

<p style="text-align: center;">MINUTES OF REGULAR MEETING TOWN OF SOUTH PADRE ISLAND BOARD OF ALDERMEN</p>

WEDNESDAY, MAY 20, 2009

I. CALL TO ORDER

The Board of Alderman of the Town of South Padre Island, Texas held a Regular Meeting on Wednesday, May 20, 2009 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Mayor Pinkerton called the meeting to order at 5:30 p.m. A full quorum was present: Alderman JoAnn Evans, Courtney Hayden, Sam A. Listi, Rick Ridolfi and Alita Bagley.

Town staff members present were Town Attorney Paul Cunningham, City Manager Dewey Cashwell, Assistant City Manager Joni Clarke, CVB Executive Director Dan Quandt, Police Chief Robert Rodriguez, Fire Chief Burney Baskett, Public Works Director Scott Fry, Finance Director Larry Homan, Technology Director Chuck Zebrowski, Town Planner Rick Vasquez, , Public Information Officer Gary Ainsworth, Human Resources Administrator Wendi Delgado, Health Inspector Victor Baldovinos, Deputy CVB Director Connie Ledbetter, Tourism Coordinator DeeOnda Ahadi, Executive Services Coordinator- Customer Relations Manager Minerva Lopez and City Secretary Susan Hill.

II. PLEDGE OF ALLEGIANCE

Mayor Pinkerton led the Pledge of Allegiance.

III. INSTALLATION AND ADMINISTRATION OF OATHS TO NEWLY ELECTED AND RE-ELECTED OFFICIALS.

A. RE-ELECTED ALDERMAN – PLACE 2, COURTNEY HAYDEN, WILL BE INSTALLED BY THE HONORABLE MAYOR ROBERT N. PINKERTON, JR.

Alderman Courtney Hayden was sworn in by Mayor Bob Pinkerton.

B. NEWLY ELECTED ALDERMAN – PLACE 3, SAM A. LISTI, WILL BE INSTALLED BY THE HONORABLE JUDGE BENNIE OCHOA, III.

Alderman Sam List was sworn in by Judge Bennie Ochoa, III.

C. RE-ELECTED ALDERMAN – PLACE 5, ALITA BAGLEY, WILL BE INSTALLED BY THE HONORABLE MAYOR ROBERT N. PINKERTON, JR.

Alderman Bagley was sworn in by Mayor Bob Pinkerton.

IV. RECOGNITION OF OUTGOING ALDERMAN – PLACE 3 KIRK MILLS. (PINKERTON)

Mayor Pinkerton presented outgoing Alderman Kirk Mills with a plaque thanking him for his hard work and dedication.

V. ELECTION OF MAYOR PRO-TEM. (PINKERTON)

Alderman Ridolfi made a motion, seconded by Alderman Hayden to appoint JoAnn Evans as Mayor Pro-tem. Motion passed unanimously.

VI. PUBLIC COMMENTS AND ANNOUNCEMENTS

Mayor Pinkerton invited the public to attend a question and answer session with Cameron County Appraisal Officials on Thursday, May 28, 2009 at 5:30 p.m. here at the Municipal Building.

Dewey Cashwell reminded everyone that the Blue Star Memorial Dedication and Unveiling will be at 10:00 on Memorial Day and invited all to attend.

VII. PRESENTATIONS AND PROCLAMATIONS:

A. RECOGNITION OF NATIONAL POLICE WEEK MAY 10 – 16, 2009. (RODRIGUEZ)

Police Chief Robert Rodriguez stated that although National Police Week was actually last week, he still wanted to recognize the importance of it and expressed his appreciation.

B. PRESENTATION OF THE KING AND QUEEN OF SOUTH PADRE ISLAND TOURISM. (QUANDT)

DeeOnda Ahadi, Toursim Coordination for the Convention & Visitor's Bureau announced the winners of the King and Queen of South Padre Island Tourism. Nominated by tourists and co-workers the winners were Ernie Herrera, Best Western La Copa and Franca Savi, Parrot Eyes. The recipients each received a \$250.00 check and will "rule" for one year.

VIII. DISCUSSION AND ACTION TO APPROVE CONSENT AGENDA:

Alderman Evans made a motion to approve the Consent Agenda. Motion was seconded by Alderman Hayden, which passed unanimously.

A. APPROVE MINUTES OF REGULAR MEETING OF MAY 6, 2009. (HILL)

B. APPROVAL OF INVOICES FOR PAYMENT. (HOMAN)

Invoices were paid by General Fund checks numbered 111614 through 111792 for a total amount of \$453,245.39.

C. APPROVE TAX COLLECTION AND ADJUSTMENT REPORT FOR APRIL 2009 FROM THE POINT ISABEL INDEPENDENT TAX OFFICEW. (HOMAN)

D. APPROVE THE INVESTMENT PORTFOLIO SUMMARY BY ESTRADA HINOJOSA & COMPANY FOR QUARTER ENDING MARCH 31, 2009. (HOMAN)

E. APPROVE RESOLUTION 2009-17 AUTHORIZING INTERVENTION IN AEP TEXAS CENTRAL COMPANY'S AND AEP TEXAS NORT COMPANY'S REQUEST FOR APPROVAL OF AN ADVANCED METERING SYSTEM DEPLOYMENT PLAN AND REQUEST FOR AMS SURCHARGES FILED AT THE PUBLIC UTILITY COMMISSION OF TEXAS; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY AEP TEXAS CENTRAL COMPANY AND STEERING COMMITTEE OF CITIES SERVED BY TEXAS NORTH COMPANY TO REVIEW THE APPLICATION, HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS. (STAP)

A true and correct copy of said Resolution was placed in the Town's Resolution Book and entitled Resolution No. 2009-17, and, by reference hereto, included in these minutes as if fully set out and spread upon the pages of the Minutes Book.

- F. APPROVE SECOND AND FINAL READING OF ORDINANCE 09-04 AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES OF THE TOWN TO AMEND ARTICLE 1 BY ADDING A NEW SECTION PROVIDING A NEW SECTION 0-16 THAT REQUIRES A CONSTRUCTION TRASH CONTAINER TO BE PROVIDED BY THE FRANCHISED GARBAGE PROVIDER FOR ALL CONSTRUCTION PERMITS THAT GENERATE CONSTRUCTION TRASH; PROVIDING FOR A PENALTY FOR VIOLATION NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00), PROVIDING FOR SEVERABILITY AND AUTHORIZING PUBLICATIN IN CAPTION FORM. (EVANS)**

A true and correct copy of said Ordinance was placed in the Town's Ordinance Book and entitled Ordinance 09-04, and, by reference hereto, included in these minutes as if fully set out and spread upon the pages of the Minutes Book.

- G. APPROVE RELEASE OF LETTER OF CREDIT FOR SPAZIO HOMES, LTD, FOR THE INSTALLATION OF UTILITIES IN CONNECTION WITH THE SOUTH BEACH SUBDIVISION. (FRY)**

- H. APPROVE RESOLUTION 2009-19 AUTHORIZING CERTAIN PERSONS TO SIGN CHECKS AND OTHER NECESSARY TRANSACTIONS FOR SAME. (HOMAN)**

A true and correct copy of said Resolution was placed in the Town's Resolution Book and entitled Resolution No. 2009-19, and, by reference hereto, included in these minutes as if fully set out and spread upon the pages of the Minutes Book.

- IX. DISCUSSION AND ACTION ON APPROVAL OF AUDIT FOR FISCAL YEAR 2007-08 PRESENTED BY QUENTIN ANDERSON FROM LONG CHILTON, LLP. (HOMAN)**

Quentin Anderson stated that the Town's finances are in a healthy condition and that the Town again received a Certificate of Achievement for Excellence in Financial Reporting. Mr. Anderson then went over the statistical information that was in the audit.

Alderman Bagley made a motion to accept the Audit for Fiscal Year 2007-08, seconded by Alderman Ridolfi. Motion passed unanimously.

- X. DISCUSSION AND ACTION CONCERNING REQUEST FOR PROPOSALS REGARDING SHUTTLE BETWEEN VALLEY INTERNATIONAL AIRPORT IN HARLINGEN AND SOUTH PADRE ISLAND. (QUANDT)**

Dan Quandt explained that the airport is trying to develop a system from the airport to the Island, comparable to the Super Shuttle. Dan stated this RFP commits nothing, but will be used as a collection of data for this project.

Alderman Ridolfi made a motion to approve the Request for Proposal, seconded by Alderman Evans. Motion passed unanimously.

- XI. DISCUSSION AND ACTION ON SETTING DATE AND A LOCATION FOR BOARD OF ALDERMAN STRATEGIC PLANNING WORKSHOP**

TO ESTABLISH PRIORITIES OF TOWN'S PROGRAMS AND PROJECTS. (CASHWELL)

It was agreed that the Strategic Planning Workshop would be held on June 16, 2009 beginning at 9:00 a.m. in the Board Room at the Municipal Complex.

XII. DISCUSSION AND ACTION TO APPOINT A MEMBER TO FILL THE VACANCY ON THE PADRE BLVD. REVITALIZATION COMMITTEE. (BAGLEY)

Alderman Evans made a motion to appoint Fred Hernandez to fill the vacancy on the Padre Boulevard Revitalization Committee. Motion was seconded by Alderman Hayden. Motion passed unanimously.

XIII. DISCUSSION AND ACTION TO RECOMMEND THE PLANNING AND ZONING COMMISSION REVIEW AND UPDATE CHAPTER 20.8(F)(6) OF THE TOWN'S CODE OF ORDINANCES PERTAINING TO AMUSEMENT CENTERS. (EVANS/BAGLEY)

Alderman Evans made a motion to send this to the Planning and Zoning Commission for their review and recommendation. Motion was seconded by Alderman Bagley, which passed unanimously.

XIV. DISCUSSION AND ACTION ON APPROVAL OF CHAPTER 8 (IMPLEMENTATION) OF THE COMPREHENSIVE PLAN AND DISCUSSION AND ACTION TO APPROVE THE 2008 COMPREHENSIVE PLAN IN ITS ENTIRETY. (VASQUEZ)

Alderman Evans made a motion, seconded by Alderman Hayden to approve Chapter 8 – Implementation section of the Comprehensive Plan, as well as, the Comprehensive Plan in its entirety. Alderman Hayden seconded the motion, which passed unanimously.

The Board expressed their appreciation for all those who worked so hard to produce this document adding that Plan will be put to use and taken seriously.

XV. PUBLIC HEARING: TO CONSIDER AMENDING THE ZONING ORDINANCE SECTION 20-11, SPECIAL AREA REGULATIONS, (C) RECREATIONAL VEHICLES/MOBILE EQUIPMENT (4) REGULATIONS FOR MOBILE EQUIPMENT WITHIN THE TOWN OF SOUTH PADRE ISLAND, (b) NO MOBILE EQUIPMENT MAY BE PARKED ALONG ANY STREET RIGHT-OF-WAY OR FRONT YARD SETBACK FOR MORE THAN TEN (10) CONSECUTIVE HOURS, OR OVERNIGHT.

At 6:29 p.m., Mayor Pinkerton opened the Public Hearing.

Proponents: None

Opponents: None

Mayor Pinkerton closed the Public Hearing at 6:30 p.m.

XVI. DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE 09-05 CONSIDER AMENDING THE ZONING ORDINANCE SECTION 20-11, SPECIAL AREA REGULATIONS, (C) RECREATIONAL VEHICLES/MOBILE EQUIPMENT (4) REGULATIONS FOR MOBILE EQUIPMENT WITHIN THE TOWN OF SOUTH PADRE ISLAND, (b) NO MOBILE EQUIPMENT MAY BE PARKED ALONG ANY STREET RIGHT-OF-WAY OR FRONT YARD SETBACK FOR MORE THAN TEN (10) CONSECUTIVE HOURS, OR OVERNIGHT. (VASQUEZ)

Alderman Ridolfi made a motion to approve the First Reading of Ordinance 09-05, seconded by Alderman Evans. Motion passed unanimously.

XVII. PUBLIC HEARING: REGARDING A PROPOSED AMENDMENT TO CHAPTER 20 ZONING ORDINANCE TO ADD SECTION 20-8.3 "C-3" ENTERTAINMENT URBAN DESIGN DISTRICT.

At 6:35 p.m., Mayor Pinkerton opened the Public Hearing.

Proponents: None

Opponents: None

Mayor Pinkerton closed the Public Hearing at 6:36 p.m.

XVIII. DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE 09-06 REGARDING A PROPOSED AMENDMENT TO CHAPTER 20 ZONING ORDINANCE TO ADD SECTION 20-8.3 "C-3" ENTERTAINMENT URBAN DESIGN DISTRICT. (VASQUEZ)

Alderman Bagley made a motion to approve the First Reading of Ordinance 09-06. Motion was seconded by Alderman Evans, which passed unanimously.

XIX. DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM JEFF AND COURTNEY BLANKINSHIP FROM THE PROVISIONS OF MASTER FLOOD HAZARD PREVENTION ORDINANCE THAT STATES "NO HABITABLE FLOOR OF ANY STRUCTURE MAY HAVE A FINISHED ELEVATION OF LESS THAN THE REQUIRED ELEVATION ESTABLISHED BY THE FIRM MAP." REQUEST IS TO INSTALL A FULL BATHROOM AND PROBABLY WASHER AND DRYER AT 4.9 FEET ELEVATION WHICH IS 3.1 FEET BELOW TH FIRM ELEVATION OF 8 FEET (213 W. LANTANA, LOT 8, BLOCK 101, SECITON VII, PADRE BEACH SUBDIVISION). (MITCHIM)

Although the Board was sympathetic to Ms. Blankinship's needs, it was noted that granting a variance from the Master Flood Hazard Prevention Ordinance could jeopardize the Flood Insurance for all residents on the Island.

Alderman Ridolfi made a motion to deny this request, seconded by Alderman Evans. Motion passed unanimously.

XX. DISCUSSION AND ACTION ON THE BEACHFRONT CONSTRUCTION CERTIFICATE AND DUNE PROTECTION PERMIT FOR JUAN J. SALDANA FOR CONSTRUCTION AT CASTAWAYS CONDOMINIUMS. THE REMODELING OF THE POOL AND SURROUND AREAS; REPLACEMENT OF THE CMU FENCE ON THE PROPERTY AND CONSTRUCTION OF THE EXISTING SUNDECK AND STAIRS LEADING TO THE SUNDECK. (TREVINO)

Alderman Bagley made a motion to approve this Beachfront Construction Certificate and Dune Protection Permit for Juan Saldana at the Castaways Condominiums. Motion was seconded by Alderman Hayden which passed unanimously.

XXI. DISCUSSION AND ACTION TO APPROVE SELECTION OF ARCHITECT FOR PROPOSED FIRE STATION PROJECT. (BASKETT)

Burney Baskett stated that there were 20 Request for Qualifications (RFQ's) submitted to the Town to be selected as the architect for the proposed Fire Station. Staff met and reviewed each RFQ and presented the Board with the top four, which were:

- Brown Reynolds Watford (BRW) Architects, Inc., College Station, TX
- Joiner Partnership, Inc., Kingwood, TX
- Rike Ogden Figueroa Alex (ROFA) Architect, Inc., Harlingen, TX
- Wiginton Hooker Jeffry Architects, Plano, TX

Alderman Ridolfi made a motion to negotiate a contract with Brown Reynolds Watford (BRW). Motion was seconded by Alderman Evans. Motion passed unanimously. It was suggested that perhaps BRW could schedule a presentation to the Board during the negotiation phase.

XXII. DEPARTMENT REPORTS:

Department Directors gave a synopsis of their written reports.

- A. PUBLIC INFORMATION
- B. CUSTOMER RELATIONS
- C. CONVENTION AND VISITORS BUREAU
- D. FINANCE AND MUNICIPAL COURT

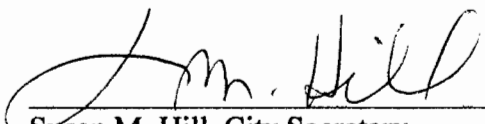
- E. POLICE
- F. FIRE
- G. TECHNOLOGY
- H. PUBIC WORKS

XXIII. UPDATE ON PROJECT REPORT. (CASHWELL)

Dewey Cashwell gave an update on Town projects.

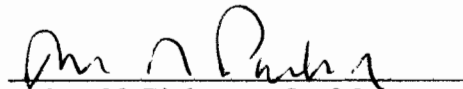
XXIV. ADJOURN.

There being no further business, Mayor Pinkerton adjourned the meeting at 7:26 p.m.



Susan M. Hill, City Secretary

APPROVED



Robert N. Pinkerton, Jr., Mayor

