

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

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

DATE: SEPTEMBER 14, 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  
Terri Galloway, Interim Fire Chief  
Robert McGinnis, Police Chief  
Alma Deckard, City Secretary

MEMBERS ABSENT: None

ALSO PRESENT: Richard Lane, Citizen  
Carole Benham, Citizen  
Joe Brown, Citizen  
Susan Brown, Citizen  
Bud Sherman, Citizen  
Donna Sherman, Citizen  
Fernando Lopez, Citizen  
Herb Houston, Citizen  
Buddy Freischlag, Citizen  
Barbara Everson, Citizen  
Arden Curts, Citizen  
Ed Rivera, Citizen  
Martin Cirillo, Citizen  
Steven Zarate, Citizen  
Bonita Carson, Citizen  
Bill Beaty, Citizen  
Tony Escamilla, Citizen

## ORDER OF BUSINESS

1. Call to Order

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

2. Pledge and Invocation by Mayor Protem Irwin.

3. Roll Call – All present.

4. OPEN FORUM:

Arden Curts expressed thanks to the Board for adopting Ordinance 2010-19 and commended the City Manager and police chief for their work with the street signs concerning Lakewood Drive parking.

Richard Lane requested that a speed limit sign be place on Palo Blanco Drive, because there are many kids playing there. With regard to the mosquitoes, he asked if spraying could be done.

5. PRESENTATIONS

a) LONGHORNS BASEBALL TEAM – Presentation from the Laguna Vista Longhorns Baseball Team.

Mayor pulled the Longhorns Baseball Team presentation from the agenda.

b) POLICE DEPARTMENT SERGEANT – To introduce newly promoted Police Sergeant Julio Olguin.

Robert McGinnis introduced Officer Julio Olguin who was appointed last month to the position of Sgt. He has been with the department for 3 years and in law enforcement for 13 years. He will be handling investigations and training for all officers.

c) POLICE DEPARTMENT POLICE OFFICER – To introduce new hire Police Officer Weston Wilhite.

Robert McGinnis introduced newly hired Police Officer Weston Wilhite. Officer Wilhite graduated from Brownsville UTB and has been a reserve officer with Laguna Vista since March 2010. He volunteered his time during Hurricane Alex.

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.

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- a)** MINUTES - Consideration and action to approve the minutes from the August 10, 2010 Special Board of Aldermen Meeting.
- b)** MINUTES – Consideration and action to approve the minutes from the August 10, 2010 Regular Board of Aldermen Meeting.
- c)** MINUTES – Consideration and action to approve the minutes from the August 17, 2010 Special Board of Aldermen Meeting.
- d)** MINUTES – Consideration and action to approve the minutes from the August 31, 2010 Special Board of Aldermen Meeting.
- e)** MINUTES – Consideration and action to approve the minutes from the September 7, 2010 Special Board of Aldermen Meeting.
- f)** MINUTES – Consideration and action to approve the minutes from the Board of Adjustments September 7, 2010 Meeting.
- g)** CDC OBLIGATIONS – Approval of the current obligations from the Laguna Vista Community Development Corporation (CDC).
- h)** CHARTER COMMITTEE CHAIRMAN RESIGNATION – To accept the resignation from Charter Committee Chairman Mary Hartman.
- i)** PLANNING & ZONING COMMISSION CHAIRMAN RESIGNATION – To accept the resignation from Planning and Zoning Commission Chairman Bob Schmidt.

Alderman Garcia requested that item (h) Charter Committee Chairman Resignation, be pulled from the Consent Agenda Items for separate discussion and action.

Alderman Schnier made a motion to approve the consent agenda items, with the exception of item (h) Charter Committee Chairman Resignation, which was pulled as requested by Alderman Garcia; the items approved were as follows: (a) approval of the minutes from the Board of Aldermen regular meeting on August 10, 2010, (b) approval of the minutes from the Board of Aldermen special meeting on August 10, 2010, (c) approval of the minutes from the Board of Aldermen special meeting on August 17, 2010, (d) approval of the minutes from the Board of Aldermen special meeting on August 31, 2010, (e) approval of the minutes from the Board of Aldermen special meeting on September 7, 2010, (f) approval of the minutes from the Board of Adjustments meeting on September 7, 2010, (g) approval of the current obligations for the Laguna Vista Community Development Corporation (CDC) for August 2010, (i) approval to accept the resignation from the Planning and Zoning Commission Chairman Bob Schmidt, motion was seconded by Alderman Irwin. All voted "aye" to approve, motion carried.

(h) CHARTER COMMITTEE CHAIRMAN RESIGNATION – To accept the resignation from Charter Committee Chairman Mary Hartman.

Alderman Muschenheim made a motion to accept the resignation from Home Rule Charter Committee Chairman Mary Hartman, motion was seconded by Alderman Schnier. Alderwoman Garcia and Alderwoman Keplinger opposed motion. All others voted "aye" to approve, motion carried.

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

A. EMERGENCY MEDICAL SERVICES (EMS) - To award the EMS contract for the 2010-11 fiscal year.

Alderwoman Garcia made a motion to approve the Emergency Medical Services (EMS) contract for the 2010-11 fiscal year with the City of Port Isabel, for \$20,000 annual fee, motion was seconded by Alderman Schnier. All voted "aye" to approve, motion carried.

B. ORDINANCE NUMBER 2010-21 – To adopt the 2010-11 fiscal year budget for the Town of Laguna Vista, Texas.

Alderman Irwin made a motion to approve Ordinance Number 2010-21 to adopt the 2010-11 fiscal year budget for the Town of Laguna Vista, Texas, motion was seconded by Alderwoman Garcia. All voted "aye" to approve, motion carried.

C. ORDINANCE NUMBER 2010-22 – To adopt the 2010 ad valorem property tax rate for the Town of Laguna Vista, Texas.

Alderman Schnier made a motion to approve Ordinance Number 2010-22 to adopt the 2010 ad valorem property tax rate for the Town of Laguna Vista, Texas, at \$0.2932 per \$100 valuation, motion was seconded by Alderwoman Keplinger. All voted "aye" to approve, motion carried.

D. RESOLUTION NUMBER 2010-23 – To repeal Resolution Number 2009-18 pertaining to the compensation for the municipal court judges.

Alderman Schnier made a motion to approve Resolution Number 2010-23 repealing Resolution Number 2009-18 pertaining to the compensation for the municipal court judges, motion was seconded by Alderman Muschenheim. Alderman Irwin, Alderwoman Garcia and Alderwoman Keplinger opposed motion. Motion failed.

- E. RESOLUTION NUMBER 2010-24 – To create the Lower Laguna Madre Rural Planning Organization with the City of Port Isabel, City of South Padre Island and the Town of Laguna Vista.

Mayor pulled Resolution Number 2010-24 from the agenda.

- F. ECONOMIC DEVELOPMENT AGREEMENT – To approve the Economic Development Agreement between the Stripes Store and the Town of Laguna Vista. Alderman Irwin made a motion to approve the Economic Development Agreement between the Stripes Store and the Town of Laguna Vista with the revisions as submitted by Town Attorney Janice Cassidy, motion was seconded by Alderman Schnier. All voted “aye” to approve, motion carried.

- G. PLANNING & ZONING COMMISSION APPOINTMENT – To re-appoint alternate member Jimmy Parker to a regular member position of the Planning and Zoning Commission, term to expire April 2012. Alderman Schnier made a motion to re-appoint alternate member Jimmy Parker to a regular member position of the Planning and Zoning Commission, term to expire April 2012, motion was seconded by Alderwoman Keplinger. All voted “aye” to approve, motion carried.

- H. HOME RULE CHARTER – To update, discuss and possible action on Home Rule Charter. No action or discussion was done on item H – Home Rule Charter.

- I. BOARD OF ALDERMEN RETREAT – To schedule a Board of Aldermen Retreat for discussion on potential changes to the Board Handbook; the Town-owned 23 acres; and, the Port Isabel De-Annexation. Alderman Irwin made a motion to table item I – Board of Aldermen Retreat, motion was seconded by Alderwoman Keplinger. All voted “aye” to approve, motion carried.

- J. ENVISIONING WORKSHOP – To schedule the envisioning workshop with Facilitator Michael Putegnat, between the Board of Aldermen and Laguna Vista Community Development Corporation (CDC). Alderman Schnier made a motion to incorporate the Board of Aldermen Retreat and the Envisioning Workshop on October 16, 2010 from 9 am to 3 pm, motion was seconded by Alderwoman Keplinger. All voted “aye” to approve, motion carried.

- K. EXECUTIVE SESSION – There will be an executive session as authorized by the Open meetings Act, pursuant to Section 551.071; consultation with Town Attorney to seek advice in legal matters in which the duty of Counsel pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with

Texas Government Code Section 551.001 et seq. authorizes a government body to consult with its attorney in an executive session and to seek his or her advice on legal matters pending or contemplated litigation.

Alderman Irwin made a motion to go into executive session at 6:49 pm, pursuant to Section 551.071; consultation with Town Attorney to seek advice in legal matters in which the duty of Counsel pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Texas Government Code Section 551.001 et seq. authorizes a government body to consult with its attorney in an executive session and to seek his or her advice on legal matters pending or contemplated litigation, motion was seconded by Alderwoman Keplinger. All voted "aye" to approve, motion carried.

Board of Aldermen came out of executive session at 7:40 pm.

- L. OPEN SESSION – Consideration and potential action as a result of the Executive Session.

No action was taken as a result of executive session.

7. STAFF/ADMINISTRATIVE REPORTS

- a) Code Enforcement

Rolando Vela informed the board that staff is working on a new set of procedures for code enforcement and look into a software program to implement a system.

- b) Unsafe Structures

Rolando Vela explained that he is working with the tax attorneys concerning unsafe structures for auctioning off of properties that are potentially unsafe.

- c) Laguna Vista Live: Music by the Bay

Rolando Vela stated that he would like to schedule the next Music by the Bay on November 13, 2010, which is the one year anniversary of the first Music by the Bay.

8. ADJOURNMENT

**Alderman Schnier made a motion to adjourn meeting at 7:44 p.m., second by Alderman Irwin. All voted "aye" to adjourn, motion carried.**

Attest:

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Susie Houston, Mayor

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Alma Deckard, City Secretary