

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

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

DATE: February 8, 2011
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
Leti Keplinger, Alderwoman

Janice Cassidy, Town Attorney
Rolando Vela, City Manager
Robert McGinnis, Police Chief
Alma Deckard, City Secretary

MEMBERS ABSENT: William Schnier, Alderman

ALSO PRESENT: Richard Hinojosa, Citizen
Arden Curts, Citizen
Bud Sherman, Citizen
Donna Sherman, Citizen
Nancy Ostos, Citizen
Yolanda Birdwell, Citizen
Walter Birdwell, Citizen
Rudy Garcia, Citizen
Richard Lane, Citizen
Madeleine Sandefur, Citizen
Justin Awtrey, Citizen
Jeff Keplinger, Citizen

ORDER OF BUSINESS

1. Call to Order

Mayor Houston called the meeting to order at 6:02 pm.

2. Pledge and Invocation by Chaplain Jim Denham from South Padre Island Chapel by the Sea.
3. Roll Call – Alderman Bill Schnier was absent.
4. Open Forum:

Rudy Garcia addressed the Board concerning the Home Rule Charter. He stated that the Home Rule Charter Committee has worked on this document for over a year and is now complete. He suggested that ample time is given for the citizens to review the document. If there is not sufficient time between now and the May 2011 election, the charter could always go on the ballot in November 2011. Copies should be made available to the public and posted on the website. Mr. Garcia stated that transparency is his main concern.

Richard Hinojosa addressed the Board concerning the Charter document. He stated that he hopes the Charter document does not go on the May 2011 ballot. He feels that the citizens are not aware of the items in the charter, such as the addition of an alderman position and the mayor being allowed to vote. There is also an article that establishes compensation for the aldermen.

Nancy Ostos expressed thanks to the Board for the approval of the walking trail at the 15 acres and the leasing of the property next to the Tanglewood Apartments.

5. PRESENTATION – Presentation of the Certificate of Appreciation by the Boys & Girls Club of Laguna Madre to the Town of Laguna Vista.

Ken Irwin, as director from the Boys & Girls Laguna Madre Club presented the Mayor and Board of Aldermen with a certificate of appreciation. In appreciation for the Town's help and support to the Boys & Girls Club.

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 - Consideration and action to approve minutes from the January 11, 2011 Regular Board of Aldermen Meeting.
 - b) CURRENT OBLIGATIONS – Approval of the current obligations from the Laguna Vista Community Development Corporation (CDC).

- c) TEXAS FOREST SERVICE GRANT** – To authorize the Fire Chief to submit a grant application for tuition reimbursement for firefighters to attend the State Fire Fighters Marshals Association Basic Firefighters' course.

Alderman Irwin made a motion to approve the consent agenda items as follows: (a) approval of the minutes from the Board of Aldermen meeting on January 11, 2011, (b) approval of the current obligations from the Laguna Vista Community Development Corporation (CDC) for \$500, (c) approval for the Fire Chief to submit a grant application for tuition reimbursement for firefighters to attend the State Fire Fighters Marshals Association Basic Firefighters' course, Alderwoman 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. EMS** – To discuss emergency medical services and response times. (Police Chief/City Manager)

Robert McGinnis reviewed the process for an EMS call from dispatch time until the time the ambulance arrives at the scene. The calls for the October to December 2010 quarter have almost doubled compared to the same period in 2009. The average response time for an EMS call is 11 minutes from the Port Isabel Fire Station.

- B. RESOLUTION NUMBER 2011-01** – To approve Resolution Number 2011-01 adopting the Investment Policy for the Town of Laguna Vista. (City Manager)

Alderman Irwin made a motion to approve Resolution 2011-01 adopting the Investment Policy for the Town of Laguna Vista, Alderman Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

- C. RESOLUTION NUMBER 2011-02** – To approve Resolution Number 2011-02 supporting the City of South Padre Island in honoring Purple Heart recipients by extending the Purple Heart Trail along IH 34/37 from the City of San Antonio to the City of Corpus Christi, and then along IH 77 ultimately ending at Highway 100 in the City of South Padre Island. (Mayor)

Alderwoman Garcia made a motion to approve Resolution Number 2011-02 supporting the City of South Padre Island in honoring Purple Heart recipients by extending the Purple Heart Trail along IH 34/37 from the City of San Antonio to the City of Corpus Christi, and then along IH 77 ultimately ending at Highway 100 in the City of South Padre Island, Alderman Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

- D. RESOLUTION NUMBER 2011-03** – To approve Resolution Number 2011-03 and Letter of Support that the University of Texas at Brownsville maintains and operates Texas

Southmost College, phases out district taxes and assumes full responsibility for providing all higher education programs and services at both the University and Community College level at competitive tuition and fee rates by what means it determines are in the best interest of the students and the community. (Mayor)

Alderwoman Garcia made a motion to approve Resolution Number 2011-03 and Letter of Support that the University of Texas at Brownsville maintains and operates Texas Southmost college, phases out district taxes and assumes full responsibility for providing all higher education programs and services at both the University and Community College level at competitive tuition and fee rates by what means it determines are in the best interest of the students and the community, Alderwoman Keplinger seconded the motion. All voted "aye" to approve, motion carried.

E. RESOLUTION NUMBER 2011-04 – To approve Resolution Number 2011-04 adopting the pass through application to finance the construction of the US 77 Corridor. (City Manager)

Alderwoman Keplinger made a motion to approve Resolution Number 2011-04 adopting the pass through application to finance the construction of the US 77 Corridor, Alderman Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

F. RESOLUTION NUMBERS 2011-05 – To approve Resolution Number 2011-05 to order the May 14, 2011 Special Election for a Home Rule Charter for the Town. (City Secretary)
Alderman Irwin made a motion to approve Resolution Number 2011-05 to order the May 14, 2011 Special Election for the Home Rule Charter for the Town, Alderman Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

G. RESOLUTION NUMBER 2011-06 – To approve Resolution Number 2011-06 to order the May 14, 2011 General Election for the Town of Laguna Vista. (City Secretary)
Alderman Irwin made a motion to approve Resolution Number 2011-06 to order the May 14, 2011 General Election for the Town of Laguna Vista, Alderwoman Keplinger seconded the motion. All voted "aye" to approve, motion carried.

H. PLACE DRAWING – To have the Board of Aldermen draw for councilmember places, with the exception of the mayor, as required by the proposed Home Rule Charter.
Alderwoman Garcia made a motion to approve the councilmember place drawings as follows:

- Place #1 – Alderman Ken Irwin
- Place #2 – Alderman Steve Muschenheim
- Place #3 – New Alderman Position
- Place #4 – Alderwoman Leti Keplinger

Place #5 – Alderwoman Rita Garcia

Place #6 – Alderman Bill Schnier

Alderman Irwin seconded the motion. All voted "aye" to approve, motion carried.

- I. ORDINANCE NUMBER 2011-07** – To approve Ordinance Number 2011-07 amending Ordinance Number 2009-22, Section 7, Sub-Sections 7.3.1 and 7.3.2 of the Board and Commission Handbook. (City Manager)

Alderwoman Garcia made a motion to approve Ordinance Number 2011-07 amending Ordinance Number 2009-22, Section 7, Sub-Sections 7.3.1 and 7.3.2 of the Board and commission Handbook, Alderwoman Keplinger seconded the motion. All voted "aye" to approve, motion carried.

- J. ENVIRONMENTAL QUALITY COMMITTEE** – To establish an ad hoc environmental quality committee to further the goals of the Cool Cities Initiative. (Mayor/Alderman Schnier)

Alderman Irwin made a motion to establish an ad hoc environmental quality committee to further the goals of the Cool Cities Initiative, Alderwoman Keplinger seconded the motion. All voted "aye" to approve, motion carried.

- K. HOTEL OCCUPANCY TAX FUNDING** – To approve Hotel Occupancy Tax (HOT) funds in the amount of \$25,000 for a marketing plan initiated by the SPI Golf Club. (City Manager)

Alderman Muschenheim made a motion to approve Hotel Occupancy Tax (HOT) funds for \$25,000 for a marketing plan initiated by the SPI Golf Club, Alderwoman Keplinger seconded the motion. All voted "aye" to approve, motion carried.

- L. HOTEL OCCUPANCY TAX FUNDING** – To approve Hotel Occupancy Tax (HOT) funds in the amount of \$3,000 to sponsor the February 19, 2011 Laguna Vista Live: Music by the Bay event. (City Manager)

- M. HOTEL OCCUPANCY TAX FUNDING** – To approve Hotel Occupancy Tax (HOT) funds in the amount of \$ 1,234.30 to sponsor the March 5, 2011 Laguna Vista Birding Festival. (Mayor/City Manager)

Alderman Irwin made a motion to withdraw items L & M Hotel Occupancy Tax (HOT) funds for the February 19, 2011 Laguna Vista Live and the Birding Festival, Alderman Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

- N. C.D.C. APPOINTMENT** – To fill the position of Justin Awtrey on the Laguna Vista Community Development Corporation (CDC) that expired January 31, 2011, term for two years (Jan 2011-2013). (City Manager)

Alderwoman Keplinger made a motion to appoint Justin Awtrey to the Laguna Vista Community Development Corporation (CDC) for a two year term from January 2011 – 2013, Alderman Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

O. CAMERON COUNTY HOUSING AUTHORITY – To enter into a lease agreement with the Cameron County Housing Authority for the use of the vacant property, west of the Tanglewood Apartments, for park use. (City Manager/Mayor)

Alderman Muschenheim made a motion to approve the lease agreement with the Cameron County Housing Authority, with a minor correction from Town Attorney concerning the indemnity, for the use of the vacant property, west of the Tanglewood Apartments for park use, Alderman Irwin seconded the motion. All Voted "aye" to approve, motion carried.

P. FINANCIAL REPORT – Presentation on the revenues/expenditures for the first Quarter of the Fiscal Year 2010-2011 Budget. (City Manager).

Rolando Vela reviewed the revenues and expenditures from October to December 2010 for the annual budget. He explained that the property taxes is at 86% collection.

Q. CHRIST HARBOR CHURCH AGREEMENT – To accept the agreement between the Town of Laguna Vista and Christ's Harbor Church concerning the modular building. (Town Attorney)

Alderman Irwin made a motion to accept the agreement between the Town and the Christ's Harbor Church concerning the modular building, Alderman Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

R. STAFF/ADMINISTRATIVE REPORTS

i. Update on Current Grants

Rolando Vela reported that the ORCA drainage grant will probably be awarded in March 2011. The library shutters have been ordered and should be installed as soon as they come in.

ii. Laguna Madre Coalitions Cities Meeting – February 10, 2011

Rolando Vela informed the Board that the Laguna Madre Coalitions Cities Meeting will be at South Padre Island, on February 10, 2011 at 6 pm.

iii. Laguna Vista Live: Music by the Bay, February 19, 2011

Rolando Vela stated that the Music by the Bay fest is scheduled for Saturday, February 19, 2011, from 5 to 9 pm.

- S. 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 on legal matters in which the duty of the governmental body under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas conflicts with the Texas Government Code Section 551.001 et seq. authorizing a government body to consult with its attorney in
- T. an executive session and to seek his and her advice on legal matters pending or contemplated litigation.

Alderman Irwin made a motion to go into executive session, at 7:20 pm, as authorized by the Open meetings Act, pursuant to Section 551.071; consultation with Town Attorney to seek advice on legal matters in which the duty of the governmental body under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas conflicts with the Texas Government Code Section 551.001 et seq. authorizing a government body to consult with its attorney in an executive session and to seek his and her advice on legal matters pending or contemplated litigation, Alderman Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

Board of Aldermen came out of executive session at 7:45 pm.

T. OPEN SESSION – Consideration and potential action as a result of the Executive Session. No action was taken.

8. ADJOURNMENT

Alderwoman Garcia made a motion to adjourn meeting at 7:46 pm, Alderman Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

Attest:

Susie Houston, Mayor

Alma Deckard, City Secretary