

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: February 21, 2012  
TIME: 6:00 p.m.  
PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor  
Steve Muschenheim, Mayor Pro-Tem  
Rita Garcia, Council Member  
William Schnier, Council Member  
Michael Carter, Council Member  
Paul Villas, Council Member

Rolando Vela, City Manager  
Robert McGinnis, Police Chief  
Alma Deckard, City Secretary

MEMBERS ABSENT: Leti Keplinger, Council Member

ALSO PRESENT: Arden Curts, Citizen  
Betty Bell, Citizen  
Justin Awtrey, Citizen  
Bob Matoush, Citizen  
Clyde Machen, Citizen  
John Karcanes, Citizen  
Linda Karcanes, Citizen  
Richard Hinojosa, Citizen  
Mike Thomas, Citizen  
Walter Birdwell, Citizen  
Yolanda Birdwell, Citizen  
Bud Sherman, Citizen  
Donna Sherman, Citizen  
Richard Lane, Citizen  
John Zeigler, Citizen  
Luis Nunez, SPI Golf Club  
Chip Worley, Citizen  
Beth Romarito, Citizen  
Leslie Bocanegra, Citizen  
Roberto Rodriguez, Citizen  
Martha McClain, 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 lead by the Laguna Madre Girls Scouts.

**3. Roll Call/Request for Excused Absences**

Council Member Keplinger called and stated she would be unable to attend meeting because of a prior commitment. Council Member Schnier was absent for the Special Meeting on January 31, 2012. He requested to be excused, he was at a medical appointment.

**4. OPEN FORUM:**

Betty Bell addressed the Council expressing concerns that Council Member Villas has not defended the charter, considering he was a member of the charter committee. She read an email from Council Member Schnier to the City Manager, stating why he could not attend the special meeting on January 31, 2012. However, the Council went ahead and held the meeting anyway, she feels that there are hidden agendas with these meetings to exclude Council Member Schnier.

Arden Curts addressed the Council concerning agenda item 7H on today's meeting. He stated that this has been voted on and pass with a 6 to 1 vote that only regular meetings will be counted in case of absences. He suggested and hopes that the Council is looking for a new town attorney, since the July 25, 2011 DOJ letter still has 17 unanswered questions.

Bob Matoush addressed the Council concerning the DOJ letter with regard to the charter approval. He offered his services to respond to the DOJ letter and gather any information required.

**5. PROCLAMATION** – A proclamation celebrating the 100<sup>th</sup> Anniversary of Girls Scouts of America.

Mayor read the proclamation celebrating the 100<sup>th</sup> Anniversary of the Girls Scouts of America. Several girl scouts and leaders were present for the proclamation.

**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 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 Regular Council Meeting on January 10, 2012.

b) **MINUTES** – Consideration and action to approve minutes from the Special Council Meeting on January 10, 2012.

c) **MINUTES** – Consideration and action to approve minutes from the Special Council Meeting on January 31, 2012.

d) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Hotel Occupancy Tax (HOT) Account for \$6,931.

- e) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Laguna Vista Community Development Corporation (CDC) Account for \$5,000.
- f) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Library Money Market Account for \$227.
- g) **RACIAL PROFILE REPORT** – Consideration and action to accept the Laguna Vista Police Department 2011 Racial Profile Report.

**Council Member Schnier requested that item 6(g) Racial Profile Report be pulled from the Consent Agenda Items, for separate discussion.**

**Council Member Villas made a motion to approve the Consent Agenda items as follows: (a) approval of the minutes from the Regular Council Meeting on January 10, 2012, (b) approval of the minutes from the Special Council Meeting on January 10, 2012, (c) approval of the minutes from the Special Council Meeting on January 31, 2012, (d) approval of the current obligations from the Hotel Occupancy Tax (HOT) Account for \$6,931, (e) approval of the current obligations from the Community Development Corporation (CDC) Account for \$5,000, (f) approval of the current obligations from the Library Money Market Account for \$227, Council Member Garcia seconded the motion. All voted “aye” to approve, motion carried.**

**Council Member Schnier asked that Chief McGinnis explain the Racial Profile Report. Chief McGinnis stated that this report is due annually, which indicates what percentage of race, by ethnicity, is stopped and/or issued a citation at a traffic stop.**

**Council Member Schnier made a motion to approve Consent Agenda Item (g) approving the Police Department 2011 Racial Profile Report as submitted, Council Member Garcia 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. **PUBLIC HEARING** – A public hearing to solicit public input on the buildings located at 66 Lakewood Drive and 113 Golf House Road. (City Manager)

**Council Member Schnier made a motion to open the public hearing to solicit public input on the buildings located at 66 Lakewood Drive and 113 Golf House Road, Mayor Houston seconded the motion. All voted “aye” to approve, motion carried.**

**Rolando Vela explained that he has been working with the contractor of the property for the past 14 months. The house has no doors, it is opened which could allow kids to enter and cause damage or do drugs in there. It is an eye sore to the community.**

**Arden Curts stated that the house at 66 Lakewood is a public nuisance and something needs to be done about it. He stated that this abandoned house has been like this for almost two years, and the contractor does nothing about it.**

**With no further discussion, the Mayor closed the public hearing.**

- B. **66 LAKEWOOD DRIVE** – Discussion and possible action on issuing an Order to the property owner of 66 Lakewood Drive to bring into compliance with Ordinance No. 2010-16. (City Manager)

**Council Member Muschenheim made a motion to give the property owner/contractor ninety (90) days, pursuant to Ordinance 2010-16, to bring the building into compliance, Council Member Garcia seconded the motion. All voted “aye” to approve, motion carried.**

- C. **113 GOLF HOUSE ROAD** – Discussion and possible action on issuing an Order to the property owner of 113 Golf House Road to bring into compliance with Ordinance No. 2010-16. (City Manager)

**Council Member Garcia made a motion to give the property owner/contractor ninety (90) days, pursuant to Ordinance 2010-16, to bring the building into compliance, Council Member Muschenheim seconded the motion. All voted “aye” to approve, motion carried.**

- D. **HOTEL OCCUPANCY TAX FUNDING** – To approve Hotel Occupancy Tax (HOT) funds in the amount of \$19,000 for a marketing and promotional campaign by the SPI Golf Club. (City Manager)

**Council Member Schnier made a motion to approve the Hotel Occupancy Tax (HOT) funds in the amount of \$19,000 for a marketing and promotional campaign by the SPI Golf Club, Council Member Garcia seconded the motion. All voted “aye” to approve, motion carried.**

- E. **HOME RULE CHARTER STATUS** – Discussion, consideration and possible action concerning the current status of Laguna Vista’s Home Rule Charter submission to the Department of Justice (DOJ), including: a citizens’ update on all open issues; a comprehensive explanation – from the Mayor, City Manager and/or City Attorney – regarding any concerns identified by the DOJ; a list of anticipated next steps by the Town; and the projected timetable for receiving final Charter approval (or lack thereof) from the DOJ. (City Manager/Town Attorney)

**Council Member Schnier made a motion to have a meeting with the former Home Rule Charter Committee, to discuss the response information needed to the DOJ letter from February 3, 2011, and accept the offer from Robert Matoush to help in responding to the letter; meeting should be held within the next two weeks, Council Member Garcia seconded the motion. Record vote was as follows:**

**Mayor Houston – No**

**Council Member Muschenheim – Yes**

**Council Member Schnier – Yes**

**Council Member Garcia – Yes**

**Council Member Villas – Yes**

**Council Member Carter – Yes**

**Council Member Keplinger – not present**

**Motion carried.**

- F. **MARCH 2012 COUNCIL MEETING** – Discussion and consideration to reschedule the March 13, 2012 Town Council meeting. (Mayor Houston)  
**Council Member Garcia made a motion to reschedule the regular March 13, 2012 Town Council meeting on Tuesday, March 27, 2012, Council Member Schnier seconded the motion. All voted “aye” to approve, motion carried.**
- G. **WORKSHOP** – Discussion and consideration to schedule a workshop to review and discuss the proposed Board of Ethics Ordinance. (City Manager)  
**Mayor Houston made a motion to schedule a workshop to review and discuss the proposed Board of Ethics Ordinance, on Tuesday, March 27, 2012 at 4:00 pm., pending attorney availability, Council Member Villas seconded the motion. All voted “aye” to approve, motion carried.**
- H. **RESOLUTION NUMBER 2012-01** – To Nullify action taken at the 10Jan12 Council Monthly Meeting defining meetings that pertain to Council Members.  
**Mayor Houston withdrew agenda item 7H – Resolution Number 2012-01 – to nullify action taken at the 10Jan12 Council Monthly Meeting defining meetings that pertain to Council Members. No action was taken.**
- I. **RESOLUTION NUMBER 2012-xx** – Discussion, consideration and action pertaining to Resolution Number 2012-01 to approve Resolution number 2012-xx establishing the definition of meetings that pertain and apply to the office of Laguna Vista Councilmen/women. (Mayor Houston and Council Member Villas)  
**Mayor Houston withdrew agenda item 7I – Resolution Number 2012-xx – Discussion, consideration and action pertaining to Resolution Number 2012-01 to approve Resolution number 2012-xx establishing the definition of meetings that pertain and apply to the office of Laguna Vista Councilmen/women. No action was taken.**
- J. **STREET RESEALING** – To review a schedule of street resealing projects for the last five (5) years. (Council Members Carter and Muschenheim)  
**Council Member Schnier made a motion directing the City Manager to bring a report to include a list of the projects for street resealing/improvements, with potential time frame and budget requirements; to be reviewed by Council at the March 27, 2012 meeting, Council Member Muschenheim seconded the motion. All voted “aye” to approve, motion carried.**
- K. **BUDGET REVIEW** – A budget update on expenses and revenues vs. budget from October 1, 2011 to December 31, 2011. (Council Members Carter and Muschenheim)  
**Council Member Carter made a motion to have a financial report submitted to the Town Council on a quarterly basis, with a summary of transactions and variances noted, Council Member Schnier seconded the motion. All voted “aye” to approve, motion carried.**
- L. **CERTIFICATES OF OBLIGATIONS** – To review a schedule to show Bond proceeds, Bond liability, Monies expended from the proceeds and for what project/objective that was approve by the Board. In addition, a list of projects that were approved by the Town Council for the monies to be spent and their current status. (Council Members Carter and Muschenheim)

**Council Member Schnier made a motion have a report on the Certificates of Obligations at every monthly meeting, to review the budget, expenditures, and balance of each project, Council Member Muschenheim seconded the motion. All voted “aye” to approve, motion carried.**

**M. RESOLUTION NUMBER 2012-02 – To approve Resolution Number 2012-02 ordering the General Election for the Town of Laguna Vista on May 12, 2012. (City Secretary) Council Member Villas made a motion to approve Resolution Number 2012-02 ordering the General Election for the Town of Laguna Vista on May 12, 2012, Council Member Schnier seconded the motion. Council Member Schnier amended to motion to have city secretary get approval from the Secretary of State with regard to adding aldermen at large because the charter has not been approved by the DOJ. Council Member Villas withdrew his motion.**

**Mayor Houston made a motion to approve Resolution Number 2012-02 ordering the General Election for the Town of Laguna Vista on May 12, 2012, Council Member Villas seconded the motion. Council Member Schnier and Garcia opposed motion. All others voted “aye” to approve, motion carried.**

**N. C.D.C. BOARD APPOINTMENTS – Consideration and action to appoint members to the Community Development Corporation. (City Manager)**

1) Appointment No. 1

**Mayor Houston made a motion to approve the re-appointment of Roxanne Guenzel to position 1, for a two (2) year term to the Laguna Vista Community Development Corporation, Council Member Schnier seconded the motion. All voted “aye” to approve, motion carried.**

2) Appointment No. 2

**Council Member Villas made a motion to approve the appointment of Ian Monroe to position 2, for a two (2) year term to the Laguna Vista Community Development Corporation, Council member Garcia seconded the motion. All voted “aye” to approve, motion carried.**

3) Appointment No. 3

**Council Member Schnier made a motion to appoint Billie Reilly to position 3, for a two (2) year term to the Laguna Vista Community Development Corporation, Council Member Garcia seconded the motion. Record vote was as follows:**

**Mayor Houston – No**

**Council Member Muschenheim – No**

**Council Member Schnier – Yes**

**Council Member Garcia – Yes**

**Council Member Villas – No**

**Council Member Carter – No**

**Motion failed.**

**Mayor Houston made a motion to appoint John Thobe to position 3, for a two (2) year term to the Laguna Vista Community Development Corporation, Council Member Villas seconded the motion. Record vote was as follows:**

**Mayor Houston – Yes**

**Council Member Muschenheim – Yes**  
**Council Member Schnier – No**  
**Council Member Garcia – No**  
**Council Member Villas – Yes**  
**Council Member Carter – No**  
**Motion tied – failed**

**Council Member Carter made a motion to appoint Michael Cummins to position 3, for a two (2) year term to the Laguna Vista Community Development Corporation, Mayor Houston seconded the motion. Record vote was as follows:**

**Mayor Houston – Yes**  
**Council Member Muschenheim – Yes**  
**Council Member Schnier – Yes**  
**Council Member Garcia – Yes**  
**Council Member Villas – Yes**  
**Council Member Carter – Yes**  
**Motion carried.**

4) Appointment No. 4

**Mayor Houston made a motion to appoint Therese Eaton to position 4, for a two (2) year term to the Laguna Vista Community Development Corporation, Council Member Villas seconded the motion. Record vote was as follows:**

**Mayor Houston – Yes**  
**Council Member Muschenheim – Yes**  
**Council Member Schnier – Yes**  
**Council Member Garcia – Yes**  
**Council Member Villas – Yes**  
**Council Member Carter – Yes**  
**Motion carried.**

O. **PARKS BOARD APPOINTMENTS** – Consideration and action to appoint members to the Parks & Recreation Board. (City Manager)

1) Appointment No. 1

**Council Member Schnier made a motion to re-appoint Gabby Muschenheim to position 1, for a two (2) year term to the Parks & Recreation Board, Council Member Villas seconded the motion. Record vote was as follows:**

**Mayor Houston – Yes**  
**Council Member Muschenheim – abstained**  
**Council Member Schnier – Yes**  
**Council Member Garcia – Yes**  
**Council Member Villas – Yes**  
**Council Member Carter – Yes**  
**Motion carried.**

2) Appointment No. 2

**Council Member Schnier made a motion to re-appoint Nancy Ostos to position 2, for a two (2) year term to the Parks & Recreation Board, Council Member Villas seconded the motion. Record vote was as follows:**

**Mayor Houston – Yes**  
**Council Member Muschenheim – Yes**

**Council Member Schnier – Yes**  
**Council Member Garcia – Yes**  
**Council Member Villas – Yes**  
**Council Member Carter – Yes**  
**Motion carried.**

3) Appointment No. 3

**Council Member Garcia made a motion to appoint Yolanda Birdwell to position 3, for a two (2) year term to the Parks & Recreation Board, Mayor Houston seconded the motion. Record vote was as follows:**

**Mayor Houston – Yes**  
**Council Member Muschenheim – Yes**  
**Council Member Schnier – Yes**  
**Council Member Garcia – Yes**  
**Council Member Villas – Yes**  
**Council Member Carter – Yes**  
**Motion carried.**

4) Appointment No. 4

**Mayor Houston made a motion to appoint Irene Hernandez to position 4, for a two (2) year term to the Parks & Recreation Board, Council Member Garcia seconded the motion. Record vote was as follows:**

**Mayor Houston – Yes**  
**Council Member Muschenheim – Yes**  
**Council Member Schnier – Yes**  
**Council Member Garcia – Yes**  
**Council Member Villas – Yes**  
**Council Member Carter – Yes**  
**Motion carried.**

P. **PLANNING & ZONING COMMISSION APPOINTMENTS** – Consideration and action to appoint members to the Planning & Zoning Commission. (City Manager)

1) Appointment No. 1

**Council Member Garcia made a motion to re-appoint Terry Volz to position 1, for a two (2) year term to the Planning & Zoning Commission, Council Member Carter seconded the motion. Record vote was as follows:**

**Mayor Houston – Yes**  
**Council Member Muschenheim – Yes**  
**Council Member Schnier – Yes**  
**Council Member Garcia – Yes**  
**Council Member Villas – Yes**  
**Council Member Carter – Yes**  
**Motion carried.**

2) Appointment No. 2

**Mayor Houston made a motion to appoint Tomas Saenz to position 2, for a two (2) year term to the Planning & Zoning Commission, Council Member Garcia seconded the motion. Record vote was as follows:**

**Mayor Houston – Yes**  
**Council Member Muschenheim – Yes**



**Council Member Schnier – Yes**  
**Council Member Garcia – Yes**  
**Council Member Villas – Yes**  
**Council Member Carter – Yes**  
**Motion carried.**

**Q. CITY MANAGER'S REPORT**

1) Regional Small Cities Coalition Committee

Rolando Vela informed the Council that he has been appointed chairman of the Regional Small Cities Coalition.

2) Valley Metro

Rolando Vela stated that the Valley Metro bus is running free of charge for a temporary basis, from Laguna Vista.

3) Easter Egg Hunt – Saturday, April 7, 2012

Rolando Vela stated that the Easter Egg Hunt is scheduled for Saturday, April 7, 2012.

4) Earth Day – Saturday, April 21, 2012

Rolando Vela informed the Council that Earth Day will be celebrated on Saturday, April 21, 2012.

5) Memorial Day – Monday, May 28, 2012

Rolando Vela stated that the Memorial Day Ceremony will be Monday, May 28, 2012. He is working on the ceremony plans.

R. **EXECUTIVE SESSION** – There will be an executive session as authorized by the Open Meetings Act, pursuant to Section 551.074(a)(1)(2); to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint charge against an officer or employee.

● Goal Setting – City Manager Rolando Vela

**Mayor Houston made a motion to table agenda item 7R – executive session for the Goal Setting for City Manager Rolando Vela, until the town attorney is available, Council Member Garcia seconded the motion. All voted “aye” to approve, motion carried.**

**Council Member Schnier suggested that the goal setting be done in open session.**

S. **OPEN SESSION** – Consideration and potential action as a result of the Executive Session. No action was taken on agenda item 7S – Open Session as a result of Executive Session.

**8. ADJOURNMENT**

**Council Member Muschenheim made a motion to adjourn meeting at 8:34 pm, Council Member Garcia 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