

MINUTES CITY OF SOUTH PADRE ISLAND CITY COUNCIL REGULAR MEETING
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WEDNESDAY, OCTOBER 19, 2016

I. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, October 19, 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 quorum was present: Council Member Dennis Stahl, Alita Bagley and Paul Munarriz. Absent were Council Members Alex Avalos and Theresa Metty. In attendance were City Attorney Paul Cunningham and Assistant City Attorney Kathy Cunningham.

City staff members present were City Manager Susan Guthrie, Assistant City Manager Darla Jones, Public Safety Director Randy Smith, Finance Director Rodrigo Gimenez, Development Director Sungman Kim, Administrative Services Director Wendi Delgado, CVB Director Keith Arnold, Interim Fire Chief Albert Perez, Environmental Health Director Victor Baldovinos, Transit Director Jesse Arriaga, Shoreline Program & Project Manager Brandon Hill, Information Technology Director Juan Infante, Media Relations Manager Nancy Botello and City Secretary Susan Hill.

11. 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:

a. PROCLAMATION: CHAMBER OF COMMERCE WEEK

V. APPROVE CONSENT AGENDA:

Council Member Stahl made a motion, seconded by Council Member Bagley to approve the Consent Agenda. Motion carried unanimously.

a. APPROVE MINUTES OF OCTOBER 5, 2016 REGULAR MEETING. (S. HILL)

b. APPROVE INVOICES FOR PAYMENT. (GIMENEZ)

Invoices approved for payment were paid by General Fund checks numbered 136515 through 136655 and EFT payments totaling \$1,623,258.27.

c. APPROVE THE 2016/2017 UNINCORPORATED CAMERON COUNTY DISTRICT 1 ZONE 6 EMERGENCY SERVICES CONTRACT FOR FIRE AND EMS SERVICES. (PEREZ)

d. APPROVE RESOLUTION AUTHORIZING CLOSURE OF PADRE BOULEVARD (PR 100) FRIDAY, DECEMBER 9, 2016 FOR THE ANNUAL CHRISTMAS PARADE; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION TXDOT) FOR THE PERMITTING OF THE EVENT. (HANCOCK)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2016-30, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

e. APPROVE EXCUSED ABSENCE FOR THERESA METTY FROM THE OCTOBER 5, 2016 CITY COUNCIL MEETING. (METTY)

- 6. DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE NO. 16-21 VACATING AND CLOSING A PORTION OF A CERTAIN STREET/ROADWAYS WITHIN THE CITY AND KNOWN AS THE PORTION OF WEST KINGFISH STREET LOCATED BETWEEN THE WEST RIGHT-OF-WAY LINE OF LAGUNA BOULEVARD ALONG THE LINE FROM THE EASTERN PROPERTY LINES OF (I) LOT 8, BLOCK 65, AND (II) LOT 9, BLOCK 66, PADRE BEACH SECTION V, THROUGH TO THE LAGUNA MADRE, ALL ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 14, PAGE 68 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS; AND AUTHORIZING THE TRANSFER OF THE SAID ABANDONED ROADWAY TO THE ABUTTING PROPERTY OWNERS. (MUNARRIZ)**

Council Member Munarriz made a motion to approve first reading of Ordinance No. 16-21 vacating and closing a portion of West Kingfish Street. Motion was seconded by Council Member Stahl, which passed on a unanimous vote.

- 7. DISCUSSION AND ACTION TO CONSIDER FUNDING REQUEST IN THE AMOUNT OF \$19,534 FOR THE ARTIFICIAL REEF FALL 2016 DEPLOYMENT. (PATEL)**

Council Member Stahl made a motion, seconded by Council Member Munarriz to approve funding request in the amount of \$19,534 from the General Fund. After some discussion, motion was withdrawn.

Council Member Stahl made a motion to refer this request to the Convention and Visitors Advisory Board for funding. Motion was seconded by Council Member Bagley, which carried unanimously.

- 8. DISCUSSION AND ACTION ON POSSIBLE AMENDMENTS TO CHAPTER 11, ARTICLE 12 (SHORT TERM RENTALS) AS REQUESTED BY THE SOUTH PADRE ISLAND BOARD OF REALTORS; AND DIRECT CITY ATTORNEY TO DRAFT AMENDING ORDINANCE. (STAHL)**

Council Member Stahl made a motion, seconded by Council Member Bagley to approve the following amendments to Chapter 11, Article 12 (Short Term Rentals) and direct the City Attorney to draft amending ordinance. Motion passed unanimously. Amendments approved are:

Section 11-220(d): The Owner shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the residential dwelling unit as a short term rental unit.)

Section 11-221(b)(3): The local contact person is the person designated by the owner or the operator who shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of: (1) responding within one hour to complaints regarding the condition, operation, or conduct of occupants of the short term rental unit; and (2) taking remedial action to resolve any such complaints.

Section 11-221(d): (1) The short term rental registration form shall be accompanied by a registration fee as established by the City Council.

i. The rental registration fee shall be fifty dollars (\$50.00) (per rental unit).

ii. The registration fee is waived for those properties that have been properly remitting hotel occupancy tax.

(2) A registration is valid from the date the completed registration is filed with the City and payment of the registration fee (if applicable) has been made, and is transferrable if the ownership of the short term rental changes.

(3) Each property shall be issued a registration number.”

9. **DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2016-31 AMENDING RESOLUTION NO. 2014-25 BY EXPANDING THE CRITERIA FOR MEMBERS OF THE CONVENTION AND VISITORS ADVISORY BOARD. (STAHL)**

After some discussion, Council Member Stahl made a motion to approve Resolution No. 2016-31, as presented. Motion was seconded by Mayor Patel, which carried on a unanimous vote.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2016-31, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

10. **DISCUSSION AND POSSIBLE ACTION TO APPROVE A BEACH & DUNE PERMIT FOR MITIGATION EFFORTS AT LAS COSTAS CONDOMINIUMS LOCATED AT 1900 GULF BOULEVARD. (B. HILL)**

Mayor Patel made a motion, seconded by Council Member Munarriz to approve Beach & Dune Permit for mitigation at Las Costas Condominiums located at 1900 Gulf Boulevard. Motion passed unanimously.

11. **DISCUSSION AND POSSIBLE ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN PARTRAC, LTD. AND THE CITY OF SOUTH PADRE ISLAND GEARED TOWARDS OBTAINING EXTERNAL FUNDING FOR BEACH NOURISHMENT STUDIES. (B. HILL)**

Mayor Patel made a motion to approve Memorandum of Understanding with Partrac. Motion was seconded by Council Member Stahl. Motion carried unanimously.

12. **DISCUSSION AND POSSIBLE ACTION TO APPROVE A PROPOSAL SUBMITTED BY HDR ENGINEERING TO COMPLETE BATHYMETRIC SURVEY OF THE BEACH AND NEARSHORE AREA. (B. HILL)**

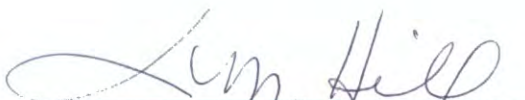
Mayor Patel made a motion, seconded by Council Member Stahl to approve HDR Engineering proposal for a Bathymetric Survey. Motion passed on a unanimous vote.

13. **DISCUSSION AND POSSIBLE ACTION REGARDING A LETTER RECEIVED FROM THE TEXAS GENERAL LAND OFFICE (GLO) CITING VIOLATIONS OF THE OPEN BEACHES ACT LOCATED AT WALKWAY AT THE PEARL BEACH ACCESS. (B. HILL)**


Mayor Patel made a motion to direct City Staff to remove fencing located at the walkway at the Pearl beach access in order to comply with GLO requirements. Motion was seconded by Council Member Stahl, which carried unanimously.

14. **ADJOURN.**

There being no further business, Mayor Patel adjourned the meeting at 6:58 p.m.


Susan M. Hill, City Secretary

APPROVED


Bharat R. Patel, Mayor

