present.

4. Open Forum:

George Paterson addressed the Board concerning the module buildings at the Christ Harbor Church property. He stated that this is a service that will benefit the kids from Laguna Vista and asked that the Board reconsider their decision concerning the removal of the buildings.

John Evans addressed the Board concerning the module buildings at the Christ Harbor Church property. He stated that he has been involved with the Church since its conception. This is the only church Laguna Vista and the church should be allowed to keep the buildings.

Arden Curts addressed the board concerning the ordinance 2010-19 on the agenda for

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Don Ceglar addressed the Board concerning the module buildings at the Christ Harbor Church property. He stated that he did not understand why the building permits are not valid. The permit states that they are valid as long as work is started within six months and it is not suspended for six months at any time during the work. Mr. Ceglar stated that the SPI Golf Club had a construction portable building for several years and did not obtain a permit. He requested that the Board reconsider the deadline of September 28, 2010 to remove the buildings.

Alderman Schnier addressed the Board under open forum, explaining that he disagreed with the rest of the board on the decision to have the buildings, at Christ Harbor Church, removed.

He referred to the Religious Act passed in September 2000. He explained that he did not believe that the Board had the authority to have the buildings removed because it is regulating a church, which falls under different guidelines from regular property.

5. **ACKNOWLEDGEMENT/PROCLAMATIONS**

ü National Night Out – Recognition of the Town Staff and volunteers for their help during National Night Out.

Chief McGinnis stated that there were too many volunteers to mention by name. The National Night Out was a great success, with a little over 400 people in attendance.

6. **CONSENT AGENDA ITEMS:** All matters listed under this item are considered to be routine by the Board and will be enacted for approval 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 – To approve the minutes from the July 13, 2010 Regular Board of Aldermen Meeting.

b) MINUTES – To approve the minutes from the July 29, 2010 Special Board of Aldermen Meeting.

c) LEAVE OF ABSENCE – Request of a leave of absence from Home Rule Charter Committee Member Robert Matoush.

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7. NEW BUSINESS – Discussion, consideration and possible action on each of the following items:
 - A.** LAGUNA MADRE WATER DISTRICT – Presentation by the Laguna Madre Water District on capital needs and information on the upcoming Bond Election.
Gavino Sotelo addressed the Board concerning an election bond issue that the Laguna Madre Water District will hold in November 2010. He reviewed the capital needs for the fiscal year 2010-2015. The current tax rate is \$0.0808 and will remain at this rate, there will be no tax rate increase for the next year.
 - B.** T.D.R.A. TxCDBG PROJECT 728220 – To award the contract in the amount of \$10,125 to G & T Paving, LLC to install guard rails on Mesquite Drive.
Alderman Irwin made a motion to award the contract to G & T Paving, LLC, in the amount of \$10,125 to install guard rails on Mesquite Drive, motion was seconded by Alderwoman Garcia. All voted “aye” to approve, motion carried.
 - C.** COMMERCIAL DEVELOPMENT TASK FORCE – Power Point Presentation by the former Commercial Development Task Force.
Rolando Vela hit the hi-lights on the power point presentation that was compiled by the former Commercial Development Task Force (CDTF). The CDTF used the City of Kyle, Palacios and Jones Creek as models to compare because they are comparable to the population and tax rate of Laguna Vista. Commercial Planned Development and tax incentives is an important issue for the Town to consider. Laguna Vista has one of the lowest tax rate in the valley. Smart growth concept is something that the City of Kyle was committed to that made them successful in their growth. According to some surveys done throughout the community the businesses desired are a gas station, postal operation center, a bank or ATM service, dry cleaners, restaurants, and a Laundromat. On a personal basis a beauty shop and barber shop, and a day spa were concerned. A medical and dental clinic were on the top of the list for medical services. For recreational, a walking and jogging trail along with bike trails. A tennis and basketball court, a swimming pool,
 - D.** ENVISIONING PROCESS – Recommendation from the Laguna Vista Community Development Corporation (CDC) to hire the Institute of Public Service at University of Texas – Brownsville and Texas Southmost College to perform envisioning services for Laguna Vista.
Alderman Schnier made a motion to approve for the Laguna Vista Commercial

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- E.** RESOLUTION NUMBER 2010-18 – A resolution authorizing the signatory agents for the Depository/Authorized Signatories Designation form of T.D.R.A. Grant Number DRS010213.

Alderswoman Garcia made a motion to approve Resolution Number 2010-18 authorizing the signatory agents for the Depository/Authorized Signatories Designation form of T.D.R.A. Grant Number DRS010213, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

- F.** LAKEWOOD DRIVE RESIDENTS – Update on the concerns raised by the Lakewood Drive residents at the July 13, 2010 Board of Aldermen Meeting.

Rolando Vela informed the Board that he met with a group of Lakewood Drive residents, at their neighborhood meeting on August 3, 2010. He felt that it was a very productive and informative meeting. There is an ordinance on the agenda for tonight that addresses some of the issues in Lakewood.

- G.** ORDINANCE NUMBER 2010-19 – An ordinance regulating the parking or storing of cars, trucks, tractors, trailers or other vehicles on the street right of way of Lakewood Drive or within two-hundred (200') feet of the entrance to Lakewood Drive.

Alderman Irwin made a motion to table Ordinance Number 2010-19 until the August 17, 2010 meeting, motion was seconded by Alderswoman Keplinger. All voted "aye" to approve, motion carried.

- H.** REZONING REQUEST – Request from Fausto Yturria, Jr., to rezone the 2.258 acres out of a certain 432 tract out of the 'Yturria 9,512.87 tract' and out of the 'Yturria 315.88 acre tract' to Commercial District, as recommended by the Planning & Zoning Commission.

Alderman Irwin made a motion to approve the request from Fausto Yturria, Jr., to rezone the 2.258 acres out of a certain 432 tract out of the Yturria 9,512.87 tract and out of the Yturria 315.88 acre tract to Commercial District, as recommended by the Planning and Zoning Commission, motion was seconded by Alderswoman Keplinger. All voted "aye" to approve, motion carried.

- I.** LAGUNA VISTA STRIPES SUBDIVISION – Approval on the preliminary and final plat of the Laguna Vista Stripes Subdivision.

Alderman Irwin made a motion to approve the preliminary and final plat of the

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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 and to seek his or her advice on legal matters pending or contemplated litigation.

There will be an executive session as authorized by the Open Meetings Act, pursuant to Section 551.072; Deliberation about Real Property, to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, and;

There will be an executive session as authorized by the Open Meetings Act, pursuant to Section 551.074; Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- Municipal Judge Rebecca RuBane
- Alternate Municipal Judge J.O. Lewis

There will be an executive session as authorized by the Open Meetings Act, pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1)

Alderman Schnier made a motion to go into executive session at 7:40 pm, pursuant to the Open Meetings Act, Section 551.071; consultation with Town Attorney, Section 551.072; Deliberation about Real Property, Section 551.074 Personnel Matters; Municipal Judge Rebecca RuBane and Alternate Municipal Judge J.O. Lewis, Section 551.087; Deliberation Regarding Economic Development Negotiations, motion was seconded by Alderwoman Keplinger. All voted "aye" to approve, motion carried.

Board of Aldermen came out of executive session at 8:57 pm.

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Alderwoman Garcia abstained from voting. All other voted "aye" to approve, motion carried.

8. ADJOURNMENT
Alderman Schnier made a motion to adjourn meeting at 9:05 p.m., second by Alderman Muschenheim. All voted "aye" to adjourn, motion carried.

Susie Houston, Mayor

Attest:

Alma Deckard, City Secretary