

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: October 13, 2015

TIME: 6:00 p.m.

PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor  
Wanda Reyes-Rice, Mayor Pro-Tem  
Frank Davalos, Jr., Councilmember Place 3  
Leti Keplinger, Councilmember Place 4  
Gary Meschi, Councilmember Place 5  
Nadine Smith, Councilmember Place 6

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

MEMBERS ABSENT: Michael Carter, Councilmember Place 1

ALSO PRESENT: Arden Curts, Citizen  
Judith Lucio, Brownsville, Texas  
Debbie Tamayo, Citizen  
Danny Tamayo, Citizen  
Richard Lane, Citizen  
Martha McClain, Citizen  
Florio Steven, Citizen  
Alexandra Aguilar, Volunteer Firefighter  
Gabriella Aguilar, Volunteer Firefighter  
Frank Lerma, Volunteer Firefighter  
Katerina Murphy, Volunteer Firefighter  
Raul Aguilar, Volunteer Firefighter  
Juan Cantu, Volunteer Firefighter

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 Council Member Davalos.
3. **Roll Call/Excused Absences – Council Member Carter was absent.**

**Council Member Davalos made a motion to excuse Council Member Carter from the October 13, 2015 meeting, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.**

4. **RECOGNITIONS** – To recognize Police Officer Ricky Gonzalez and Firefighter Zachery Tamayo.

**Chief David explained that Police Officer Ricky Gonzalez and Firefighter Zachery Tamayo responded to an emergency situation on Ebony Lane, the person was found unresponsive. Both performed CPR, and brought her back until EMS arrived. We are very proud of their work and they are asset to our community.**

**Mayor Houston presented Officer Ricky Gonzalez and Firefighter Zachery Tamayo with certificates of appreciation and goodie baskets.**

5. **OPEN FORUM:**

Judith Lucio addressed the Council, stating she was the attorney representing Sergio Cordero from 620 Beach Blvd. She requested that the Council reconsider Ordinance Number 2012-18 with regard to short term rental prohibition on Beach Blvd. She explained that Mr. Cordero built the home prior to the adoption of the Ordinance and therefore, requested that they be grandfathered under this provision.

Arden Curts addressed the Council, commending the City Manager for the cleanup of the fire damage at 1 Lakewood Drive. There is still some cleaning that needs to be done, but they are in process of cleaning the area.

6. **CONSENT AGENDA ITEMS:**

All matters listed under this item are considered to be routine by the Council and will be enacted for approval by one motion. There will not be a 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 September 8, 2015 Regular Meeting. (City Secretary)

- b) **CDC RESOLUTION NUMBER 2015-01** – To approve Resolution Number CDC -2015-01, adopting the 2015-16 Laguna Vista Community Development Corporation Budget for 2015-16. (City Manager)

**Council Member Davalos made a motion to approve the Consent Agenda items as follows; (a) approval of the minutes from the Town Council Regular meeting on September 8, 2015, (b) approval of Resolution Number CDC-2015-01, adopting the 2015-16 Laguna Vista Community Development Corporation Budget for 2015-16, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.**

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

A. **SPECIAL PERMIT USE** – To consider a request from Joe Vela to use the Large Gazebo in Roloff Park for Tumbling/Gymnastics Classes. (City Manager)  
**No action was taken on the Special Permit Use request from Joe Vela.**

B. **ORDINANCE NUMBER 2015-19** – Second Reading – To approve the second reading of Ordinance Number 2015-19, repealing Ordinance Number 2011-24 and establishing new nuisance abatement procedures for property maintenance, repealing ordinances that may be in conflict thereof with this ordinance; and providing penalties for violations of its provisions. (City Manager)  
**Council Member Davalos made a motion to approve the second reading of Ordinance Number 2015-19, repealing Ordinance Number 2011-24 and establishing new nuisance abatement procedures for property maintenance, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.**

C. **CHARTER AMENDMENT** – To authorize the City Manager to initiate the process to amend the Home Rule Charter at the November 2015 election to include a section that the Town-owned Marina will be used as a marina in perpetuity. (Council Members Meschi and Smith)  
**No action was taken on the Charter Amendment process to amend the Home Rule Charter at the November 2015 election.**

D. **RESOLUTION NUMBER 2015-23** – To approve Resolution Number 2015-23 to nominate an individual to the Cameron Appraisal District Board of Directors. (City Manager)  
**Mayor Houston made a motion to approve Resolution Number 2015-23 to nominate Ricardo Morado to the Cameron Appraisal District Board of Directors, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.**

**E. RESOLUTION NUMBER 2015-24** – To approve Resolution Number 2015-24 to appoint the official newspaper for the Town of Laguna Vista for the 2015-16 Fiscal Year. (City Manager)

**Mayor Houston made a motion to approve Resolution Number 2015-24 to appoint the Port Isabel South Padre Press as the official newspaper for the Town of Laguna Vista for the 2015-16 fiscal year, Council Member Smith seconded the motion. All voted “aye” to approve, motion carried.**

**F. RESOLUTION NUMBER 2015-25** – To approve Resolution Number 2015-25 adopting 44 CFR 13.36 as Procurement Policy for the Town of Laguna Vista. (City Manager)

**Council Member Davalos made a motion to approve Resolution Number 2015-25 adopting 44CFR 13.36 as Procurement Policy for the Town of Laguna Vista, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.**

**G. RESOLUTION NUMBER 2015-26** – To approve Resolution Number 2015-26 authorizing the Texas Coalition for Affordable Power (TCAP) Inc. to negotiate an electric supply agreement for three years. (City Manager)

**Council Member Keplinger made a motion to table Resolution Number 2015-26, authorizing the Texas Coalition for Affordable Power (TCAP) to negotiate an electric supply agreement for three years, until the City Manager provides more information concerning the electrical rates, Council member Davalos seconded the motion. All voted “aye” to approve, motion carried.**

**H. BUDGET ADJUSTMENTS** – To discuss and approve pay raises (5%) for the City Manager, City Secretary and Police Chief and authorize appropriate budget amendment. (Council Members Meschi and Rice)

**Mayor Houston made a motion to approve the initiation of the process for the 5% salary increase for the City Manager, City Secretary and Police Chief, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.**

**I. AUDIT AGREEMENT** – To approve the audit agreement with Pattillo, Brown & Hill, L.L.P. for the 2014-15 Fiscal Year audit. (City Manager)

**Council Member Meschi made a motion to approve the audit agreement with Pattillo, Brown & Hill, LLP for the 2014-15 Fiscal Year audit for \$16,000, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.**

**J. HANDS FREE ORDINANCE** – To authorize City Manager to prepare a “hands free” ordinance. (Council Members Meschi and Rice)

**Council Member Davalos made a motion to authorize the City Manager to initiate the hands free ordinance, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.**

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

**Rolando Vela reported that the Certificates of Obligation account has \$47,149 available balance. There were no expenditures for the month of September 2015.**

**L. QUARTERLY FINANCIAL PERFORMANCE REPORT** – Presentation on the 4<sup>th</sup> Quarter Financial Performance Report (July – September 2015) (City Manager)

**Rolando Vela informed the Council that the at the end of the fiscal year, September 30, 2015, the revenue was at 99.58% tax collection. The expenditures are at 96% for the year. The building permits' revenue has doubled from the budgeted amount to \$31,822. The investment account has a balance of \$399,282.**

**M. CITY MANAGER'S REPORT**

i. Movie Night by the Bay

Rolando Vela informed the Council that the first Movie in the Park will be on Saturday, October 24, 2015.

ii. Joint Workshop with Laguna Vista Recreational Association (LVRA)

Rolando Vela advised the Council that that the Joint Workshop with the Town Council and the LVRA is scheduled for Monday, October 26, 2015 at 6 pm. The meeting will be held at the basketball court in the park.

**N. 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:



**Short Term Rental Potential Litigation**

**Council Member Davalos made a motion to go into executive session at 7:29 pm, in accordance with the Open Meetings Act, as authorized by the Texas Government Code, pursuant to Section §551.071; consultation with Town Attorney regarding – Short Term Rental Potential Litigation, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.**

**Town Council came out of executive session at 7:50 pm.**

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

**Council Member Smith made a motion to direct the City Manager to amend Ordinance 2012-18 to state that property that was purchase/built prior to July 2012 is grandfathered under said ordinance, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.**

**8. ADJOURNMENT**

**Council Member Smith made a motion to adjourn meeting at 7:51 pm, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.**

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Susie Houston, Mayor

Attest:

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Alma Deckard, City Secretary