

MINUTES CITY OF SOUTH PADRE ISLAND CITY COUNCIL REGULAR MEETING
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WEDNESDAY, JANUARY 9, 2013

I. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, January 9, 2013 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: Council Member Robert A. Fudge, Alex Avalos, Sam A. Listi, JoAnn Evans and Alita Bagley. Also present was City Attorney Paul Cunningham.

City staff members present were City Manager Joni Clarke, Assistant City Manager Darla Jones, CVB Director Lacey Ekberg, Fire Chief Burney Baskett, Interim Public Works Director Ray Moya, Police Chief Randy Smith, Chief Financial Officer Beth Free, Information Services Director Tim Howell, Administrative Services Director Wendi Delgado, Environmental Health Services Director Victor Baldovinos, Development Director Rick Vasquez and City Secretary Susan Hill.

II. PLEDGE OF ALLEGIANCE

Mayor 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: CHILDREN'S BOOK OF THE MONTH FOR JANUARY 2013: ART AND MAX BY DAVID WIESNER**
- b. **PRESENTATION OF CERTIFICATES OF APPRECIATION TO BOARDS & COMMITTEES**

V. APPROVE CONSENT AGENDA:

Note: Item b was pulled to be discussed and voted on separately.

Council Member Evans made a motion, seconded by Council Member Listi to approve Items a, d and d on the Consent Agenda. Motion carried unanimously.

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

- a. **APPROVE MINUTES OF DECEMBER 19, 2012 WORKSHOP AND REGULAR MEETING. (HILL)**
- b. **APPROVE INVOICES FOR PAYMENT. (FREE)**

Invoices approved for payment were paid by General Fund checks numbered 126430 through 126596 and EFT payments totaling \$653,207.61.

- c. **APPROVE RESOLUTION NO. 2013-01 ENDORSING CERTAIN LEGISLATIVE ACTION IN THE REGULAR SESSION OF THE 83RD TEXAS LEGISLATURE TO ENHANCE THE COMPETITIVE ELECTRIC MARKET AND SYSTEM RELIABILITY AND TO PROTECT THE TRADITIONAL ROLE OF CITIES IN THE REGULATORY PROCESS. (FREE)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2013-01 , and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- d. DISCUSSION AND ACTION APPROVE THE CHANGES TO THE INVESTMENT POLICY AND ACCEPT THE RECOMMENDED BROKER/DEALER LIST FROM ESTRADA HINOJOSA, THE CITY'S INVESTMENT COUNSELORS. (FREE)**

VI. UPDATE AND PUBLIC DISCUSSION REGARDING CONVENTION CENTRE RENOVATION AND EXPANSION PROJECT. (PINKERTON)

Gilbert Gallegos and Dianna Bravo-Gonzalez, consultants from Broaddus & Associates, gave a brief update on the Convention Centre Renovation and Expansion Project.

VII. DISCUSSION AND ACTION TO RECEIVE A RECOMMENDATION FROM THE CONVENTION CENTRE PLANNING GROUP REGARDING THEIR EVALUATION AND INTERVIEW AND TO SELECT A FIRM TO PROVIDE THE FOLLOWING SERVICES TO BE PERFORMED IN CONJUNCTION WITH THE CONVENTION CENTRE RENOVATION AND EXPANSION PROJECT: (PINKERTON)

a. ARCHITECT / ENGINEER

Mayor Pinkerton made a motion, seconded by Council Member Listi to accept recommendation from the Convention Centre Planning Group to select and negotiate a contract with Gignac Architects (in association with TVS Design Consultants). Motion carried on a 5 to 1 vote with Council Member Avalos casting a nay vote.

b. CONSTRUCTION MANAGER-AT-RISK (ONE-STEP PROCESS)

Mayor Pinkerton made a motion to accept the recommendation from the Convention Centre Planning Group to select and enter into contract negotiation with Spaw-Glass Construction out of Harlingen, Texas. Motion was seconded by Council Member Listi which passed on a 5 to 1 vote with Council Member Avalos casting a nay vote.

VIII. DISCUSSION AND ACTION ON FIRST READING OF ORDINANCE NO. 13-01 AMENDING SEC. 12-2(B)(A)(11), SEC. 12-2(B)(A)(12) AND 12-2(B)(B) OF CHAPTER 12 OF THE CITY'S CODE OF ORDINANCES PERTAINING TO NOISE NUISANCE ENUMERATION FOR THE NEW ZONING DISTRICTS. (EVANS)

Council Member Evans made a motion, seconded by Council Member Listi made a motion to approve first reading of Ordinance No. 13-01. Motion carried unanimously.

IX. PUBLIC HEARING: REGARDING AMENDING CHAPTER 23 SUBDIVISION ORDINANCE, SECTION 23.14 STANDARDS AND SPECIFICATION FOR THE INSTALLATION OF IMPROVEMENTS, AMENDING SECTION (H) PRIVATE IMPROVEMENTS IN ORDER TO FACILITATE THE ORDERLY DEVELOPMENT OF PRIVATE STREETS.

At 6:07 p.m., Mayor Pinkerton opened the Public Hearing on amending Chapter 23 for the installation of improvements, amending Section (H) Private Improvements in order to facilitate the orderly development of private streets.

Proponents: None **Opponents:** None

Mayor Pinkerton closed the Public Hearing at 6:07 p.m.

X. DISCUSSION AND ACTION ON FIRST READING OF ORDINANCE NO. 13-02 TO AMEND CHAPTER 23 SUBDIVISION ORDINANCE, SECTION 23.14 STANDARDS AND SPECIFICATION FOR THE INSTALLATION OF IMPROVEMENTS, AMENDING SECTION (H) PRIVATE IMPROVEMENTS IN ORDER TO FACILITATE THE ORDERLY DEVELOPMENT OF PRIVATE STREETS. (VASQUEZ)

Council Member Listi made a motion to approve first reading of Ordinance No. 13-02 amending Chapter 23. Council Member Avalos seconded the motion. Motion carried on a 5 to 1 vote with Council Member Fudge casting a nay vote.

XI. DISCUSSION AND ACTION REGARDING THE APPOINTMENT OF JOANNE WILLIAMS AND BEN LEVENSON TO THE SOUTH PADRE ISLAND ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS FOR A TWO (2) YEAR TERM ENDING DECEMBER 31, 2014. (FREIDMAN)

Council Member Fudge made a motion, seconded by Council Member Evans to approve the EDC appointments of JoAnne Williams and Ben Levenson to the South Padre Island Economic Development Corporation Board of Directors. Motion carried unanimously.

XII. DISCUSSION AND ACTION TO APPOINT MEMBERS TO EXPIRING TERMS OF THE CITY'S COMMITTEES, BOARDS, COMMISSIONS, AND TASK FORCE. THE FOLLOWING COMMITTEES HAVE TERMS THAT HAVE NOT BEEN PREVIOUSLY FILLED: (HILL)

Council Member Evans made a motion, seconded by Council Member Listi to approve the following appointments: Motion carried unanimously.

a. BOARD OF ADJUSTMENTS AND APPEALS: TWO (2) ALTERNATES NEEDED

Chris Huffman

b. BOARD OF ETHICS: ONE (1) APPOINTMENT NEEDED

Dabney Helms

c. CONVENTION AND VISITORS ADVISORY BOARD: ONE (1) CONDOMINIUM INDUSTRY; ONE (1) FULL SERVICE HOTEL INDUSTRY AND ONE (1) LIMITED SERVICE HOTEL INDUSTRY

Wally Jones, Condominium Industry

d. DEVELOPMENT STANDARDS TASK FORCE: TWO (2) APPOINTMENTS NEEDED

No appointments

e. HISTORIC PRESERVATION COMMITTEE: ONE (1) APPOINTMENT NEEDED

No appointments

f. PARKS, RECREATION & BEAUTIFICATION COMMITTEE: THREE (3) APPOINTMENTS NEEDED

Lavida Williams, Craig Alaniz, Jim Helms

g. PLANNING & ZONING COMMISSION: TWO (2) APPOINTMENTS NEEDED

Gary Olle, Marc Millis

XIII. DISCUSSION AND ACTION ON THE POSSIBLE CREATION OF A CITY OF SOUTH PADRE ISLAND POLICY THAT WOULD SET GUIDELINES FOR THE PROMOTION OF COMMUNITY ACTIVITIES AND EVENTS. (FUDGE)

Guidance given, no action taken.

XIV. DISCUSSION AND ACTION REGARDING STREET RECONSTRUCTION AND MAINTENANCE PROJECTS. (MOYA)

Council Member Evans made a motion, seconded by Council Member Fudge to approve Option B which includes prioritized spot repairing on Gulf Boulevard, Laguna Boulevard, West Streets, East Streets along with completely reconstructing East Huisache and adding curb and gutter and a 4ft. sidewalk on one side for a total amount of project to be \$494,279.35. Motion carried unanimously.

XV. DISCUSSION AND ACTION TO ALLOCATE UNRESTRICTED RESERVES FROM THE GENERAL FUND FOR FISCAL YEAR 2012-2013 TO REFLECT FUNDING FOR THE PROJECTS IDENTIFIED BY CITY COUNCIL AT THE DECEMBER 19, 2012 CITY COUNCIL MEETING. (FREE)

Council Member Bagley made a motion to allocate \$680,000 out of unrestricted reserves from the General Fund to fund of projects identified by City Council at the Dec. 19, 2012 Council meeting which include \$300,000 for streets, \$200,000 for Gulf Boulevard, \$100,000 for Paid Parking, \$30,000 for park improvements (located at property close to Travel Lodge), \$50,000 for Old City Hall Project. Motion was seconded by Council Member Listi and passed on a unanimous vote.

Note: Other projects identified, but will be presented to City Council separately for approval include \$50,000 for the Public Works Director position and \$50,000 for the Anti-Litter program.

XVI. DISCUSSION AND ACTION TO ALLOCATE UNRESTRICTED RESERVES FROM THE GENERAL FUND FOR FISCAL YEAR 2012-2013 TO REFLECT FUNDING FOR THE PUBLIC WORKS DIRECTOR AS AUTHORIZED BY CITY COUNCIL AT THE DECEMBER 19, 2012 CITY COUNCIL MEETING. (FREE)

Council Member Evans made a motion to allocate \$50,000 out of unrestricted reserves from the General Fund to fund the Public Works Director position. Motion was seconded by Council Member Fudge. Motion carried unanimously.

XVII. DISCUSSION AND ACTION TO AMEND THE CITY BUDGET TO ACCOUNT FOR FINAL PAYMENT ON FIRE STATION CONSTRUCTION, THE REMAINING BALANCE IN THE FIRE STATION BETTERMENT FUND AND THE FINAL CONSTRUCTION GRANT REIMBURSEMENT. (FREE/BASKETT)

Council Member Evans made a motion, seconded by Council Member Bagley to approve budget amendment. Motion passed unanimously.

XVIII. DISCUSSION, ACTION, AND DIRECTION TO STAFF REGARDING RESPONSES INTO COUNTY PARK AREAS FOR "LIFEGUARD/BEACH PATROL" CALLS AFTER TERMINATION OF CONTRACT BY CAMERON COUNTY. (BASKETT)

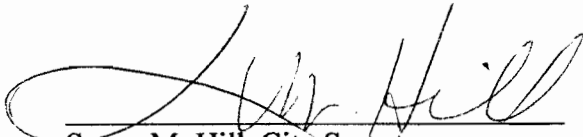
Discussion was held – no action taken.

XIX. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT TO RECORD THE GRANT REVENUE AND EXPENSES FOR EXISTING DIVE TEAM GRANT. (BASKETT)

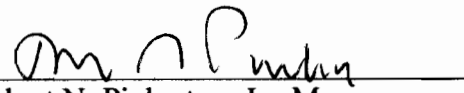
Council Member Evans made a motion, seconded by Council Member Fudge to approve budget amendment in the amount of \$7,224.41 to record the revenue and expenses due to monies released by the State for an existing Dive Team Grant that was not originally budgeted. Motion carried unanimously.

XX. ADJOURN.

There being no further business, Mayor Pinkerton adjourned the meeting at 6:49 p.m.


Susan M. Hill, City Secretary

APPROVED


Robert N. Pinkerton, Jr., Mayor

