

**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:

**WEDNESDAY, NOVEMBER 16, 2016**

5:00 P.M. AT THE MUNICIPAL BUILDING,  
CITY COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR  
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

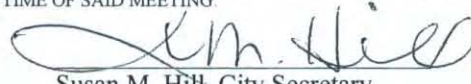
1. Call to order
2. Pledge of Allegiance
3. Discussion and action to approve Resolution No. 2016-33 canvassing the returns and declaring the results of the November 8, 2016 General and Special Election.
4. Administration of Oaths and installation of newly elected and re-elected Officials:
  - a. Dennis Stahl, Council Member Place 1
  - b. Ron Pitcock, Council Member Place 2
5. Discussion and action to approve Resolution No. 2016-34 appointing a Mayor Pro-tem and establishing an effective date.
6. Discussion and action to approve Resolution No. 2016-35 authorizing the creation of a Venue Project fund in accordance with Local Government Code 334.
7. Discussion and action to approve first reading of Ordinance No. 16-23 amending Chapter 17 by adding a new Sec. 17-17 pertaining to Hotel Occupancy Tax ("HOT") by adding a new Venue Tax which shall increase the HOT by 2%.
8. 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 10TH DAY OF NOVEMBER, 2016

  
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 **NOVEMBER 10, 2016** AT/OR BEFORE 5:00 P.M. AND REMAINED SO 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, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-1025.

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

**MEETING DATE:** November 16, 2016

**NAME & TITLE:** Council Members

**DEPARTMENT:** City Council

**ITEM**

Discussion and action to approve Resolution No. 2016-33 canvassing the returns and declaring the results of the November 8, 2016 General and Special Election.

**ITEM BACKGROUND**

**BUDGET/FINANCIAL SUMMARY**

**COMPREHENSIVE PLAN GOAL**

**LEGAL REVIEW**

Sent to Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
Approved by Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_

Comments:

**RECOMMENDATIONS/COMMENTS**





## RESOLUTION NO. 2016-33

**A RESOLUTION OF THE COUNCIL MEMBERS OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF AN GENERAL ELECTION FOR THE PURPOSE TO ELECT TWO COUNCIL MEMBERS (PLACE 1 AND PLACE 2) AND SPECIAL ELECTION FOR THE PURPOSE AUTHORIZING A VENUE PROJECT TO BE FINANCED BY THE IMPOSITION OF AN ADDITIONAL 2% TAX INCREASE ON THE HOTEL OCCUPANCY TAX IN THE CITY OF SOUTH PADRE ISLAND, TEXAS ON NOVEMBER 8, 2016.**

**WHEREAS**, there came to be considered the returns of an General election held on the 8<sup>th</sup> day of November 2016 for the purpose of electing two Council Members (Place 1 and Place 2) and a Special election to authorize a venue project to be financed by the imposition of an additional 2% tax increase on the Hotel Occupancy Tax; and

**WHEREAS**, City Council canceled the November 8, 2016 General election in accordance with Section 2.053(a) of the Texas Election Code to which the candidates have been certified as unopposed and are hereby elected as follows; and

**General Election – to elect two Council Members (Place 1) and Council Member Place 2):** Unopposed and declared elected

Candidate

Office

Dennis Stahl

Council Member – Place 1

Ron Pitcock

Council Member – Place 2

**WHEREAS**, there came to be considered the returns of an election held on the 8th day of November 2016 for the purpose to authorize a venue project to be financed by the imposition of an additional 2% tax increase on the Hotel Occupancy Tax; and it appearing from said returns, duly and legally made, that there were cast at said election 1003 valid and legal votes; that each of the candidates in said election received the following number of votes:

**Special Election – Authorizing the City of South Padre Island to provide for the planning, design, development, acquisition, renovation and construction of a convention center annex, Padre Boulevard medians and improvements,**

amphitheater(s), improvements for sports and community venue projects and related land purchase, automobile parking facility and related land purchase or on land or facilities owned by the City of South Padre Island; and to impose a hotel occupancy tax at the rate of 2% for the purpose of financing the venue project. If approved, the maximum hotel occupancy tax rate imposed from all sources in the City of South Padre Island would be 16.5% of the price paid for a room in a hotel:

Proposition	Votes Cast Early	Votes Cast Election Day	Total
For	566	253	819
Against	124	60	184

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNCIL MEMBERS OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:**

That said election was duly called, posted and canceled in accordance with the laws of the Texas Election Code. That Dennis Stahl was elected Council Member – Place 1, Ron Pitcock was elected Council Member Place 2); and said persons are hereby declared duly elected to said offices, subject to the taking of their oaths and filing sworn statements and oaths as required by the laws of the State of Texas; and that Special Election proposition passed authorizing a venue project to be financed by the imposition of an additional 2% tax increase on the Hotel Occupancy.

It is further found and determined that in accordance with the laws of the Texas Election Code, the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located at the Municipal Complex, 4601 Padre Boulevard, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting.

**PASSED, ADOPTED AND APPROVED** on this the 8th day of November 2016.

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Bharat R. Patel, Mayor

ATTEST:

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Susan M. Hill, City Secretary

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

**MEETING DATE:** November 16, 2016

**NAME & TITLE:** Council Members

**DEPARTMENT:** City Council

**ITEM**

Administration of Oaths and installation of newly elected and re-elected Officials:

- a. Dennis Stahl, Council Member Place 1
- b. Ron Pitcock, Council Member Place 2

**ITEM BACKGROUND**

**BUDGET/FINANCIAL SUMMARY**

**COMPREHENSIVE PLAN GOAL**

**LEGAL REVIEW**

Sent to Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
Approved by Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_

Comments:

**RECOMMENDATIONS/COMMENTS**



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

**MEETING DATE:** November 16, 2016

**NAME & TITLE:** Council Members

**DEPARTMENT:** City Council

**ITEM**

Discussion and action to approve Resolution No. 2016-34 appointing a Mayor Pro-tem and establishing an effective date.

**ITEM BACKGROUND**

**BUDGET/FINANCIAL SUMMARY**

**COMPREHENSIVE PLAN GOAL**

**LEGAL REVIEW**

Sent to Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
Approved by Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_

Comments:

**RECOMMENDATIONS/COMMENTS**



**RESOLUTION NO. 2016-34**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, APPOINTING A MAYOR PRO-TEM; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Article II, Section 2.03(b) of the City of South Padre Island's Home Rule Charter provides for the office of Mayor Pro-tem, who shall act a Mayor during the absence or disability of the Mayor; and

**WHEREAS**, Article II, Section 2.03(b) of the City of South Padre Island's Home Rule Charter provides for the election of the Mayor Pro-tem by the City Council; and

**WHEREAS**, the City Council of the City of South Padre Island, Texas finds it to be in the best interest of the City to appoint an individual to the office of Mayor Pro-tem in accordance with the provisions of the City Charter; and

**WHEREAS**, appointment of the Mayor Pro Tem will be effective on November 16, 2016 and will continue for one year or until superseded by new City Council appointments.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of South Padre Island, Texas:

**Section 1.** That in accordance with the terms and provisions of Article II, Section 2.03(b) of the City of South Padre Island's Home Rule Charter, the following individual is hereby elected Mayor Pro-tem:

\_\_\_\_\_.

**Section 2.** This appointment will be for the term beginning November 16, 2016 and ending one year later or until superseded by new council member appointments.

**Section 3.** That this Resolution shall be in full force and effect from and after its passage and approval.

**PASSED, APPROVED AND ADOPTED** on this the 16th day of November, 2016

**CITY OF SOUTH PADRE ISLAND, TEXAS**

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Bharat R. Patel, Mayor

**ATTEST:**

\_\_\_\_\_  
Susan M. Hill, City Secretary

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

**MEETING DATE:** November 16, 2016

**NAME & TITLE:** Council Members

**DEPARTMENT:** City Council

**ITEM**

Discussion and action to approve Resolution No. 2016-35 authorizing the creation of a Venue Project fund in accordance with Local Government Code 334.

**ITEM BACKGROUND**

**BUDGET/FINANCIAL SUMMARY**

**COMPREHENSIVE PLAN GOAL**

**LEGAL REVIEW**

Sent to Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
Approved by Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_

Comments:

**RECOMMENDATIONS/COMMENTS**





**RESOLUTION NO. 2016-35**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AUTHORIZING THE CREATION OF A VENUE PROJECT FUND IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 334.

WHEREAS, the City of South Padre Island voted and approved on November 8, 2016 a venue project in accordance with the ballot proposition which imposes a new additional 2% venue tax on the occupancy of a hotel/motel room; and

WHEREAS, Chapter 334 of the Local Government Code requires the City of South Padre Island establish by resolution a fund known as the “venue project fund”; and

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

Section 1. The City Council hereby establishes a fund known as the “venue project fund.”

Section 2. Such fund shall have separate accounts within the fund for the various revenue sources in accordance with Local Government Code chapter 334.042.

PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of November 2016

**ATTEST:**

**CITY OF SOUTH PADRE  
ISLAND, TEXAS**

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SUSAN HILL, CITY SECRETARY

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BHARAT R. PATEL, MAYOR

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

**MEETING DATE:** November 16, 2016

**NAME & TITLE:** Council Members

**DEPARTMENT:** City Council

**ITEM**

Discussion and action to approve first reading of Ordinance No. 16-23 amending Chapter 17 by adding a new Sec. 17-17 pertaining to Hotel Occupancy Tax ("HOT") by adding a new Venue Tax which shall increase the HOT by 2%.

**ITEM BACKGROUND**

**BUDGET/FINANCIAL SUMMARY**

**COMPREHENSIVE PLAN GOAL**

**LEGAL REVIEW**

Sent to Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
Approved by Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_

Comments:

**RECOMMENDATIONS/COMMENTS**

ORDINANCE NO. 16-23

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING CHAPTER 17, BY ADDING A NEW SEC. 17-17 TO THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND PERTAINING TO HOTEL OCCUPANCY TAX ("HOT") BY ADDING A NEW VENUE TAX WHICH SHALL INCREASE THE HOT BY 2%; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE; AND PROVIDING FOR PUBLICATION IN CAPTION FORM.

WHEREAS, the City of South Padre Island City Council (the "City Council") sought approval from the voters of a venue project as authorized by Chapter 334 of the Texas Local Government Code; and

WHEREAS, the City called a special tax election to submit a measure to the voters providing for the imposition of a hotel occupancy tax to be used for a venue project, and the votes passed the measure; and

WHEREAS, the Code of Ordinances of the City of South Padre Island needs to be amended to reflect the recent changes;

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

**Section 1.** Chapter 17 of the Code of Ordinances of the City of South Padre Island is amended by adding a new section, Sec. 17-17, as follows:

**“Sec. 17-17 Venue Tax on hotel-motel occupancy tax.**

a) There is hereby levied an additional venue tax of two (2%) percent, which is in addition to the hotel-motel occupancy tax already levied, on a person who, under lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs Two Dollars (\$2.00) or more each day, and is ordinarily used for sleeping.

b) The administration and enforcement of this venue tax shall be in accordance with the hotel-motel occupancy tax provisions contained in Chapter 17, Article II.

c) The maximum combined hotel occupancy tax rate from all sources cannot exceed seventeen (17%) percent per Local Government Code 334.254.

d) Each bill or receipt for a hotel charge shall comply with Local Government Code 334.256 and conspicuously state the applicable hotel occupancy tax rate collected for the State and the tax rate and identity of each other taxing authority that has imposed a hotel occupancy tax.”

**Section 2.** This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

**Section 3.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court



of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

**Section 5.** This Ordinance shall become effective when published in summary form or by publishing its caption.

PASSED, APPROVED AND ADOPTED on First Reading, the \_\_\_\_ day of \_\_\_\_\_, 2016.

PASSED, APPROVED AND ADOPTED on Second Reading, the \_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

CITY OF SOUTH PADRE ISLAND, TEXAS

\_\_\_\_\_  
SUSAN HILL, CITY SECRETARY

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BHARAT R. PATEL, MAYOR