

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: May 14, 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
Leti Keplinger, Councilmember Place 4
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: Paul Villas, Councilmember Place 3

ALSO PRESENT: Frank Davalos, Jr, Citizen
Lupita Perez, Citizen
Lily Perez, Citizen
Clarrisa Flores, Visitor
Ellen Snyder, Port Isabel
Gary Snyder, Port Isabel
Jerry Gabbert, Visitor
Michael Quist, Boys & Girls Club
Tom Wineman, Visitor
Cheryl Wineman, Visitor
Jane Davies, Port Isabel
Bruce Davis, Port Isabel
Richard Lane, Citizen
Bud Sherman, Citizen
Donna Sherman, Citizen
Duane Rasmussen, Citizen
John Peacock, Visitor

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 Bill Waddell from Island Baptist Church.

3. **Roll Call/Excused absences**

Council Member Keplinger made a motion to excuse Council Member Villas from tonight's meeting, due to an out of town wedding, Council Member Carter seconded the motion. All voted "aye" to approve, motion carried.

4. **PROCLAMATIONS/RECOGNITIONS** - A proclamation recognizing May 2013 as Motorcycle Safety and Awareness Month.

Mayor read and presented the proclamation to members of the Motorcyclists for Christ.

5. **OPEN FORUM:** At this time, audience is allowed 5 minutes per person to address the Council on any topic. There is no discussion or formal action taken during this agenda item. The speaker must identify before speaking. A Speaker Request Form must be presented to the City Secretary prior to the meeting.

Lily Perez from Garriga read a letter thanking the Council for the park improvements.

Clarrisa Flores from Garriga also read a letter thanking the Council for the park improvements.

Michael Quist from the Boys and Girls Club introduced himself to the Council. Mr. Quist is the new Chief Officer from the Boys and Girls. He explained that the Club overall serves 10% from South Padre Island and 10% from Laguna Vista, 13% from Laguna Heights and the balance from Port Isabel. There are 4000 clubs nationwide and 10% are located in Texas.

Richard Lane addressed the Council stating he is concerned about the drinking fountains in the parks. They have poisonous water that is not filter and should not be used.

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 the minutes from the April 9,2013, Workshop Meeting.

b) **MINUTES** - Consideration and action to approve the minutes from the April 9, 2013, Regular Council Meeting.

- c) **MINUTES** - Consideration and action to approve the minutes from the April 30, 2013, Joint Workshop with the Planning & Zoning Commission.
- d) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Library Money Market Account for \$753.28.
- e) **TEXAS DPS FTA CONTRACT** - Consideration and action to approve the Failure To Appear (FTA) Program offered by the Texas Driver License Division for delinquent municipal court cases.
- f) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Certificates of Obligation Account for \$84,970.99.
- g) **CURRENT OBLIGATIONS** - Consideration and action to approve the current obligations from the Hotel Occupancy Tax (HOT) Account for \$2,704.15.

Council Member Muschenheim made a motion to approve the agenda consent items as follows; (a) approval of the workshop meeting on April 9, 2013, (b) approval of the regular meeting on April 9, 2013, (c) approval of the joint workshop meeting with the Planning and Zoning Commission on April 30, 2013, (d) approval of the current obligations from the Library Money Market Account for \$753.28, (e) approval of the Texas DPS FTA Contract for delinquent municipal court cases, (f) approval of the current obligations from the Certificates of Obligation Account for \$84,970.99, (g) approval of the current obligations from the Hotel Occupancy Tax (HOT) Account for \$2,704.15, Council Member Hinojosa 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. **ORDINANCE NUMBER 2013-11** - First Reading - Consideration and potential action to approve the first reading of Ordinance Number 2013-11 amending the Fiscal Year 2012-13 budget. (City Manager)

No action was taken on Ordinance 2013-11 and no changes were made to the budget amendments presented.

- B. **RESOLUTION NUMBER 2013-15** - Consideration and potential action to approve Resolution Number 2013-15 declaring April 2013 as Fair Housing Month in Laguna Vista. (City Manager)

Council Member Garcia made a motion to approve Resolution 2013-15 declaring April 2013 as Fair Housing Month in Laguna Vista, Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried.

- C. **RESOLUTION NUMBER 2013-16** - Consideration and potential action to approve Resolution Number 2013-16 in support of the Draft Environmental Impact Statement to allow Space Exploration Technologies Inc (SPACEX) to launch the Falcon 9 and Falcon Heavy Orbital vehicles. (City Manager)

Council Member Muschenheim made a motion to approve Resolution Number 2013-16 in support of the Draft Environmental Impact Statement to allow Space Exploration Technologies Inc (SPACEX) to launch the Falcon 9 and Falcon Heavy Orbital vehicles, Mayor Houston seconded the motion. All voted "aye" to approve, motion carried.

D. RESOLUTION NUMBER 2013-17 - Consideration and potential action to approve Resolution Number 2013-17 designating FM 510, within the Town limits as the Purple Heart Trail. (City Manager)

Mayor Houston made a motion to approve Resolution Number 2013-17 designating FM 510 within the Town limits as the Purple Heart Trail, Council Member Garcia seconded the motion. All voted "aye" to approve, motion carried.

E. TX CDBG PROJECT NUMBER 712181 - Consideration and action to award a contract for the Texas Community Development Block Grant (TX CDBG) Project Number 712181 street and drainage improvements project. (City Manager)

Council Member Hinojosa made a motion to award the Texas CDBG Project Number 712181 contract to Jimmy Closner and Sons for street improvements on Palo Blanco Drive, for \$233,115.00, Mayor Houston seconded the motion. All voted "aye" to approve, motion carried.

F. ADVISORY BOARD APPOINTMENTS – Consideration and action to appoint resident(s) to the following advisory boards:

1) Community Development Corporation

Mayor Houston made a motion to appoint Frank Davalos to the Community Development Corporation for a two year term (May 2013-15), Council Member Hinojosa seconded the motion. All voted "aye" to approve, motion carried.

2) Planning and Zoning Commission

No appointments were made for the Planning and Zoning Commission.

3) Ethics Board

Council Member Hinojosa made a motion to appoint Gary Meschi to the Ethics Board for a one (1) year term (May 2013-14), Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried.

Council Member Carter made a motion to appoint Jack Shanks to the Ethics Board for a one (1) year term (May 2013-14), Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried.

4) Parks and Recreation Board

Mayor Houston made a motion to appoint Nadine Smith to the Parks and Recreation Board, for a two (2) year term, Council Member Hinojosa seconded the motion. All voted "aye" to approve, motion carried.

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

Council Member Garcia made a motion to table item 7(G) 2011 Certificates of Obligation Report, Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried.

H. PARK IMPROVEMENTS - Consideration and action on park improvements to Roloff Park. (City Manager)

Council Member Keplinger made a motion to table item 7(H) Park Improvements, Council Member Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

I. CITY MANAGER'S REPORT

1) Laguna Vista Live: Music by the Bay Event

Rolando Vela announced that the Music by the Bay Event is scheduled for May 25, 2013 from 5 - 9 pm. There will be a basketball tournament, and high school coaches have offered to volunteer to run the tournament. There will also be kids rides, live music and vendors. The event will be published in all the valley newspapers.

2) Memorial Day Event

There will be a Memorial Day Ceremony on Monday, May 27, 2013.

J. EXECUTIVE SESSION - There will be an executive session as authorized by the Open Meetings Act; Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters.

- Duane A. Rasmussen v. City of Laguna Vista

Council Member Carter made a motion to go into executive session at 6:35 pm, pursuant to the Open Meetings Act, Section Meetings Act; Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters; concerning Duane A. Rasmussen v. City of Laguna Vista, Council Member Garcia seconded the motion. All voted "aye" to approve, motion carried.

Council came out of executive session at 6:50 pm.

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

No action was taken as a result of executive session.

8. ADJOURNMENT

Council Member Garcia made a motion to adjourn meeting at 6:51 pm, Council Member Kiplinger seconded the motion. All voted "aye" to approve, motion carried.

Susie Houston, Mayor

Attest:

Alma Deckard, City Secretary