

**NOTICE OF SPECIAL MEETING
CITY OF SOUTH PADRE ISLAND
CITY COUNCIL**

NOTICE IS HEREBY GIVEN THAT THE COUNCIL MEMBERS OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A SPECIAL MEETING ON:

DECEMBER 14, 2017

9:00 A.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

1. Call to order
2. Pledge of Allegiance
3. **Public Comments and Announcements:** *This is an opportunity for citizens to speak to Council relating to agenda or non-agenda items. Speakers are required to address Council at the podium and give their name before addressing their concerns. [Note: State law will not permit the City Council to discuss, debate or consider items that are not on the agenda. Citizen comments may be referred to City Staff or may be placed on the agenda of a future City Council meeting]*
4. Discussion and action on to approve second and final reading of Ordinance No. 17-18 annexing property described as a 10 foot wide strip of land along the southernmost portion of land known as Andy Bowie Park, extending out into the Gulf of Mexico, going south approximately 317 feet and also including submerged land east of Block 20, Padre Beach Estates Subdivision; Lot 2 Contran Subdivision; East Tracts 16 and 17, Padre Beach Subdivision, containing 6.61 acres, more or less. (Jones)
5. Adjourn.

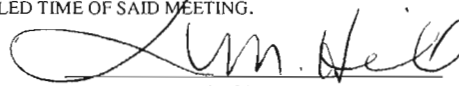
WE RESERVE THE RIGHT TO GO INTO EXECUTIVE SESSION REGARDING ANY OF THE ITEMS POSTED ON THIS AGENDA, PURSUANT TO SECTIONS 551.071, CONSULTATION WITH ATTORNEY; 551.072, DELIBERATIONS ABOUT REAL PROPERTY; 551.073, DELIBERATIONS ABOUT GIFTS & DONATIONS; 551.074, PERSONNEL MATTERS; 551.076, DELIBERATIONS ABOUT SECURITY DEVICES; AND/OR 551.086, DISCUSS (A) COMMERCIAL OR FINANCIAL INFORMATION RECEIVED FROM A BUSINESS PROSPECT WITH WHICH THE CITY IS CONDUCTING NEGOTIATIONS, OR (B) FINANCIAL OR OTHER INCENTIVES TO THE BUSINESS PROJECT.

DATED THIS THE 8TH DAY OF DECEMBER 2017.


Susan M. Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE GOVERNING BODY OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **DECEMBER 8, 2017** AT/OR BEFORE 5:00 P.M. AND REMAINED POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.




Susan M. Hill, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, DAVID TRAVIS; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-8103.

**CITY OF SOUTH PADRE ISLAND
CITY COUNCIL MEETING
AGENDA REQUEST FORM**

MEETING DATE: December 14, 2017

NAME & TITLE: Darla A. Jones, Assistant City Manager

DEPARTMENT: Administration

ITEM

Discussion and action regarding the second and final reading of Ordinance 17-18 annexing property described as a 10 foot wide strip of land along the southernmost portion of land known as Andy Bowie Park, extending out into the Gulf of Mexico, going south approximately 317 feet and also including submerged land east of Block 20, Padre Beach Estates Subdivision; Lot 2 Contran Subdivision; East Tracts 16 and 17, Padre Beach Subdivision, containing 6.61 acres, more or less.

ITEM BACKGROUND

The City Council held two public hearings regarding this annexation on November 15, 2017. For background purposes, a large portion of this area proposed for annexation lies submerged in the Gulf of Mexico and is the proposed location for Clayton's Pier. The property was rezoned and a Specific Use Permit was issued to allow the pier. In order to enforce our ordinances on the pier, it must be within our city limits.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

LEGAL REVIEW

Sent to Legal: YES: X NO: _____
Approved by Legal: YES: X NO: _____

RECOMMENDATIONS/COMMENTS

Approve the second reading of Ordinance 17-18.

ORDINANCE 17-18

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

WHEREAS, §43.021 of the Texas Local Government Code and Section 4.04 of Charter of the City of South Padre Island, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state.

WHEREAS, the procedures prescribed by the Subchapter C-1 of Chapter 43 of the Texas Local Government Code and the laws of this state have been duly followed with respect to the following described territory, to wit:

A 10 foot wide strip of land along the southernmost portion of land known as Andy Bowie Park, extending out into the Gulf of Mexico, going south approximately 317 feet and also including submerged land east of Block 20, Padre Beach Estates Subdivision; Lot 2 Contran Subdivision; East Tracts 16 and 17, Padre Beach Subdivision, containing 6.61 acres, more or less.

Also identified on the Annexation Map that is attached as Exhibit "A".

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1: That the heretofore described property is hereby annexed to the City of South Padre Island, Cameron County, Texas, and that the boundary limits of the City of South Padre Island be and the same are hereby extended to include the above described territory within the city limits of the City of South Padre Island, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the city of South Padre Island and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

Section 2: The Map showing the boundaries of the City and its Extraterritorial Jurisdiction shall be immediately amended to include the annexed territory.

Section 3: A service plan for the area is hereby adopted and attached as **Exhibit “B”** and is hereby approved as part of this Ordinance.

Section 4: The described and annexed property shall be zoned **PBN** (Padre Boulevard North) Character Zone.

Section 5: The adoption of this ordinance is a condition of the Specific Use Permit that was conditionally granted in Ordinance No. 17-15, and said Specific Use Permit shall issue upon final adoption of this annexation ordinance. The Specific Use Permit and its conditions shall apply to any covered use in the annexed area.

Section 6: Once this annexation ordinance is adopted and an application for an Annual Fireworks Permit application is submitted, the permit will be issued at the time of inspection and it must remain on site of the display at all times until the next inspection. The permit will be revoked at any time if it fails at the inspection.

Section 7: If any part, phrase, or sentence of this ordinance is held void or unconstitutional by a court of competent jurisdiction, or if any portion of land hereby annexed shall be held to be ineligible for annexation or shall be held to have been wrongfully annexed, the remaining portions of said ordinance and the remaining portions of land so annexed shall be considered severable and shall remain in full force and effect.

Section 8: The City Secretary is hereby directed to file with the County Clerk of Cameron County, a certified copy of this Ordinance.

PASSED by an affirmative vote of all members of the City Council on First Reading, this the 13th day of December, 2017.

PASSED by an affirmative vote of all members of the City Council on Second Reading, this the 14th day of December, 2017.

ATTEST:

CITY OF SOUTH PADRE ISLAND,
TEXAS

SUSAN HILL, CITY SECRETARY

DENNIS STAHL, MAYOR

Exhibit "A"



City of South Padre Island

Department of Development Services

4601 Padre Boulevard

South Padre Island, TX 78597

Phone: 956-761-8113 Fax: 956-761-3898

E-Mail: SKim@myspi.org

Web: www.myspi.org

Service Plan

For Areas to be Annexed

2017

4-5

I. Introduction

This service plan has been prepared in accordance with the Texas Local Government Code (LGC), Sections 43.065 and 43.056(b)-(o) under the authority of home-rule power given by LGC Section 43.021.

This service plan has been prepared for certain waterways and submerged lands belong to the State of Texas, lying and being situated to the east of Lots 16 and 17 Padre Beach Estate Subdivision and Contran Subdivision Lot 2, out of Gulf of Mexico, and a 10-foot width southernmost pieces of the Andy Bowie Park in Cameron County, Texas, that are total 6.61 acres. The boundaries can be found at the Exhibit "A" and are roughly described as follows:

COMMENCING at a one-half inch iron pin found at the intersection of the East Right-of-Way line of Padre Boulevard (Texas State Park Road No. 100) with the North boundary line of Tract 17, and being the Southwest corner of Lot 2, Contran Subdivision (Cabinet 1, Slot 1416-A, Map Record);

THENCE, North 90 Deg. East, **a distance of** 1,569 feet to the East jurisdictional boundary line of the City of South Padre Island, TX, for the **POINT OF BEGINNING**;

THENCE, along the East jurisdictional boundary line of the City of South Padre Island, TX, North 5 Deg. 44 Min. 27 Sec. West, **A distance of** 557.8 feet;

THENCE, along the North jurisdictional boundary line of the City of South Padre Island, TX, South 89 Deg. 28 Min. 12 Sec. West, **A distance of** 1,549.71 feet to the East Right-of-Way line of Padre Boulevard (Texas State Park Road No. 100);

THENCE, along the East Right-of-Way line of Padre Boulevard (Texas State Park Road No. 100) and, at the same time, the East jurisdictional boundary line of the City of South Padre Island, North 4 Deg. 00 Min. 00 Sec. West, **A distance of** 10.05 feet;

THENCE, North 89 Deg. 28 Min. 12 Sec. East, **A distance of** 1,559.71 feet;

THENCE, South 5 Deg. 44 Min. 27 Sec. East, **A distance of** 371.02 feet;

THENCE, North 90 Deg. 00 Min. 00 Sec. East, **A distance of** 690 feet;

THENCE, South 0 Deg. 00 Min. 00 Sec. West, **A distance of** 395 feet;

THENCE, South 90 Deg. 00 Min. 00 Sec. West, **A distance of** 660.7 feet to the East jurisdictional boundary line of the City of South Padre Island, TX;

THENCE, along the East jurisdictional boundary line of the City of South Padre Island, TX, North 5 Deg. 44 Min. 27 Sec. West, **A distance of** 200.61 feet to the **POINT OF BEGINNING**;

CONTAINING, 6.61 Ac. More or less;

NOT A BOUNDARY SURVEY.

Owner(s):

State of Texas

Administrative Agency:

General Land Office

**State of Texas
1700 N. Congress Ave.
Austin, TX 78701-1495**

**PO Box 12873
Austin, TX 78711-2873**

Cameron County

**Cameron County Clerk Administration
964 E Harrison St.
Brownsville, TX 78520**

Full municipal services will be provided to the annexed areas within the time provided in the LGC Section 43.056(b). For the purpose of this plan, "full municipal services" means services provided by the annexing municipality within its full-purpose boundaries, which does not include water, wastewater, gas and electrical services.

Per LGC Sec. 43.056(f), this service plan does not:

- Require the creation of another political subdivision;
- Require a landowner in the area to fund the capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395, Texas Local Government Code unless otherwise agreed to by the landowner;
- Provide services in the area in a manner that would have the effect of reducing by more than a negligible amount the level of fire and police protection and emergency medical services provided within the corporate boundaries of the City before annexation;
- Provide services in the area in a manner that would have the effect of reducing by more than a negligible amount the level of fire and police protection and emergency medical services provided within the area before annexation; or
- Cause a reduction in fire and police protection and emergency medical services within the area to be annexed below that of area within the corporate boundaries of the City with similar topography, land use, and population density.II.
General Statement

II. General Statement

It is the intent that this service plan provides the annexed area with a level of services, infrastructure, and infrastructure maintenance that is comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City with topography, land use, and population density similar to those reasonably contemplated or projected in the area. (LGC Sec. 43.056(g))

This service plan shall be valid for a term of ten (10) years. Renewal of the service plan shall be at the discretion of the City Council. (LGC Sec. 43.056(l))

The service plan may be amended if the City Council determines at a public hearing that changed conditions or subsequent occurrences make this service plan unworkable or obsolete. The City Council may amend the service plan to conform to the changed conditions or subsequent occurrences pursuant to the LGC Sec. 43.056.

III. The Service Plan

As used in this service plan, the term 'providing services' includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies, service provider's capital improvement plan, and developer/owner participation in accordance with applicable law.

All of the annexation area is part of the waters of the Gulf of Mexico, which is again part of the State Waterway System, and therefore the service will be limited to those options available for such areas.

A. Police Protection

The South Padre Island Police Department will provide protection and law enforcement services in the annexation area commencing on the effective date of annexation. The services will include:

- Normal patrols and responses to calls for service;
- Handling of offense and incident reports;
- Emergency Management;
- Special units, such as traffic enforcement, criminal investigations, narcotics law enforcement; and
- Gang suppression, and crime response team deployment when required.

These services are provided on a citywide basis and the area will be combined with existing Police Reporting Areas.

B. Fire Protection

The South Padre Island Fire Department will provide fire protection services with existing personnel and equipment, and such services will be provided to the annexed area commencing on the effective date of the annexation. These services include:

- 911 Emergency Response
- Fire suppression and rescue;
- Hazardous materials mitigation and regulation;
- Dive rescue;
- Technical rescue;
- Aircraft/rescue/firefighting;
- Patrol/ Life Guard protection;
- Disaster Preparedness Activities;
- Fire Investigation; and
- Mobile Intensive Care Unit (MICU) and 1st responder emergency medical services.

These services are provided on a citywide basis.

C. Emergency Medical Services

MICU and 1st responder emergency medical services by existing personnel and equipment of the South Padre Island Fire Department will be provided to the annexed area commencing on the effective date of the full-purpose annexation. Each Fire Department ambulance, engine, ladder truck, and boat in coordination with the police department is capable of providing EMS, including defibrillation, medical administration, IV therapy, advanced airway management, and initial treatment of injuries.

D. Other Operations and Services

All other applicable municipal services will be provided to the area in accordance with the City of South Padre Island's established policies governing extension of municipal services to newly annexed areas.

IV. Capital Improvements

In general, other City functions and services, and additional services described above can be provided for the annexation area by utilization of existing facilities. It is estimated that any additional capital improvements are not necessary to provide services to the annexed area this time.