

MINUTES CITY OF SOUTH PADRE ISLAND CITY COUNCIL REGULAR MEETING
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WEDNESDAY, FEBRUARY 17, 2016

1. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, February 17, 2016 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Mayor Patel called the meeting to order at 5:30 p.m. A full quorum was present: Council Member Dennis Stahl, Alex Avalos, Theresa Metty, Alita Bagley and Paul Munarriz. Also present was City Attorney Paul Cunningham.

City staff members present were City Manager William DiLibero, Assistant City Manager Darla Jones, Public Safety Director Randy Smith, Public Works Director Armando Gutierrez, Finance Director Rodrigo Gimenez, Development Director Sungman Kim, Administrative Services Director Wendi Delgado, CVB Director Keith Arnold, Environmental Health Director Victor Baldovinos, Permit/Parks & Recreation Program Manager Mary Kay Hancock and City Secretary Susan Hill.

2. PLEDGE OF ALLEGIANCE

Mayor Patel led the Pledge of Allegiance.

3. PUBLIC COMMENTS AND ANNOUNCEMENTS

Public comments and announcements were given at this time.

4. PRESENTATIONS AND PROCLAMATIONS:

- a. **PROCLAMATION: RESPONSIBLE PET OWNERS' MONTH**
- b. **PRESENTATION: RECOGNITION OF RETIRING ASSISTANT POLICE CHIEF JAVIER GARZA**

5. APPROVE CONSENT AGENDA:

Mayor Patel announced that Item 5b would be pulled to be considered separately

Council Member Bagley made a motion, seconded by Council Member Metty to approve Items 5a, 5c, 5d, 5e, 5f and 5g on the Consent Agenda. Motion passed unanimously.

Council Member Bagley made a motion to approve Item 5b on the Consent Agenda. Motion was seconded by Council Member Stahl, which carried on a 5 to 0 vote with Council Member Avalos abstaining from the vote.

- a. **APPROVE MINUTES OF FEBRUARY 3, 2016 REGULAR MEETING. (HILL)**

- b. **APPROVE INVOICES FOR PAYMENT. (GIMENEZ)**

Invoices approved for payment were paid by General Fund checks numbered 134663 through 134772 and EFT payments totaling \$572,900.18.

- c. **APPROVE RESOLUTION NO. 2016-04 AND TXDOT AGREEMENT SUPPORTING THE TEMPORARY CLOSURE OF THE QUEEN ISABELLA CAUSEWAY ON SATURDAY, APRIL 16, 2016 FOR THE BEACH N BIKER FEST MOTORCYCLE PARADE. (HANCOCK)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2016-04, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- d. **APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$21,903.75 FOR ADDITIONAL PAINTING AND TREATMENT FOR THE WALKING LINE ON GULF BOULEVARD. (PATEL/DILIBERO)**
 - e. **APPROVE BUDGET AMENDMENT IN THE AMOUNT OF \$63,000 FOR THE PURCHASE OF LICENSE PLATE READERS (\$60,000 BUDGETED, \$3,000 FROM EXCESS RESERVES). (GUTIERREZ/SMITH)**
 - f. **APPROVE BUDGET AMENDMENT IN THE AMOUNT OF \$2,800 FOR THE PURCHASE OF TWO COMPUTERS FOR THE MUNICIPAL COURT WINDOWS FROM THE MUNICIPAL COURT TECHNOLOGY FUND. (DELGADO)**
 - g. **AUTHORIZE THE ALLOCATION OF FUNDS FOR THE PRINTING OF A SPRING BREAK FLYER AT AN AMOUNT NOT TO EXCEED \$15,000. FUNDS WILL COME FROM THE CVB ADVERTISING BUDGET. (PATEL/DILIBERO)**
6. **DISCUSSION AND POSSIBLE ACTION TO DIRECT CITY STAFF TO RESEARCH THE POSSIBILITY OF SELLING BEVERAGES, FOOD AND ALCOHOL BEVERAGES ON THE BEACH AND DRAFT AN ORDINANCE ON THAT BEHALF. (STAHL)**
- Council Member Stahl made a motion, seconded by Council Member Munarriz to direct City Staff to bring forth an ordinance for food and beverage on the beach. Motion was then amended to include the Food Truck Sub-committee in the drafting of this ordinance. Motion carried unanimously.
7. **UPDATE ON THE LEVEL OF GENERAL FUND EXCESS RESERVES AND ALLOCATION REQUESTS. (GIMENEZ)**
- Finance Director Rodrigo Gimenez gave an update on excess reserves available, upcoming allocation requests and possible solutions to fund allocation requests.
8. **DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE NO. 16-05 ADDING TO CHAPTER 10, SEC. 10-31 THRU SEC. 10-33 ALLOWING MOBILE FOOD ESTABLISHMENTS IN THE CITY OF SOUTH PADRE ISLAND ON PRIVATE PROPERTY AND BUDGET AMENDMENT OF \$2,500. (BALDOVINOS)**
- Council Member Bagley made a motion to approve first reading of Ordinance No. 1y6-05 allowing mobile food establishments in the City and approve budget amendment in the amount of \$2,500. Motion was seconded by Council Member Avalos, which passed on a unanimous vote.
9. **DISCUSSION AND ACTION REGARDING A MARKET AND FEASIBILITY STUDY TO SUPPORT GRANT APPLICATIONS FOR (A) A NEW PUBLIC BOAT RAMP AT CORRAL STREET, (B) LAND ACQUISITION SOUTH OF THE CAUSEWAY FOR A NATURE TRAIL, KAYAK LAUNCH, ELEVATED BOARDWALK WITH EDUCATIONAL SIGNS AND BIRDING OUTLOOK, AND (C) LAND ACQUISITION NORTH OF THE CAUSEWAY FOR A NATURE TRAIL, KAYAK LAUNCH, ELEVATED BOARDWALK WITH EDUCATIONAL SIGNS, BIRDING OUTLOOK AND EDUCATIONAL BUILDING. (DILIBERO)**
- Council Member Bagley made a motion, seconded by Council Member Avalos to select Market & Feasibility Advisors, LLC for a feasibility study on grant application submittals. Motion carried unanimously.
10. **DISCUSSION AND ACTION REGARDING INSTALLATION OF DIGITAL SIGNS AT THE CONVENTION CENTER AND APPROVE BUDGET AMENDMENT NOT TO EXCEED \$21,000. (PATEL/ARNOLD)**

Mayor Patel made a motion to approve the installation of digital sign at the Convention Center and approve a budget amendment not to exceed \$32,000. Motion was seconded by Council Member Metty, which passed unanimously.

11. **DISCUSSION AND ACTION REGARDING EVENT DIGITAL SIGNAGE TO BE PLACED IN THE MEDIANS LOCATED ON THE SOUTH END OF THE ISLAND (NORTH OF THE CAUSEWAY), APPROVE BUDGET AMENDMENT NOT TO EXCEED \$23,000; AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR USE OF THEIR PROPERTY. (PATEL/ARNOLD)**

Mayor Patel made a motion, seconded by Council Member Avalos to approve an event digital sign, subject to approval by TxDOT (Texas Department of Transportation), to be erected in the medians on the south end of the Island, north of the causeway; and approve a budget amendment not to exceed \$35,000. Motion carried on a unanimous vote.

12. **DISCUSSION AND ACTION TO AMEND THE EXISTING CONTRACT WITH KIMLEY-HORN FOR THE TRANSPORTATION PLAN UPDATE TO INCLUDE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATES (PS&E), ENVIRONMENTAL CLEARANCE, SURVEYS AND OTHER RELATED ITEMS FOR THE PADRE BOULEVARD CONNECTIVITY PROJECT, TO COMPLY WITH TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT RECEIVED FROM TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), AND AUTHORIZE THE CITY MANAGER TO EXECUTE SAID CONTRACT AMENDMENTS. (JONES)**

Council Member Bagley made a motion to approve Amendment No. 1 (Phase I) and the Survey/ROW Mapping of Amendment No. 2 (Phase 2). Council Member Stahl seconded the motion, which passed unanimously.

13. **DISCUSSION AND ACTION TO AMEND THE BUDGET FOR THE PADRE BOULEVARD/KIMLEY HORN CONTRACT AMENDMENTS AND FOR THE TAP GRANT LOCAL MATCH REQUIREMENTS. (JONES)**

Council Member Bagley made a motion, seconded by Mayor Patel to approve budget amendment in the amount of \$731,473 for Amendment No. 1 (Phase I) and the Survey/ROW Mapping of Amendment No. 2 (Phase 2) of the Kimley Horn contract for the TAP Grant local match requirements. Motion carried on a unanimous vote.

14. **DISCUSSION AND ACTION FOR AUTHORIZATION TO INDEMNIFY COLUMBIA PADRE BOULEVARD, LLC FOR USE OF THEIR PROPERTY LOCATED BETWEEN ISLAND BAPTIST CHURCH AND WATER TOWER PARK AS STAGING FOR AIR CARE EMERGENCY MEDICAL TRANSPORT STATION. (DILIBERO/SMITH)**

Mayor Patel made a motion to indemnify Columbia Padre Boulevard from any and all liability, cost or expenses arising out of or relating to the use of their property for emergency medical services during the month of March 2016. Motion was seconded by Council Member Munarriz, which passed unanimously.

15. **DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE NO. 16-03 AMENDING SECTION 23.14(F) SIDEWALKS OF CHAPTER 23 SUBDIVISION REGULATIONS PROVISIONS BY REQUIRING SIDEWALK IMPROVEMENTS FOR ALL SUBDIVISION PROJECTS WITHOUT EXCEPTION AND BY CLARIFYING THE LOCATION OF SIDEWALK IMPROVEMENTS AND THE REQUIRED SPECIFICATIONS TO BE CONSISTENT WITH THE CURRENT EDITION OF STANDARDS AND SPECIFICATIONS FOR THE ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR THE CITY OF SOUTH PADRE ISLAND. (KIM)**

Council Member Avalos made a motion, seconded by Council Member Stahl to approve first reading of Ordinance No. 16-03. Motion carried unanimously.

16. **DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE NO. 16-04 AMENDING SECTION 15-2 OF CHAPTER 15 SIGNS BY ADDING THE DEFINITION OF 'UMBRELLA SIGN' WITH ITS STANDARDS; ADDING THE DEFINITIONS OF 'SUSPENDED SIGN', 'PARASITE SIGN' AND 'UMBRELLA' FOR EASIER UNDERSTANDING AND PRACTICAL APPLICATION OF SECTION 15. (KIM)**

Mayor Patel made a motion to approve first reading of Ordinance No. 16-04. Council Member Metty seconded the motion, which passed unanimously.

17. **DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT IN THE GENERAL FUND IN THE AMOUNT OF \$8,504 AND A BUDGET AMENDMENT IN THE BEACH MAINTENANCE FUND IN THE AMOUNT OF \$11,216 TO ALLOCATE MONIES FOR PERSONNEL COST ASSOCIATED WITH THE SHORELINE MANAGEMENT DEPARTMENT PHASE I. (DILIBERO)**

Council Member Munarriz made a motion, seconded by Council Member Metty to approve budget amendments of \$8,504 (General Fund) and \$11,216 (Beach Maintenance Fund) for personnel cost associated with Phase I of the newly formed Shoreline Management Department. Motion carried with a unanimous vote.

18. **DISCUSSION AND ACTION TO AUTHORIZE FUNDING FOR SPRING BREAK EMERGENCY SERVICES FOR BEACH RELATED MEDICAL SERVICES AT AN AMOUNT NOT TO EXCEED \$15,000. (DILIBERO/SMITH)**

Council Member Avalos made a motion to approve funding for Spring Break beach related emergency medical services not to exceed \$15,000. Motion was seconded by Council Member Stahl, which passed unanimously.

19. **DISCUSSION AND POSSIBLE ACTION TO APPROVE YEAR 1(CURRENT FISCAL YEAR) OF THE NEW STREET & DRAINAGE IMPROVEMENT PLAN FOR FISCAL YEAR 2016-17. (GUTIERREZ)**

Discussion was held, no action taken.

20. **DISCUSSION AND ACTION TO APPROVE THE FOLLOWING STREET IMPROVEMENT PROJECTS/REPAIRS: (GUTIERREZ)**

- a. **APPROVE THE REPLACEMENT OF THE 10-INCH STORM PIPE WITHIN THE DRAINAGE EASEMENT AT 104 WEST MORNINGSIDE AND APPROVE A BUDGET AMENDMENT IN AN AMOUNT NOT TO EXCEED \$49,450.**
- b. **APPROVE THE CONSTRUCTION OF A CONCRETE VALLEY GUTTER ON THE SOUTH SIDE OF EAST BAHAMA FROM MIDBLOCK TO PADRE BOULEVARD AND APPROVE A BUDGET AMENDMENT IN AN AMOUNT NOT EXCEED \$21,000.**
- c. **APPROVE THE CONSTRUCTION OF A CONCRETE VALLEY GUTTER ON THE SOUTH SIDE OF EAST WHITESANDS NEAR PADRE BOULEVARD AND APPROVE A BUDGET AMENDMENT IN AN AMOUNT NOT TO EXCEED \$16,000.**
- d. **APPROVE THE CONSTRUCTION OF A CONCRETE VALLEY GUTTER ON THE NORTH SIDE OF WEST LANTANA ABOUT MIDPOINT BETWEEN LAGUNA BOULEVARD AND THE BAY AND APPROVE A BUDGET AMENDMENT IN AN AMOUNT NOT TO EXCEED \$6,000.**
- e. **APPROVE THE CONSTRUCTION OF 400 FOOT X 36-INCH CONCRETE VALLEY GUTTER AT THE AREA OF 410 FRONTAGE ROAD AND APPROVE A BUDGET AMENDMENT IN AN AMOUNT NOT TO EXCEED \$23,350.**
- f. **APPROVE THE REPLACEMENT OF THE STREET APPROACH ASPHALT APRON WITH CONCRETE AT THE INTERSECTION OF EAST PALMETTO TO PADRE BOULEVARD AND APPROVE A BUDGET AMENDMENT IN AN AMOUNT NOT TO EXCEED \$9,000.**

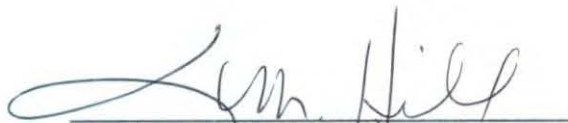
G. APPROVE THE REPLACEMENT OF THE STREET APPROACH ASPHALT APRON WITH CONCRETE AT THE INTERSECTION OF WEST ESPERANZA TO PADRE BOULEVARD AND APPROVE A BUDGET AMENDMENT IN AN AMOUNT NOT TO EXCEED \$9,000.

H. APPROVE THE REPLACEMENT OF THE STREET APPROACH ASPHALT APRON WITH CONCRETE AT THE INTERSECTION OF WEST REDSNAPPER TO PADRE BOULEVARD AND APPROVE A BUDGET AMENDMENT IN AN AMOUNT NOT TO EXCEED \$10,000.


Council Member Stahl made a motion, seconded by Council Member Munarriz to approve street improvement projects/repairs listed in Items 20a, 20b, 20c, 20d, 20e, 20f, 20g and 20h; and budget amendment in the amount \$143,800 to fund each project accordingly. Motion carried on a unanimous vote.

21. **ADJOURN.**

There being no further business, Mayor Patel adjourned the meeting at 7:36 p.m.


Susan M. Hill, City Secretary

APPROVED


Bharat R. Patel, Mayor

