

<b>MINUTES</b> <b>CITY OF SOUTH PADRE ISLAND</b> <b>CITY COUNCIL REGULAR MEETING</b>
--

**WEDNESDAY, JULY 20, 2016**

**I. CALL TO ORDER**

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, July 20, 2016 at the Municipal Complex Building, 2<sup>nd</sup> 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 and Assistant City Attorney Kathy Cunningham.

City staff members present were Interim City Manager Darla Jones, Public Safety Director Randy Smith, Public Works Director Armando Gutierrez, Development Director Sungman Kim, Shoreline Management Director Patrick Barrineau, Shoreline Program & Project Manager Brandon Hill, and City Secretary Susan Hill.

**II. PLEDGE OF ALLEGIANCE**

Mayor Patel led the Pledge of Allegiance.

**III. PUBLIC COMMENTS AND ANNOUNCEMENTS**

Public comments and announcements were given at this time.

**IV. PRESENTATIONS AND PROCLAMATIONS**

None.

**V. APPROVE CONSENT AGENDA:**

*Mayor Patel announced that Item 5b will be pulled to be considered separately.*

Council Member Munarriz made a motion, seconded by Council Member Stahl to approve Items 5a, 5c, 5d and 5e on the Consent Agenda. Motion carried unanimously.

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

**a. APPROVE MINUTES OF JUNE 30, 2016 SPECIAL MEETING AND JULY 6, 2016 REGULAR MEETING. (HILL)**

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

Invoices approved for payment were paid by General Fund checks numbered 135883 through 135978 and EFT payments totaling \$717,645.31.

**c. APPROVE INSTALLATION OF THE CITY LOGO SIGNAGE ON THE COMMUNITY CENTER IN THE AMOUNT OF \$3,711.40, APPROVE CHANGE ORDER #6 FOR SAME AMOUNT, AS WELL AS, BUDGET AMENDMENT FOR \$1,712. (GUTIERREZ)**

**d. APPROVE INTERLOCAL AGREEMENT WITH LAGUNA MADRE WATER DISTRICT IN THE AMOUNT OF \$15,000 TO CLEAN THE CITY'S STORM DRAINS. (GUTIERREZ)**

**e. APPROVE SECOND AND FINAL READING OF ORDINANCE NO. 16-15 AMENDING SECTION 4-27 "STANDARDS FOR CONSTRUCTION" BY ADDING SUBSECTION 4-27(Z) PROHIBITING CHAIN LINK FENCES WHILE ALLOWING VINYL-COATED CHAIN LINK FENCES**

**TEMPORARILY FOR CONSTRUCTION SITES AND ALLOW FOR TENNIS AND BASKETBALL COURTS ONLY. (BAGLEY)**

A true and correct copy of said Ordinance was placed in the City's Ordinance Book and entitled Ordinance No. 16-15, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book

**VI. DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE NO. 16-16 AMENDING SEC. 11-216 OF CHAPTER OF THE CODE OF ORDINANCES PERTAINING TO WRECKER COMPANIES (TOW TRUCKS) AND INCREASING THE ALLOWED MAXIMUM TO FIVE (5). (SMITH)**

Council Member Stahl made a motion to approve first reading of Ordinance No. 16-16 which allows the number of Wrecker permits to five. Motion was seconded by Council Member Metty, which carried on a unanimous vote.

**VII. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR ABANDONMENT OF PORTION OF KINGFISH STREET PUBLIC RIGHT-OF-WAY WEST OF LAGUNA BOULEVARD BY SAND CASTLE COUNCIL OF CO-OWNERS, INC., SAND CASTLE II ASSOCIATION OF CO-OWNERS, INC. AND SAND CASTLE III ASSOCIATION OF CO-OWNERS, INC. (COLLECTIVELY REFERRED TO AS THE "ASSOCIATIONS"). (MUNARRIZ)**

After a presentation from Ramona Kantack Alcantara who was representing the owners of Sand Castle, Council Member Stahl made a motion, seconded by Council Member Munarriz to instruct the City staff and City Attorney to move forward with the request to abandon the City's easement on Kingfish Street without an appraisal, subject to the property be reverted back to City should there be a transfer of ownership. After further discussion, the motion was amended to include a provision that in addition to transfer of ownership, property be reverted back if there is a change of use. Also included in the amendment was that Sand Castle will pay all administrative costs and fees. Motion carried on a 5 to 1 vote with Council Member Avalos casting a nay vote.

**VIII. PUBLIC HEARING AND DISCUSSION AND ACTION REGARDING A SPECIFIC USE PERMIT FOR A SUBSTANCE ABUSE TREATMENT FACILITY PROPOSED AT LOT 1, BLOCK 179, FIESTA ISLES SUBDIVISION, SECTION XII: (KIM)**

**a. PUBLIC HEARING: TO DISCUSS PERMITTING A SPECIFIC USE FOR A SUBSTANCE ABUSE TREATMENT FACILITY PROPOSED AT LOT 1, BLOCK 179, FIESTA ISLES SUBDIVISION, SECTION XII.**

At 6:20 p.m., Mayor Patel opened the Public Hearing.

Proponents: John Patton, Deborah Patton, Jenny Polk, Dr. Guevara  
Opponents: Michael Kadell

Mayor Patel closed the Public Hearing at 6:34 p.m.

**b. DISCUSSION AND ACTION ON A SPECIFIC USE FOR A SUBSTANCE ABUSE TREATMENT FACILITY PROPOSED AT LOT 1, BLOCK 179, FIESTA ISLES SUBDIVISION, SECTION XII.**

Council Member Bagley made a motion to approve the Specific Use Permit for a substance abuse treatment facility at 5508 Padre Boulevard with the six (6) conditions listed below. Council Member Avalos seconded the motion, which passed on a unanimous vote.

Conditions of permit are:

1. The proposed intensity shall be kept and maintained as a 2-story building with maximum 20 beds licensed by Texas Department of State Health Services (TX DSHS);
2. The business shall not operate an outpatient methadone dispensary/clinic, or any variation thereof;

3. The applicant shall operate a Substance Abuse Treatment Facility that only allows voluntary entry by persons, and such entry shall only be allowed after the applicant has used commercially reasonable efforts to administer their screening program to avoid entry by persons having a violent criminal history. It shall be a violation of this permit if the Substance Abuse Treatment Facility allows entry by any person (1) as part of a criminal justice program, such as pretrial diversion; and/or (2) pursuant to a Court order;
4. The applicant agrees that it is an express condition of this Specific Use Permit that the applicant must maintain a Substance Abuse Treatment Facility License;
5. Owned and operated by the Outcomes Detox Center;
6. The Specific Use Permit is not transferable.

**IX. UPDATE PRESENTATION OF THE GULF BOULEVARD PHASE 4 PROJECT SCHEDULE. (GUTIERREZ)**

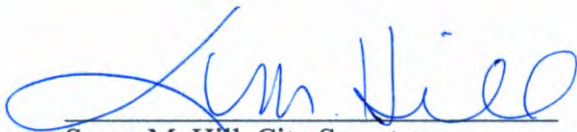
Public Works Director Armando Gutierrez gave a brief update on the Gulf Boulevard Phase 4 Project. Armando introduced a revised timeline and explained the changes/adjustments made. Discussion was held.

**X. DISCUSSION AND ACTION TO APPROVE BEACH & DUNE PERMIT FOR THE PROPOSED MARRIOTT HOTEL LOCATED AT 6700 PADRE BOULEVARD (IMMEDIATELY SOUTH OF CLAYTON'S BEACH BAR AND GRILL AND IMMEDIATELY NORTH OF THE TIKI CONDOMINIUM COMPLEX) FOR THE CONSTRUCTION OF A DECK AND WALKOVER. (BARRINEAU)**

Council Member Stahl made a motion, seconded by Council Member Munarriz to approve Beach & Dune Construction Permit to the proposed Courtyard by Marriott Hotel by Marriott Hotel to construct a deck and walkover at property located at 6700 Padre Boulevard. Motion passed on a 5 to 0 vote with Mayor Patel abstaining from both the vote and discussion.

**XI. ADJOURN.**

There being no further business, Mayor Patel adjourned the meeting at 7:06 p.m.

  
 \_\_\_\_\_  
 Susan M. Hill, City Secretary

APPROVED

  
 \_\_\_\_\_  
 Bharat R. Patel, Mayor

