

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: JUNE 14, 2011  
TIME: 6:00 p.m.  
PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor  
Steve Muschenheim, Council Member  
Rita Garcia, Council Member  
William Schnier, Council Member  
Leti Keplinger, Council Member  
Michael Carter, Council Member  
Paul Villas, Council Member  
  
Rolando Vela, City Manager  
David Padberg, Public Works  
Alma Deckard, City Secretary

MEMBERS ABSENT: None

ALSO PRESENT: Arden Curts, Citizen  
Walter Birdwell, Citizen  
Yolanda Birdwell, Citizen  
Bud Sherman, Citizen  
Donna Sherman, Citizen  
Nancy Ostos, Citizen  
Ronald Urhammer, Citizen  
Karen Mackesey, Citizen  
John Karcanes, Citizen  
Richard Lane, Citizen  
Carroll Price, Citizen  
Ken Irwin, Citizen  
Gabby Muschenheim, Citizen  
Bill Balogh, Citizen  
Megan Martinez, Citizen  
Martha McClain, Citizen  
David Woolverton, Citizen  
David Mendez, GMS Architects  
Scott Pajeski, GMS Architects

## ORDER OF BUSINESS

1. Call to Order

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

2. Pledge and Invocation was lead by Mayor Houston.

3. Roll Call – All members present.

4. Open Forum:

Arden Curts addressed the Board about concerns that the Lakewood residents have with regard to the constant speeding, illegal parking and road repairs. He also stated that Allied Waste continues to leave oil leaks from their trucks and this should be addressed by the board.

Nancy Ostos expressed thanks and gratitude to the Board with regard to the park improvements that are planned. She suggested that the Board consider same architect company prepare the drawings for the 15 acres.

David Woolverton addressed the Board concerning a 20% Homestead Exemption request to the Point Isabel I.S.D. Mr. Woolverton stated that he has addressed the Town of SPI and the City of Port Isabel requesting that a 20% Homestead Exemption discount be given to qualified home owners.

Richard Lane addressed the Board concerning the traffic signal at the intersection of FM 510 & Hwy 100, that this favors the traffic coming from the Stripes Store. Mr. Lane asked that the Board find out about the Humane Society covering the Laguna Vista area. Also, sometime back it was mentioned that the Town was going to look into designating a bike lane along FM 510; he was wondering what the status was on this project.

5. CONSENT AGENDA ITEMS: All matters listed under this item are considered to be routine by the Town Council 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 the minutes from the April 12, 2011 Regular Board of Aldermen Meeting. (City Secretary)

**b)** MINUTES - Consideration and action to approve the minutes from the May 17, 2011 Special Board of Aldermen Meeting. (City Secretary)

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- c)** CURRENT OBLIGATIONS – Approval of the current obligations from the Laguna Vista Community Development Corporation (CDC). (City Secretary)
- d)** CURRENT OBLIGATIONS – Approval of the current obligations from the Laguna Vista Hotel Occupancy Tax (HOT) Account. (City Secretary)
- e)** CURRENT OBLIGATIONS – Approval of the current obligations from the Texas Community Development Program, Project 728220. (City Secretary)
- f)** RESOLUTION NUMBER 2011-20 – A resolution establishing a bank account for the Texas Community Development Program Project 710389. (City Manager)
- g)** RESOLUTION NUMBER 2011-21 – A resolution appointing the Labor Standards Officer for the Texas Community Development Program Project 710389. (City Manager)
- h)** RESOLUTION NUMBER 2011-22 – A resolution authorizing the signatory agents for the Texas Community Development Program Project 710389 bank account. (City Manager)
- i)** TXDPS – RRMS PROJECT - Approval to accept the Remotely Hosted Criminal Incident Based Records Management System (RRMS) Project from TxDPS for \$25,800, and execute the Memorandum of Agreement. (Chief Police)
- j)** RESOLUTION NUMBER 2011-16 – A resolution to review and approve the Texas Gas Service's Adjustment Tariff filed on April 28, 2011. (City Manager)
- k)** RESOLUTION NUMBER 2011-17 – A resolution authorizing the signatory agents for the Town's bank accounts. (City Secretary)

Council Member Schnier asked that items 5(d) Current Obligations from the Hotel Occupancy Tax (HOT) Account, and 5(i) TXDPS – RRMS Project for \$25,800 and Memorandum of Agreement, be pulled for further discussion.

Council Member Schnier made a motion to approve the Consent Agenda Items as follows: (a) approval of the minutes from the April 12, 2011 regular Board of Aldermen Meeting, (b) approval of the minutes from the May 17, 2011 Special board of Aldermen Meeting, (c) approval of the current obligations from the Laguna Vista Community Development Corporation (CDC), (e) approval of the current obligations from the Texas Community Development Program Project 728220, (f) approval of Resolution Number 2011-20 establishing a bank account for the Texas Community Development Program Project 710389, (g) approval of Resolution Number 2011-21 appointing the Labor Standards Officer for the Texas Community Development Program Project 710389, (h) approval of Resolution Number 2011-22 authorizing the signatory agents for the Texas Community Development Program Project 710389 bank account, (j) approval of Resolution Number 2011-16 to approve the Texas Gas Service's Adjustment Tariff filed on April 28, 2011, (k) to approve

Resolution Number 2011-17 authorizing the signatory agents for the Town's bank accounts, Council Member Garcia seconded the motion. All voted "aye" to approve, motion carried unanimously.

Council Member Schnier made a motion to approve consent agenda item (d) to approve the current obligations from the Laguna Vista Hotel Occupancy Tax (HOT) Account, Council Member Garcia seconded the motion. All voted "aye" to approve, motion carried unanimously.

Council Member Schnier made a motion to approve consent agenda item (i) to approve the Remotely Hosted Criminal Incident Based Records Management System (RRMS) Project from TxDPS for \$25,800, and execute the Memorandum of Agreement, Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried unanimously.

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

**A. RESOLUTION NUMBER 2011-15 – A resolution recognizing former Alderman Ken Irwin for his years of service to the community. (City Secretary)**  
Council Member Villas made a motion to approve Resolution Number 2011-15 recognizing former Aldermen Ken Irwin for his years of service to the community, Council Member Garcia seconded the motion. All voted "aye" to approve, motion carried unanimously.

**B. ORDINANCE NUMBER 2011-19 – First Reading – To adopt an ordinance regulating maximum speed regulations of motor vehicles on Town owned and maintained roadways when special hazards exists with regard to traffic, including pedestrian, or weather or other hazardous roadway conditions. (Police Chief)**  
Council Member Villas made a motion to approve the first reading of Ordinance Number 2011-19 regulating maximum speed regulations of motor vehicles on Town owned and maintain roadways when special hazards exists with regard to traffic, including pedestrian, or weather or other hazardous roadway conditions, Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried unanimously.

Council Member Schnier asked that the wording of "town owned and maintained" be revised to cover the SPI Golf Club streets.

**C. BROADWAY DRAINAGE IMPROVEMENTS – To consider making drainage improvements on Broadway. (City Manager)**  
Council Member Schnier made a motion to direct the City Manager to proceed with the Broadway Drainage Improvements and include up to \$35,000 in the Budget Amendment for this project, Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried unanimously.

**D. ROLOFF PARK MASTER PLAN** – Presentation by David Mendez with GMS Architects on the development of a master plan for Roloff Park. (City Manager)

David Mendez and Scott Pajeski presented a power point presentation with two phases of park improvements to Roloff Park. Approximate cost is Phase 1 for \$495,500 and Phase 2 for \$300,000.

Council Member Schnier made a motion to appoint a committee, chaired by the City Manager to include, two members from the Town Council Board, two members from the Community Development Corporation, and two members from the Parks & Recreation Board, to review preliminary plans and come up with a funding plan within thirty days, Council Member Muschenheim seconded the motion. All voted "aye" to approve, motion carried unanimously.

Mayor appointed Council Members Carter and Keplinger to serve on the committee to review preliminary plans and come up with a funding plan for Roloff Park.

**E. TRAIL GRANT** – Approval to hire GMS Architects to design and prepare the construction plans for the walking/jogging trail at the 15 acres. (City Manager)

Council Member Villas made a motion to approve hiring GMS Architects to design and prepare the construction plans for the walking/jogging trail at the 15 acres, using the 10% allowed from the Texas Parks & Wildlife Grant, Council Member Garcia seconded the motion. All voted "aye" to approve, motion carried unanimously.

**F. REQUEST FOR QUALIFICATIONS** – To authorize the City Manager to seek proposals for Legal Services. (Mayor Houston)

Council Member Villas made a motion to authorize the City Manager to seek proposals for Legal Services by July 31, 2011, Council Member Muschenheim seconded the motion. All voted "aye" to approve, motion carried unanimously.

**G. REQUEST FOR QUALIFICATIONS** – To authorize the City Manager to seek proposals for the 2010-11 auditing services. (City Manager)

Council Member Carter made a motion to authorize the City Manager to seek proposals for the 2010-11 auditing services by July 31, 2011, Council Member Villas seconded the motion. All voted "aye" to approve, motion carried unanimously.

**H. REQUEST FOR QUALIFICATIONS** – To authorize the City Manager to seek proposals for Municipal Court Judge(s). (Mayor Houston)

Council Member Keplinger made a motion to authorize the City Manager to seek proposals for Municipal Court Judge(s) by July 31, 2011, Council Member Garcia seconded the motion. All voted "aye" to approve, motion carried unanimously.

- I. MAYOR PRO-TEM** – To appoint the Mayor Pro-Tem for a one year term, pursuant to Article II, Section 2.03(b) of the Home Rule Charter. (City Secretary)  
Mayor Houston made a motion to appoint Council Member Muschenheim as the Mayor Pro-Tem for a one year term, pursuant to Article II, Section 2.03(b) of the Home Rule Charter, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried unanimously.
- J. CAMERON COUNTY HOUSING AUTHORITY LEASE AGREEMENT** – To discuss the proposed lease agreement with Cameron County Housing Authority for the use of the vacant land, adjacent to Tanglewood Apartments, for recreational use. (City Manager)  
Mayor Houston made a motion to approve the lease agreement with the Cameron County Housing Authority for the use of the vacant land, adjacent to Tanglewood Apartments, for recreational use; to increase the liability coverage, and make the termination notice for six months, with automatic renewal, Council Member Muschenheim seconded the motion. All voted “aye” to approve, motion carried unanimously.
- K. JOB DESCRIPTIONS/EVALUATIONS**– To review the job descriptions of the City Manager, Town Attorney, and the Municipal Judge and to discuss scheduling their evaluations. (City Manager)  
Council Member Schnier made a motion to accept the process of evaluations and have the City Manager conduct department heads’ evaluations twice a year, in February or March and August or September; the Town Council will conduct the evaluations for the City Manager, Town Attorney and Municipal Judges in the same time frame, Council Member Garcia seconded the motion. All voted “aye” to approve, motion carried unanimously.
- L. C.D.C. APPOINTMENT** – To fill the unexpired term (Nov 2011), vacated by former Alderman Ken Irwin. (City Manager)  
Council Member Schnier made a motion to appoint Ian Monroe to fill the Laguna Vista Community Development Corporation unexpired term (Nov. 2011), vacated by former Alderman Ken Irwin, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried unanimously.
- M. C.D.C. APPOINTMENT** – To appoint the Laguna Vista Community Development Corporation President for a one year term, pursuant to Article III, Section 1 of the Laguna Vista Community Development Corporation Bylaws. (City Manger)  
Council Member Schnier made a motion to appoint John Karcanes as Laguna Vista Community Development Corporation President for a one year term, pursuant to Article III, Section 1 of the LV Community Development Corporation Bylaws, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried unanimously.

- N.** C.D.C. APPOINTMENT – To appoint the Laguna Vista Community Development Corporation Vice-President for a one year term, pursuant to Article III, Section 1 of the Laguna Vista Community Development Corporation Bylaws. (City Manager)  
Council Member Schnier made a motion to appoint Roxanne Guenzel as Laguna Vista Community Development Corporation Vice-President for a one year term, pursuant to Article III, Section 1 of the Laguna Vista Community Development Corporation Bylaws, Mayor Houston seconded the motion. All voted “aye” to approve, motion carried unanimously.
- O.** PORT ISABEL/LAGUNA VISTA ETJ AGREEMENT – To discuss the ETJ Agreement between the City of Port Isabel and the Town of Laguna Vista. (City Manager)  
Council Member Garcia made a motion to agree that Roy Avenue will be the boundary line for Extra Territorial Jurisdiction (ETJ) between the Town of Laguna Vista and the City of Port Isabel, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried unanimously.
- P.** TAX COLLECTION CONTRACT – To approve the tax collection contract with the Point Isabel ISD Tax Office. (City Manager)  
Council Member Schnier made a motion to approve the, two year, tax collection contract with the Point Isabel ISD Tax Office, Council Member Muschenheim seconded the motion. Council Member Carter abstained from voting. All others voted “aye” to approve, motion carried.
- Q.** BOARD OF ETHICS – To give direction to the City Manager on the preparation of an ordinance to create the Board of Ethics, pursuant to Section 11.01(b) of the Home Rule Charter. (City Manager)  
Council Member Villas made a motion to direct the City Manager to prepare the first reading ordinance creating the Board of Ethics, for the next regular meeting, pursuant to Section 11.01(b) of the Home Rule Charter, Council Member Schnier seconded the motion. All voted “aye” to approve, motion carried unanimously.
- R.** LEAVE OF ABSENCE – To approve a two-month leave of absence for Council Member Schnier for July and August 2011. (Council Member Schnier)  
Council Member Garcia made a motion to approve a two-month leave of absence for Council Member Schnier, with excused absences for July and August 2011, Mayor Houston seconded the motion. All voted “aye” to approve, motion carried unanimously.
- S.** TDRA TxCDBG GRANT NO. 710389 – Approval to reject all sealed bids submitted on March 3, 2011. (City Manager)  
Council Member Garcia made a motion to reject all sealed bids submitted on March 3, 2011 for the TDRA TxCDBG Grant Number 710389, Council Member

Keplinger seconded the motion. All voted "aye" to approve, motion carried unanimously.

- T.** RESOLUTION NUMBER 2011-18 – A resolution creating an ad hoc committee to work with Town Staff on the creation of a Comprehensive Plan for the Town of Laguna Vista.  
(City Manager)

Mayor Houston made a motion to approve Resolution Number 2011-18 creating an ad hoc committee to work with Town Staff on the creation of a Comprehensive Plan for the Town of Laguna Vista, Council Member Garcia seconded the motion. All voted "aye" to approve, motion carried unanimously.

- U.** TOWN ATTORNEY – To accept the letter of resignation from Town Attorney Jan Cassidy.

Council Member Schnier made a motion to accept the letter of resignation from Town Attorney Jan Cassidy, and expressed thanks for her service to the Town, Council Member Garcia seconded the motion. All voted "aye" to approve, motion carried unanimously.

- V.** INTERIM TOWN ATTORNEY – To appoint an Interim Town Attorney.

Council Member Schnier made a motion to appoint Attorney Ramon Vela as Interim Town Attorney, at the same fee schedule as the former Town Attorney, until the position is filled, Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried unanimously.

## 7. CITY MANGER'S REPORT

- (a) Play Day by the Bay

Rolando Vela informed the Board that the Play Day by the Bay will be Saturday, June 18, 2011 from 9 am to 1 pm in Roloff Park.

- (b) Summer Feeding Program

Rolando Vela stated that there are four locations throughout the community serving breakfast and lunch. Senator Lucio will be here on Friday, June 24, 2011 to visit with the children. Each location has averaged 25-30 kids daily.

- (c) July 4<sup>th</sup> Picnic & Parade

Rolando Vela stated that the July 4<sup>th</sup> Picnic and Parade are scheduled for Monday, July 4<sup>th</sup>, with the parade beginning at 5:30 pm.

- (d) Fire Hydrant Maintenance Study

Rolando Vela informed the Board that a company from San Benito will begin maintenance and analysis of the 144 fire hydrants around town. We now have a map showing the location of all fire hydrants.



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(e) Hurricane Preparedness Meeting

Rolando Vela stated that there will be a Hurricane Preparedness Meeting on Thursday, June 23, 2011.

8. ADJOURNMENT

Council Member Schnier made a motion to adjourn meeting at 8:37 pm, Council Member Carter seconded the motion. All voted "aye" to approve, motion carried unanimously.

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Susie Houston, Mayor

Attest:

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Alma Deckard, City Secretary