

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: June 11, 2013
TIME: 6:00 p.m.
PLACE: City Hall Building

MEMBERS PRESENT: Michael Carter, Mayor Pro-Tem
Steve Muschenheim, Councilmember Place 2
Paul Villas, Councilmember Place 3
Leti Keplinger, Councilmember Place 4
Richard Hinojosa, Councilmember Place 6

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

MEMBERS ABSENT: Susie Houston, Mayor
Rita Garcia, Councilmember Place 5

ALSO PRESENT: Richard Lane, Citizen
Duane A. Rassmussen, Citizen
Martha McClain, Citizen

ORDER OF BUSINESS

- 1. Call to Order**
Mayor Pro-Tem Carter the meeting to order at 6:00 pm.
- 2. Pledge and Invocation** was lead by Council Member Villas.
- 3. Roll Call/Excused absences**

Council Member Villas made a motion to excuse Mayor Houston and Council Member Garcia from tonight's meeting; Mayor Houston is out of town and Council Member Garcia is on a school related trip, Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried.

4. OPEN FORUM

Richard Lane addressed the Council expressing concern about the coal tar that used to repair street cracks. He stated that this matter is toxic and the Town should take some safety precautions with this matter.

5. 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 May 14, 2013 Regular Meeting.
- b) **CURRENT OBLIGATIONS** – Consideration and action to approve the current obligations from the Certificates of Obligation Account for \$6,355.27.

Council Member Keplinger made a motion to approve the Consent Agenda items as follows; (a) approval of the minutes from the Town Council meeting on May 14, 2013, (b) approval of the current obligations from the Certificates of Obligation Account for \$6,355.27, Council Member Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

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

- A. **ORDINANCE NUMBER 2013-11** - Second Reading - Consideration and potential action to approve the second reading of Ordinance Number 2013-11 amending the Fiscal Year 2012-13 budget. (City Manager)

Council Member Villas made a motion to approve the second reading of Ordinance Number 2013-11 amending the Fiscal Year 2012-13 budget, Council Member Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

- B. **ORDINANCE NUMBER 2013-18** - First Reading - Consideration and potential action to approve the first reading of Ordinance Number 2013-18, repealing Ordinance Number 2003-03, in particular amending Section 2(a) to extend Roloff Park hours. (City Manager)
No action was taken on the first reading of Ordinance Number 2013-18.

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

Council Member Muschenheim made a motion to approve a correction to Resolution Number 2013-17 designating FM 510, with the Town limits, as the Purple Heart Trail, Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried.

- D. MAYOR PRO-TEM** - Consideration and potential action to appoint a Mayor Pro Tem, pursuant to Section 2.03(b) of the Home Rule Charter. (City Manager)

Council Member Villas made a motion to appoint Council Member Keplinger as Mayor Pro Tem pursuant to Section 2.03(b) of the Home Rule Charter, Council Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

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

Rolando Vela informed the Council that expenditures total \$1,385,355.27 for construction of the parks. The encumbrances still pending total \$68,939.83. Available balance is \$45,704.90.

F. CITY MANAGER'S REPORT

- a) July 4th - Laguna Vista Live: Music by the Bay Event

Rolando Vela stated that the canceled event from May 25th will be combined with the July 4th event. There will be a parade from the fire station to Roloff Park.

- b) Comprehensive Plan

Rolando Vela informed the Council that at the next meeting he will have an agenda item to appoint an ad hoc committee for the Comprehensive Plan review.

- c) Summer Feeding Program

Rolando Vela stated that the Summer Feeding Program is now in progress. The Point Isabel ISD is serving breakfast and lunch at four locations in town; Sports Park, Library, Peak Bay Apartments, and the Bahia Palms Apartments. The program will continue until August 23, 2013.

- G. EXECUTIVE SESSION** - There will be an executive session as authorized by the Open Meeting 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 Villas made a motion to go into executive session at 6:20 pm, pursuant to the Open Meetings Act, Section 551.071 to consult with Town Attorney to seek advice on legal matters, Council Member Keplinger seconded the motion. All voted "aye" to approve, motion carried.

Council came out of executive session at 6:40 pm.

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

Council Member Villas made a motion to authorize the Town Attorney to proceed with the defense of the Duane A. Rasmussen v. City of Laguna Vista case, as

discussed in executive session, Council Member Muschenheim seconded the motion. All voted "aye" to approve, motion carried.

7. ADJOURNMENT

Council Member Muschenheim made a motion to adjourn meeting at 6:42 pm, Council Member Villas seconded the motion. All voted "aye" to approve, motion carried.

Michael Carter, Mayor Pro-Tem

Attest:

Alma Deckard, City Secretary