

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

MINUTES OF A REGULAR MEETING OF THE LAGUNA VISTA TOWN COUNCIL

DATE: June 10, 2014
TIME: 6:00 p.m.
PLACE: City Hall Building

MEMBERS PRESENT: Susie Houston, Mayor
Leti Keplinger, Mayor Pro-Tem
Michael Carter, Councilmember Place 1
Wanda Reyes-Rice – Councilmember Place 2
Frank Davalos, Jr., - Councilmember Place 3
Rita Garcia, Councilmember Place 5
Richard Hinojosa, Councilmember Place 6

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

MEMBERS ABSENT: All Present

ALSO PRESENT: Arden Curts, Citizen
Bob Rice, Citizen
Anna Backues, Citizen
Richard Lane, Citizen
Joe Berkley, First Methodist Church
Barry Hamory, Citizen
Norris Fletcher, Citizen
Georgianna Duarte, Citizen
Steve Muschenheim, Citizen
Herb Houston, Citizen
Marti Etheridge, Citizen
Ginny Ossana, Citizen
Gary Meschi, Citizen
Martha McClain, Citizen
Bea William (sp), Citizen
Martin William (sp), Citizen
Mane (sp) Davis, Citizen

ORDER OF BUSINESS

1. Call to Order

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

2. Pledge and Invocation was led by Reverend Joe Berkley from the First Methodist Church in Port Isabel, Texas.

3. Roll Call/Excused absences – All Present.

4. RECOGNITION – Recognition of Police Officers (Chief McGinnis)

Robert McGinnis present Officer Frank Lerma and Sgt. Julio Olguin with the lifesaving award for saving an individual that was attempting his suicide on January 13, 2014.

5. OPEN FORUM:

Arden Curts addressed the Council concerning the enforcement of Ordinance 2007-31. He is in particular concerned about the section of the ordinance that states brush and bulk can only be placed out between the 10th and the 15th of each month. On Lakewood, people have been putting brush out since the end of May. Some enforcement needs to be conducted, because this is an eyesore to the town.

Georgianna Duarte addressed the Council, expressing thanks to the Police Department for a good job that they are doing concerning loose dogs, cats and people running the four way stop sign at the corner of Morris and Taylor. She stated that the cat problem is still an issue, but is getting better.

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 May 13, 2014 Special Meeting.

b) **MINUTES** – Consideration and action to approve the minutes from the May 13, 2014 Regular Meeting.

Council Member Davalos made a motion to approve the consent agenda items as follows; (a) approval of the minutes from the May 13, 2014 Special Council

Meeting, with the correction that Steve Muschenheim and Paul Villas were absent, however listed as both present and absent; (b) approval of the minutes from the May 13, 2014 Regular Council Meeting, Council Member Rice seconded the motion. Council Member Garcia abstained, all others voted “aye” to approve, motion carried.

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

- A. ORDINANCE NUMBER 2014-13** – Second Reading – To approve the second reading of Ordinance Number 2014-13 providing for the safe passage of vulnerable road users. (City Manager)

Council Member Garcia made a motion to approve the second reading of Ordinance Number 2014-13 providing for the safe passage of vulnerable road users, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.

- B. ORDINANCE NUMBER 2014-14** – Second Reading – To approve the second reading of Ordinance Number 2014-14 banning texting while driving within the Town limits of the Town of Laguna Vista. (City Manager)

Council Member Keplinger made a motion to approve the second reading of Ordinance Number 2014-14 banning texting while driving within the Town limits of the Town of Laguna Vista, Council Member Garcia seconded the motion. All voted “aye” to approve, motion carried.

- C. RESOLUTION NUMBER 2014-15** – To approve Resolution Number 2014-15 recognizing former Council Member Paul Villas for his years of service. (City Manager)

Council Member Davalos made a motion to approve Resolution Number 2014-15 recognizing former Council Member Paul Villas for his years of service, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.

Council Member Carter arrived for meeting at 6:13 pm.

- D. RESOLUTION NUMBER 2014-16** – To approve Resolution Number 2014-16 recognizing former Council Member Steve Muschenheim for his years of service. (City Manager)

Mayor Houston made a motion to approve Resolution Number 2014-16 recognizing former Council Member Steve Muschenheim for his years of service, Council Member Garcia seconded the motion. All voted “aye” to approve, motion carried.

- E. **ORDINANCE NUMBER 2014-17** – First Reading – To approve the first reading of Ordinance Number 2014-17, adopting the new zoning ordinance and zoning map for the Town of Laguna Vista and repealing Ordinance Number 62-A. (City Manager)

Council Member Hinojosa made a motion to approve the first reading of Ordinance Number 2014-17 adopting the new zoning ordinance and zoning map for the Town of Laguna Vista and repealing Ordinance Number 62-A, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

- F. **RESOLUTION NUMBER 2014-18** – Consideration and approval of Resolution Number 2014-18 authorizing review of Texas Gas Service Company’s cost of service adjustment (COSA). (City Manager)

Council Member Rice made a motion to approve Resolution Number 2014-18 authorizing review of Texas Gas Service Company’s cost of service adjustment (COSA), Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.

- G. **RESOLUTION NUMBER 2014-19** – Consideration and approval of Resolution Number 2014-19 authorizing the signatory agents for the Town’s bank accounts. (City Secretary)

Council Member Davalos made a motion to approve Resolution Number 2014-19 authorizing the signatory agents for the Town’s bank accounts, Council Member Garcia seconded the motion. All voted “aye” to approve, motion carried.

- H. **MAYOR PRO-TEM APPOINTMENT** – Pursuant to Home Rule Charter, Article II, Section 2.03(b). (City Manager)

Mayor Houston made a motion to appoint Council Member Carter as Mayor Pro-Tem, pursuant to the Home Rule Charter, Article II, Section 2.03(b), Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

- I. RESIDENCY REQUIREMENTS** – To formally approve the City Manager’s residency outside of Laguna Vista, pursuant to Section 3.02 of the Home Rule Charter. (Council Members Davalos and Hinojosa)

Council Member Davalos made a motion to formally approve the City Manager’s residency outside of Laguna Vista, pursuant to Section 3.02 of the Home Rule Charter, Council Member Rice seconded the motion. Council Member Carter opposed motion, all other voted “aye” to approve, motion carried.

- J. ENGINEERING AGREEMENT** – To authorize the Mayor to execute the agreement between Cruz-Hogan Consulting Engineers and the Town of Laguna Vista to prepare the construction plans for the street improvements for Palm Blvd and Mesquite Drive. (City Manager)

Mayor Houston made a motion to authorize the Mayor to execute the agreement between Cruz-Hogan Consulting Engineers and the Town of Laguna Vista to prepare the construction plans for the street improvements for Palm Blvd and Mesquite Drive, Council Member Carter seconded the motion. All voted “aye” to approve, motion carried.

- K. ANIMAL CONTROL SERVICES** – Discussion and potential action on entering into an agreement with the City of Port Isabel for animal control services. (City Manager)

Council Member Garcia made a motion to make the offer of \$1,000 per month to the City of Port Isabel for animal control services, Council Member Hinojosa seconded the motion. All voted “aye” to approve, motion carried.

- L. PERSONNEL POLICY MANUAL** – To approve the Personnel Policy Manual for the Town of Laguna Vista. (City Manager)

Council Member Garcia made a motion to approve the Personnel Policy Manual for the Town of Laguna Vista, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.

- M. POWER HOUSE CHURCH** – Consideration and action on request from Power House Church from Brownsville to use Roloff Park on June 13 from 5pm to 10pm for a school out celebration for their church youth. (City Manager)

Item “M” Power House Church was withdrawn from the agenda by Mayor Houston, as requested by Rolando Vela. No action was taken.

N. ADVISORY BOARD APPOINTMENTS – Consideration and action to appoint residents to the following advisory boards: (City Manager)

1) Board of Adjustments

No appointments were approved for the Board of Adjustments.

2) Parks & Recreation Board

Mayor Houston made a motion to appoint Nancy Ostos to the Parks and Recreation Board, Council Member Carter seconded the motion. Council Member Hinojosa opposed motion, all others voted “aye” to approve, motion carried.

Council Member Carter made a motion to appoint Gabby Muschenheim to the Parks and Recreation Board, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.

Council Member Keplinger made a motion to appoint Yolanda Birdwell to the Parks and Recreation Board, Council Member Garcia seconded the motion. All voted “aye” to approve, motion carried.

3) Planning & Zoning Commission

Council Member Keplinger made a motion to appoint Chris Meade to the Planning & Zoning Commission, Council Member Carter seconded the motion. All voted “aye” to approve, motion carried.

Mayor Houston made a motion to appoint Jacqui Hinchman to the Planning & Zoning Commission, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

Council Member Carter made a motion to appoint Robert Rice to the Planning & Zoning Commission, Council Member Keplinger seconded the motion. All voted “aye” to approve, motion carried.

4) Ethics Board

Council Member Hinojosa made a motion to appoint Bob Matoush to the Ethics Board, Council Member Garcia seconded the motion. Mayor Houston and Council Member Carter opposed appointment, all others voted “aye” to approve, motion carried.

Council Member Keplinger made a motion to appoint Frank Mata to the Ethics Board, Council Member Davalos seconded the motion. All voted “aye” to approve, motion carried.

Council Member Davalos made a motion to appoint Barry Hamory to the Ethics Board, Council Member Hinojosa seconded the motion. All voted “aye” to approve, motion carried.

Council Member Keplinger made a motion to appoint Ken Helmke to the Ethics Board, Council Member Carter seconded the motion. All voted “aye” to approve, motion carried.

5) Library Board

Council Member Davalos made a motion to appoint Anna Backues to the Library Board, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.

O. WELCOMING COMMITTEE – Discussion on the formation of a welcoming committee to welcome new Laguna Vista residents. (City Manager)

No action was taken on Item “O” Welcoming Committee.

P. CHARTER AMENDMENTS – Discussion and potential action on amendments to the Home Rule Charter. (Council Members Davalos and Hinojosa)

- 1) Modify Section 1.03 (c) to allow the Town to be named as a Village. This section only restricts it being names a City or a Town.
- 2) Modify Section 2.02 (c) to reduce the number of Council Members from seven to six.
- 3) Modify Section 2.03 (a) to reflect that the Mayor will not be a voting member of the Town Council.
- 4) Section 2.06 (b)(4) to clarify what constitutes an excused absence and whether this particular section applies to all meetings or just regular meetings.
- 5) Modify Section 4.05(e) to allow non-attorneys to also serve as a Municipal Judge.
- 6) Modify Section 6.03 (b) to reflect that a majority vote, and not 51%, shall declare the winner of an election to the Town Council.

Mayor Houston made a motion to table Item P (1 – 6) Charter Amendments, Council Member Carter seconded the motion. Council Member Garcia and Davalos opposed motion, all others voted “aye” to approve, motion carried.

Q. FISCAL YEAR 2014-15 BUDGET SCHEDULE – Review of the 2014-15 budget schedule. (City Manager)

No action was taken on Item “Q” Fiscal Year 2014-15 Budget Schedule. Tentative dates were given to the Council for the 2014-15 budget process.

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

Rolando Vela informed the Council that there is a balance of \$55,711 available in the Certificates of Obligation fund. There are still approximately \$8,093 to be spent for fire hydrants.

S. CITY MANAGER’S REPORT

1) July 4th Parade and Picnic

Rolando Vela stated that we hope to incorporate health and fitness in the July 4th event. Aside from the parade and picnic, there will be a 5K walk and possibly a basketball tournament during the day. A Zumba class will also be coordinated. There will be water slides for the kids and Hector Guzman from the All Nighters will be playing from 5 – 9 pm.

2) Financial Performance Report – 3rd Quarter

Rolando Vela explained that the 3rd quarter ends on June 30th and he will do the quarterly report at the July 2014 meeting.

3) Memorial Day

Rolando Vela stated that many compliments and positive calls came as a result of the May 26, 2014 Memorial Day Ceremony. A letter was received from a citizen stated that the event was very emotional and brought back many memories.

4) Summer Feeding Program

Rolando Vela informed the Council that the Summer Feeding Program began yesterday. There are four locations throughout town, with them serving breakfast and lunch. The Town has partnered with the School District for the Program.

- T. EXECUTIVE SESSION** - There will be an Executive Session in accordance with the Open Meetings Act, as authorized by the Texas Government Code, Section §551.071; consultation with Town Attorney to seek advice in legal matters.

✚ Extra-Territorial Jurisdiction potential litigation

Council Member Keplinger made a motion to go into executive session at 7:12 pm, pursuant to the Open Meetings Act, as authorized by the Texas Government Code, Section §551.071, consultation with Town Attorney to seek advice in legal matters – Extra-Territorial Jurisdiction potential litigation, Council Member Rice seconded the motion. All voted “aye” to approve, motion carried.

Council came out of executive session at 7:35 pm.

- U. OPEN SESSION** - Action, if any, on the items discussed in Executive Session.

No action was taken as a result of executive session.

V. ADJOURNMENT

Council Member Garcia made a motion to adjourn meeting at 7:36 pm, Council Member Hinojosa seconded the motion. All voted “aye” to approve, motion carried.

Susie Houston, Mayor

Attest:

Alma Deckard, City Secretary