

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: December 8, 2015
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
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: All Present

ALSO PRESENT: Anna Backues, Citizen
David Padberg, Citizen
David Lohse, Citizen
Marc Davis, Citizen
Lisa Dengler, Citizen
Jeff Dengler, Citizen
Bryant Touchy, Brownsville, Texas
Rusty Justice, Citizen
Richard Lane, Citizen
Janie Petty, Citizen
Ryan Maza, Citizen
Bill Beaty, Citizen
Victor Worrell, Citizen
Silke De Gobeo, Citizen
Dora Daneto
Michael Jones, Citizen
Felicia Justice, Citizen
Mary Volz, Citizen
Gene Beavers, Citizen
Margaret Beavers, Citizen
Henry Etheridge, Citizen
Elizabeth Etheridge, Citizen
Jose F. Calderon, 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 Council Member Rice.**
3. **Roll Call/Excused Absences – All present.**
4. **RECOGNITION – To recognize the winners of the Christmas House Decorating Contest. (City Manager)**

Rolando Vela stated that all judges have not submitted the results of the contest. Winners will be announced on the email blast on Friday, December 11, 2015, and posted on the Website.

5. **OPEN FORUM:**

David Padberg addressed the Council to complain about town employees. He stated that in October 2014 he was thrown out of the fire station by Sgt. Olguin and threatened to be arrested. He stated that as a citizen he has a right to go into the fire station. One evening he saw some women and 2 kids get out of the fire truck and go into the fire station. Why is this allowed?

Mr. Padberg stated that he obtained a building permit for a shed on his property and was told after 4 months, by City Secretary Alma Deckard, that the permit was expired. The permit clearly states that it is valid for 6 months.

When the construction crew was working on the ditch in front of his house at David Cuervo, the ditch was full of water. He called the mayor and Council Member Davalos and Rice. Mayor Houston and Council Member Davalos went out to his property. All Wanda Rice did was tell me to call the city manager. City Manager Rolando Vela said that nothing was wrong with the ditch. We pay taxes, if you all pay him then he needs to do his job or get him off. Mesquite has been flooded with the past rain and nothing is done about it. Cliff Larsen has a van that has valid stickers and the police department is constantly harassing him . . . Mayor Houston informed Mr. Padberg that his 5 minutes were up.

Anna Backues addressed the Council with regard to the marina lease. She stated that as a taxpayer she would like to see the marina opened up to all the citizens of Laguna Vista. If the lease does not expire for another 6 years, what is the urgency in renewing the lease

this year? Some citizens do not own a boat, but want access to the marina area. The far side should have a strip of property for people that want to walk to the marina. There should be a fence parallel to the marina. I am opposed to the lease being renewed as it is written right now, it should benefit all.

Silke De Gobeo addressed the Council about the short term rental ordinance 2012-18, for Beach Blvd. According to the minutes the house at 620 Beach Blvd will be grandfathered under the short term rental ordinance. Let's not forget why the ordinance was originally adopted. The city was aware of the rental property. The city manager said a letter would be mailed to the property owner. Are we being sued by the property owner? The property is still being advertised as a rental house. At one time there was 14 cars parked on the yard and the street. Please consider keeping the current ordinance in place.

Marc Davis addressed the Council stating that he objected to the sign at the entrance of FM 510 and Hwy 100 that says Happy Holidays. It should say Merry Christmas and you should direct the city manager to correct this.

David Lohse addressed the Council about the short term rental ordinance. The date of purchase of the property is September 2012, which is a month after the short term rental ordinance was adopted. The property owner is listed as a corporation, with one officer. People on Beach Blvd do not want rentals. I recommend you look at the ordinance before grandfathering anything.

David Lohse stated that now is a good time to renew the marina lease and get on with it. We've submitted a new lease and added an extension with clarification of the legal description. Only 2 people spoke against the marina lease at the public hearing, Richard Hinojosa and Wanda Rice.

Bill Beaty addressed the Council stating that public works has done a good job about maintaining the walking trail. He had been gone for several months and came back recently. He cleaned out the ponds at the walking trail this week. He stated that he was glad that code enforcement is finally getting done around town. He saw on Facebook that dogs are getting picked up, this is a good way to get them off the street.

Richard Lane addressed the Council stating that Laguna Vista doesn't care because there are not enough chairs for people to sit at this meeting. Nothing is being done about the flooding.

6. CONSENT AGENDA ITEMS:

- a) **MINUTES** – Consideration and action to approve the minutes from the November 10, 2015 Regular Meeting.

Council Member Davalos made a motion to approve the minutes from the November 10, 2015 regular Council meeting, Council Member Keplinger 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. ORDINANCE NUMBER 2015-29** – Second Reading – To approve the second reading of Ordinance Number 2015-29, repealing Ordinance Number 2014-14 and establishing a hands free ordinance; and providing penalties for violations of its provisions. (City Manager)

Council Member Carter made a motion to table Ordinance Number 2015-29 establishing a hands free ordinance, indefinitely, Council Member Smith seconded the motion. Council Member Davalos opposed motion. All others voted “aye” to approve, motion carried.

- B. 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 Manager)

Council Member Smith made a motion to postpone Ordinance Number 2015-30 pertaining to short term rentals on Beach Blvd, until the January 2016 meeting, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

- C. ORDINANCE NUMBER 2015-31** – First Reading – To consider the first reading of Ordinance Number 2015-31 regulating false alarms within the corporate limits of the Town of Laguna Vista. (City Manager)

No action was taken on the first reading of Ordinance Number 2015-31, regulating false alarms.

- D. AD HOC COMMITTEE** – Consideration and action regarding the potential creation of an Ad Hoc Committee to provide information to the Council regarding the potential lease of the marina property. (Mayor Houston)-

Mayor Houston made a motion to table the creation of the Ad Hoc Committee, indefinitely, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

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

Rolando Vela informed the Council that the Certificates of Obligation has an available balance of \$47,152. There were no expenses for the month.

F. CITY MANAGER’S REPORT

- i. Laguna Vista CARES – Christmas Initiative**

Rolando Vela stated that the police officers are handing out lottery tickets to citizens, along with dog treats, if a dog is in the vehicle. We are trying to make the officers approachable by the public, it's not just about issuing citations.

ii. Christmas Tree Lighting Ceremony

Rolando Vela stated that the Christmas Tree Lighting ceremony was a great success. It is estimated that 3000 people were in attendance.

- G. 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; to consult with the Town Attorney to seek legal advice regarding:

❖ Potential Marina Lease

Council Member Keplinger made a motion to go into executive session at 6:41 pm, in accordance with the Open Meetings Act, as authorized by the Texas Government Code, pursuant to Section §551.071, to consult with the Town Attorney to seek legal advice regarding the Potential Marina Lease, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

Town Council came out of executive session at 7:45 pm.

H. OPEN SESSION – Action, if any on the items discussed in Executive Session.
No action was taken as a result of executive session.

7. ADJOURNMENT

Council Member Rice made a motion to adjourn meeting at 7:50 pm, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.

Susie Houston, Mayor

Attest:

Alma Deckard, City Secretary