

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: February 12, 2013

TIME: 6:00 p.m.

PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor
Michael Carter, Mayor Pro-Tem
Steve Muschenheim, Councilmember Place 2
Paul Villas, Councilmember Place 3
Rita Garcia, Councilmember Place 5
Richard Hinojosa, Councilmember Place 6

Rolando Vela, City Manager
Ricardo Morado, Town Attorney
Robert McGinnis, Police Chief
Alma Deckard, City Secretary

MEMBERS ABSENT: Leti Keplinger, Councilmember Place 4

ALSO PRESENT: Richard Lane, Citizen
Craig McWhinney, Christ's Harbor Church
Robert Randall, Citizen
David Carpenter, Citizen
Frank Davalos, Jr., Bay B Boomers
Charles Schwab, Bay B Boomers

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 Craig McWhinney from Christ's Harbor Church.

3. Roll Call/Excused absences

Council Member Garcia made a motion to excuse Council Member Keplinger from tonight’s meeting, due to work related, Council Member Muschenheim seconded the motion. All voted “aye” to approve, motion carried.

4. PRESENTATIONS – Recognition of police officers from Bay B Boomers Bar & Grill Manager Frank Davalos, Jr.

Bay B Boomers General Manager Frank Davalos, Jr. presented certificate of appreciation to the police department for their work in the Town. The officers were also given gift certificates for Bay B Boomers.

5. OPEN FORUM

Craig McWhinney addressed the Council with regard to the services that Christ’s Harbor Church provides, using the annex portable building. He stated that some of the services are AA classes, Alanon classes, Karate classes, line dancing classes and other events that come up. Also, the Willacy Cameron County Weatherization Program is conducted in their building.

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 January 8, 2013 Regular Council Meeting.
- b) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Hotel Occupancy Tax (HOT) Account for \$6,269.50.
- c) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Certificates of Obligation account for \$4,999.90.
- d) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Community Development Corporation (CDC) account for \$4,247.00.
- e) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Library Money Market Account for \$106.78.
- f) **CURRENT OBLIGATIONS** - Consideration and action to approve the current obligations from the Investment Money Market Account (reserve funds) for \$14,326.80.

Council Member Villas made a motion to approve the consent agenda items as follows; (a) approval of the minutes for the Town Council meeting on January 8, 2013, (b) approval of the current obligations from the Hotel Occupancy Tax (HOT) account for \$6,269.50, (c) approval of the current obligations from the Certificates of Obligation account for \$4,999.90, (d) approval of the current obligations from the Community Development Corporation (CDC) account for \$4,247.00, (e) approval of the current obligations from the Library Money Market account for \$106.78, and (f) approval of the current obligations from the Investment Money

Market account for \$14,326.80, Council Member Carter had a correction to the Investment Money Market current obligations sheet listing showed Interest and Sinking Fund, Council Member Garcia seconded the motion with the correction. All voted “aye” to approve, motion carried.

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

- A. ORDINANCE NUMBER 2013-03** – Second Reading - Consideration and potential action to adopt the second reading of Ordinance Number 2013-03, repealing Ordinance 2009-16 and establishing new rules and regulations pertaining to Town parks. (City Manager)

Council Member Garcia made a motion to approve the second reading of Ordinance Number 2013-03, repealing Ordinance 2009-16 and establishing new rules and regulations pertaining to Town parks, with minor corrections, Council Member Hinojosa seconded the motion. All voted “aye” to approve, motion carried.

- B. ORDINANCE NUMBER 2013-04** – Second Reading – Consideration and potential action to adopt the second reading of Ordinance Number 2013-04, establishing the rules and regulations for the Veterans Memorial Park. (City Manager)

Council Member Carter made a motion to approve the second reading of Ordinance Number 2013-04 establishing the rules and regulations for the Veterans Memorial Park, Council Member Muschenheim seconded the motion. All voted “aye” to approve, motion carried.

- C. RESOLUTION NUMBER 2013-05** – Consideration and potential action to approve Resolution Number 2013-05, an agreement between the Town of Laguna Vista and Texas Department of Transportation for maintenance, control, supervision and regulation of certain State Highways in Laguna Vista. (City Manager)

Council Member Garcia made a motion to approve Resolution 2013-05, an agreement between the Town of Laguna Vista and Texas Department of Transportation for maintenance, control, supervision, and regulation of certain State Highways in Laguna Vista, Council Member Hinojosa seconded the motion. All voted “aye” to approve, motion carried.

- D. RESOLUTION NUMBER 2013-06** – Consideration and potential action to approve Resolution Number 2013-06 expressing concern and objection to the City of Brownsville’s Strip Annexations, urging the other small cities in Cameron County to do likewise, and calling on State Representative Rene Oliveira and State Senator Eddie Lucio, Jr. to take the necessary steps to address this problem. (City Manager)

Council Member Hinojosa made a motion to approve Resolution Number 2013-06 expressing concern and objections to the City of Brownsville’s Strip Annexations, urging the other small cities in Cameron County to do likewise, and calling on State Representative Rene Oliveira and State Senator Eddie Lucio, Jr. to take the necessary steps to address this problem, Council Member Villas seconded the motion. All voted “aye” to approve, motion carried.

E. RADIO SERVICE AGREEMENT – Consideration and potential action to approve the Radio Service Interlocal Agreement between the Town and the Rio Grande Valley Communications Group. (Police Chief)

Council Member Villas made a motion to approve the Radio Service Interlocal Agreement between the Town and the Rio Grande Valley Communications Group, Mayor Houston seconded the motion. All voted “aye” to approve, motion carried.

F. MARCH 2013 MEETING – Consideration and potential action to reschedule the March 12, 2013 Town Council meeting. (City Manager)

Council Member Garcia made a motion to re-schedule the regular March 2013 meeting to Monday, March 4, 2013, Council Member Hinojosa seconded the motion. All voted “aye” to approve, motion carried.

G. 2011 CERTIFICATES OF OBLIGATION – Update on the 2011 Certificates of Obligation projects. (City Manager)

Rolando Vela informed the Council that there was only one expenditures from the Certificates of Obligation account, which was for the tap fees. Check was issued to the Laguna Madre Water District for \$4,999.90.

H. PARK IMPROVEMENTS – Consideration and potential action to fund additional park improvements. (City Manager)

Council Member Garcia made a motion to approve the following additional park improvements, item #2 – playground set for \$49,000, #4 – Bleachers for \$9,600, #5 – Bouncers for \$6,468, #7 – Relocated Solar Light (corner of parking lot) for \$2,300, #8 – Relocate carved tree and install concrete pad; and direct the city manager to check on the following items, #1 – BBQ Pits, #3 – Picnic tables, #6 – Permanent BBQ Pit, and item #9 – Bronze Plaque will be considered at a later date; have some kind of barrier added to the Sports Park to keep vehicles from going on the field, Council Member Carter seconded the motion. All voted “aye” to approve, motion carried.

I. STREET IMPROVEMENT WORKSHOP – Consideration and potential action to schedule a workshop to discuss street improvements. (City Manager)

Mayor Houston made a motion to schedule a workshop to discuss the street improvements on Tuesday, April 2, 2013 at 5:30 pm, Council Member Hinojosa seconded the motion. All voted “aye” to approve, motion carried.

J. EXECUTIVE SESSION – As authorized by the Open Meetings Act, Section 551.071, to consult with Town Attorney to seek advice on legal matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State of Bar Texas clearly conflicts with the Texas Government Code Section 551.001 et seq., specifically on the following matters.

- Christ’s Harbor Church – Request For Special Permit

➤ Annexation and Town Jurisdiction

Council Member Garcia made a motion to go into executive session at 7:03 pm, pursuant to the Open Meetings Act, Section 551.071 to consult with Town Attorney to seek advice on legal matters – Christ’s Harbor Church – request for special permit and Annexation and Town Jurisdiction, Council Member Carter seconded the motion. All voted “aye” to approve, motion carried.

Council came out of executive session at 7:42 pm.

K. OPEN SESSION – Consideration and potential action as a result of Executive Session.

No action was taken as a result of executive session.

8. ADJOURNMENT

Council Member Garcia made a motion to adjourn meeting at 7:43 pm, Council Member Muschenheim seconded the motion. All voted “aye” to approve, motion carried.

Susie Houston, Mayor

Attest:

Alma Deckard, City Secretary