

MINUTES CITY OF SOUTH PADRE ISLAND CITY COUNCIL REGULAR MEETING
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WEDNESDAY, MAY 2, 2018

I. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, May 2, 2018 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Mayor Stahl called the meeting to order at 5:30 p.m. A quorum was present: Council Member Ken Medders, Jr., Alita Bagley and Paul Munarriz. Council Members Ron Pitcock and Theresa Metty were out with excused absences.

City staff members present were City Manager Susan Guthrie, Assistant City Manager Darla Jones, Chief Financial Officer Rodrigo Gimenez, Public Works Director Alex Sanchez, Administrative Services Director Wendi Delgado, CVB Director Keith Arnold, Fire Chief Doug Fowler, Environmental Health Director Victor Baldovinos, Shoreline Management Director Brandon Hill, Planning Director Clifford Cross, Information Technology Director Mark Shellard, Public Information Officer Angelique Soto and City Secretary Susan Hill.

II. PLEDGE OF ALLEGIANCE

Mayor Stahl 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: NATIONAL TRAVEL AND TOURISM WEEK**
- b. **PROCLAMATION: NATIONAL ARSON AWARENESS WEEK**

V. APPROVE CONSENT AGENDA:

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

- A. APPROVE MINUTES OF APRIL 18, 2018 REGULAR MEETING AND APRIL 24, 2018 WORKSHOP. (S. HILL)**

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

Invoices approved for payment were paid by General Fund check numbers 141143 through 141253 and EFT payments totaling \$595,265.18.

- C. APPROVE QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING MARCH 31, 2018, AS PREPARED BY VALLEY VIEW CONSULTING, L.L.C. (GIMENEZ)**

- D. APPROVE RESOLUTION NO. 2018-11 FOR THE TEMPORARY CLOSURE OF HIGHWAY 100 AND A PORTION OF THE QUEEN ISABELLA MEMORIAL BRIDGE FOR THE 4TH ANNUAL 2018 SUMMER LONGEST CAUSEWAY RUN AND FITNESS WALK ON SATURDAY, JUNE 2, 2018. (CROSS)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2018-11, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- E. APPROVE BUDGET AMENDMENT IN THE AMOUNT OF \$3,000 TO ALLOCATE FUNDS ASSOCIATED WITH THE U.S. FOOD DRUG ADMINISTRATION (FDA) THROUGH THE ASSOCIATION OF FOOD AND DRUG OFFICIALS (AFDO) RETAIL PROGRAM STANDARDS GRANT (CFDA #95.103) FOR THE PURCHASE OF SOFTWARE TO INCREASE THE EFFECTIVENESS OF HEALTH INSPECTIONS. (BALDOVINOS)**
- F. APPROVE A BUDGET AMENDMENT TO ALLOCATE GRANT FUNDS FOR TRAINING IN THE AMOUNT OF \$1,425. (FOWLER)**
- G. APPROVE SECOND AND FINAL READING OF ORDINANCE NO. 18-13 AMENDING THE CITY'S FISCAL YEAR 2017-2018 OPERATING BUDGET TO INCORPORATE PRIOR BUDGET AMENDMENTS AND BUDGET MODIFICATIONS FOR THE MONTH OF MARCH 2018. (GIMENEZ)**

A true and correct copy of said Ordinance was placed in the City's Ordinance Book and entitled Ordinance No. 18-___, 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. 18-14 AMENDING CHAPTER 22, SECTION 22-3 PROVIDING FOR AMENDED TERMS, REVISING CHAIRPERSONS VOTING AUTHORITY AND CREATING THE POSITION OF VICE CHAIRMAN FOR THE SHORELINE TASK FORCE. (B. HILL)**

Council Member Bagley made a motion to approve first reading of Ordinance No. 18-14 amending Chapter 22, Section 22-3 revising chairperson voting authority and creating the position of vice chairman for the Shoreline Task Force. Motion was seconded by Council Member Munarriz, which carried on a unanimous vote.

- VII. DISCUSSION AND POSSIBLE ACTION TO APPROVE FIRST READING OF ORDINANCE NO. 18-15 AMENDING CHAPTER 10, SECTION 10-31(C)(2) TO ADD AN ADDITIONAL SIX (6) MOBILE FOOD UNIT PERMITS FOR A TOTAL OF TWELVE (12) PERMITS ALLOWED AND ADD MOBILITY TO SECTION 10-32. (BALDOVINOS)**

Council Member Bagley made a motion, seconded by Council Member Munarriz to approve the first reading of Ordinance No. 18-15 amending Chapter 10, Section 10-31(C)(2) to increase Mobile Food Units from six (6) permits to twelve (12) permits. Motion passed unanimously.

- VIII. DISCUSSION AND ACTION REGARDING THE APPROVAL OF A BEACH AND DUNE PERMIT FOR 1010 PADRE BOULEVARD TO REPLACE AND EXTEND BEACH MATS AT TWO EXISTING WALKWAYS. (B. HILL)**

Council Member Munarriz made a motion to approve a Beach and Dune Permit to replace and extend beach mats at two existing walkways at 1010 Padre Boulevard. Motion was seconded by Council Member Medders, which carried unanimously.

- IX. DISCUSSION AND ACTION REGARDING THE APPROVAL OF A BEACH AND DUNE PERMIT FOR 8100 PADRE BOULEVARD FOR THE CONSTRUCTION OF A FIVE STORY HOTEL WITH A PARKING STRUCTURE AND AN ELEVATED BEACH WALKOVER. (B. HILL)**

Council Member Munarriz made a motion, seconded by Council Member Medders to approve a Beach and Dune Permit at 8100 Padre Boulevard to construct a five story hotel with a parking structure and elevated beach walkover. Motion passed on a unanimous vote.

X. DISCUSSION AND ACTION TO APPROVE AN AMENDMENT TO AN EXISTING CONTRACT WITH KIMLEY-HORN FOR ADDITIONAL SERVICES ASSOCIATED WITH THE PADRE BOULEVARD SIDEWALKS PROJECT; AND APPROVE BUDGET AMENDMENT FOR \$29,000. (JONES)

Council Member Bagley made a motion to approve Amendment No. 8 to the existing Kimley-Horn contract for additional services related to the Padre Boulevard Sidewalk Project and approve budget amendment in the amount of \$29,000. Motion was seconded by Council Member Munarriz. Motion passed on a 3 to 1 vote with Council Member Medders casting a nay vote.

XI. CLOSED EXECUTIVE SESSION: ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071, TEXAS GOV'T CODE FOR LEGAL ADVICE AND COUNSEL IN CONNECTION WITH THE LAWSUIT STYLED AND NUMBERED, SEASCAPE CONDOMINIUM OWNERS ASSN, INC. VS. CITY OF SOUTH PADRE ISLAND, CAUSE NO. 2018-DCL-02078 (107TH DISTRICT COURT – CAMERON COUNTY, TEXAS).

At 6:14 p.m., Council Member Bagley made a motion, seconded by Council Member Munarriz to go into Executive Session. Motion carried unanimously.

At 6:37 p.m., the City Council reconvened into open session.

XII. DISCUSSION AND ACTION REGARDING THE GRANTING OF A LICENSE TO ENCROACH INTO THE PUBLIC RIGHT-OF-WAY ON VERNA JEAN DRIVE TO SEASCAPE CONDOMINIUMS OWNERS ASSN., INC. (GUTHRIE)

Council Member Bagley made a motion to approve Resolution No. 2018-12 permitting Seascape Condominiums to encroach into the public right-of-way on Verna Jean Drive. Motion was seconded by Council Member Munarriz, which passed on a unanimous vote.

XIII. DISCUSSION AND ACTION REGARDING THE GRANTING OF A LICENSE TO ENCROACH INTO THE PUBLIC RIGHT-OF-WAY ON POLARIS STREET TO SEASCAPE CONDOMINIUMS OWNERS ASSN., INC. (GUTHRIE)

Council Member Munarriz made a motion to approve Resolution No. 2018-13 permitting Seascape Condominiums to encroach into the public right-of-way on Polaris Drive. Motion was seconded by Council Member Bagley. Motion carried unanimously.

XIV. DISCUSSION AND ACTION REGARDING SETTLEMENT OF LAWSUIT STYLED AND NUMBERED, SEASCAPE CONDOMINIUM OWNERS ASSN., INC. VS. CITY OF SOUTH PADRE ISLAND, CAUSE NO. 2018-DCL-02078 (107TH DISTRICT COURT – CAMERON COUNTY, TEXAS).

No discussion or action taken.


XV. ADJOURN.

There being no further business, Mayor Stahl adjourned the meeting at 6:39 p.m.


Susan M. Hill, City Secretary



APPROVED


Dennis Stahl, Mayor